

**Subject: AGE OF ENTRANCE****Policy: 7120**

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**Kindergarten**

- Students who are legal residents of the School District and who reside with parents or guardians within the School District at the time of the opening day of school must be five (5) years of age or more on December 1st in order to register for Kindergarten.
- A child who transfers into the School District at any time during the school year may be considered for admission to Kindergarten by the Superintendent provided:
  - The parents were not legal residents of the School District on the opening day of school, and
  - The child has been registered and enrolled in Kindergarten in the district in which his/her parents were legal residents.

**Other Grades**

- Admission of children to other grades shall involve consideration of both chronological age and the readiness of the children to do the work of those grades.

**Proof of Age**

- A student's birth certificate or other satisfactory evidence of age shall be presented at the time of initial registration. The child shall be entered under his/her legal name.

**Subject: NON-RESIDENT STUDENTS****Policy: 7131**

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- Non-Resident families who wish to enroll children in the DeRuyter Central School District shall submit a request in writing to the Superintendent, who shall determine whether or not the student(s) will be admitted. These requests shall be processed pursuant to and in accordance with Education Law Sections 1709(13), 2045, 3202 and applicable regulations of the State of New York.
- Tuition will be charged to families of non-residents students in accordance with formulas approved by the State Education Department (Seneca Falls Formula). Tuition will not be charged to students who are attending tuition free at this time or students of DeRuyter Central School staff members.

*Education Law Sections 1709(13), 2045, 3202  
8 New York Code of Rules and Regulations  
(NYCRR) Section 174.2*

**Subject: SCHOOL CENSUS****Policy: 7160**

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- DeRuyter Central School District will authorize, rather than be obligated to take, a census of all children from birth to 18 years of age in the District. This will be done every other year (even years).
- The census must indicate the names of all children between birth and 18 years of age, and of children with disabilities between birth and 21 years of age; their respective residences by street and number; the day of the month and the year of their birth; the names of the persons in parental relation to them; such information relating to physical or mental disabilities, to illiteracy, to employment and to the enforcement of the law relating to child labor and compulsory education as the State Education Department and the Board of Education shall require; and also such further information as the Board shall require.
- On written request and in such form as prescribed by the Commissioner of Education, the Board shall provide to the Commissioner a report containing the names, ages and addresses of those children who are blind or deaf, and those children having serious physical or mental disabilities. Additionally, such report shall further indicate whether such children are being educated within the public schools of the District or, if they are not, where such education is being furnished to them.
- Persons in parental relation to those children with the prescribed census age ranges are to make such reports as the Board of Education shall require, including, but not limited to, providing two weeks before the child reaches compulsory school age, the name of the child; the child's residence; the name of the person or persons in parental relation to the child; the name and location of the school to which the child shall have been or shall be sent as a student; and such other information as required by law or as the Board may require.
- A parent, guardian or other person having under his/her control or charge a child between birth and 18 years of age who withholds or refuses to give information in his/her possession relating to such census data as required by law pertaining to the child; or, in the alternative, gives false information in relation to such census data, shall be liable to and punished by a fine or imprisonment as established by law.
- Census data shall be reported as required by law.

*Education Law Sections 3240-3243 and 4402 (1)(a)  
8 New York Code of Rules and Regulations  
(NYCRR) Section 200.2(a)*

Note: Refer also to Policy # 7650 - "Identification and Register of Children with Disabilities"

**Subject: PROVISION OF INTERPRETER SERVICES TO PARENTS  
WHO ARE HEARING IMPAIRED****Policy: 7211**

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- The Board of Education assures parents or persons in parental relationship who are hearing impaired the right to meaningful access to school initiated meetings or activities pertaining to the academic and/or disciplinary aspects of their children's education. School initiated meetings or activities are defined to include, but are not limited to, parent-teacher conferences, child study or building-level team meetings, planning meetings with school counselors regarding educational progress and career planning, suspension hearings or any conferences with school officials relating to disciplinary actions. The term "hearing impaired" shall include any hearing impairment, whether permanent or fluctuating, which prevents meaningful participation in School District meetings or activities.
  
- Parents or persons in parental relationship shall be notified of the availability of interpreter services to be provided at no charge, provided that a written request is made to the School District within fourteen (14) days of the scheduled event. Exceptions to the time frame request may be made for unanticipated circumstances as determined by the principal/designee. The District shall also notify appropriate school personnel as to the terms and implementation of this policy.
  
- If interpreter services are requested, the District shall appoint an interpreter for the hearing impaired to interpret during the meeting or activity. The District will arrange for interpreters through a District-created list or through an interpreter referral service. The District shall also develop interagency agreements, as appropriate, to ensure that sign language interpreters are provided for eligible parents or persons in parental relationship when District students attend out-of-District schools or programs.
  
- In the event that an interpreter is unavailable, the School District shall make other reasonable accommodations which are satisfactory to the parents or persons in parental relationship. Examples of what constitutes reasonable accommodations in the event an interpreter cannot be located may include, but are not limited to, the use of:
  - Written communications, transcripts, note-takers, etc; and
  - Technology, such as: a decoder or telecommunication device for the deaf, assistive listening devices, and closed or open captioning.

*Education Law Section 3230  
8 New York Code of Rules and Regulations  
(NYCRR) Section 100.2(aa)*

**Subject: CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES****Policy: 7222**

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- The Board of Education is committed to ensuring that students with disabilities are provided appropriate opportunities to earn a high school diploma in accordance with the provisions of Section 100.5 of the Commissioner's Regulations. However, when necessary, the District may award local certificates and high school individualized education program diplomas to students with disabilities.
- The administration shall develop regulations to implement this policy.

**Subject: DUAL CREDIT FOR COLLEGE COURSES****Policy: 7230**

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- All students who have successfully fulfilled the requirements to enter into their senior year and have demonstrated intellectual and social maturity may choose to matriculate at any one of the colleges that have a cooperative agreement with our School District. Such opportunities may include early admission to college, collegiate-level work offered in the high school, or other means of providing advanced work. Review and approval by the administration are necessary before any college courses may be taken during the school day.
- The Board shall not be required to pay tuition and other related costs for those high school students enrolled in college courses. Students who wish to enroll in college level coursework shall meet all academic, grade level and coursework requirements as set forth by administrative rules and regulations.

**Subject: STUDENT RECORDS: ACCESS AND CHALLENGE****Policy: 7240**

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**Student Records**

- The Board of Education recognizes the legal requirement to maintain the confidentiality of student records. The procedures for the confidentiality of student records shall be consistent with federal statutes, including the Family Educational Rights and Privacy Act of 1974 (FERPA) and its implementing regulations, and the Commissioner's Regulations..
- The Superintendent of Schools shall be responsible for ensuring that all requirements under federal statutes and Commissioner's Regulations shall be carried out by the district.

**Annual Notification**

- At the beginning of each school year, the district shall publish in a local newspaper a notice to parents(s) or guardian(s) of students under 18 years of age and students 18 years of age or older ("eligible students") currently in attendance of their rights under FERPA and this policy. The district shall also send home a bulletin listing these rights, which will also be included with a packet of material provided parents or an eligible student when the student enrolls during the school year.
- The notice must include a statement that the parent or eligible student has a right to:
  - Inspect and review the students education records;
  - A specification of the intent of the school district to limit the disclosure of personally identifiable information contained in a student's education records except:
    - by prior written consent of the student's parent(s) or guardian(s) or the eligible student;
    - as directory information; or
    - under certain limited circumstances, as permitted by FERPA.
  - Request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
  - File a complaint with the U. S. Department of Education alleging failure of the District to comply with FERPA and its regulations; and
  - Obtain copies of this policy and the locations where copies may be obtained.
- DeRuyter Central School does not release directory information to the media, colleges or universities and prospective employers. Directory information will be released to the military as per law.

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**Subject: STUDENT RECORDS: ACCESS AND CHALLENGE**

**Policy: 7240**

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- The District shall arrange to provide translations of this notice to non-English speaking parents in their native language.

**Challenge to Student Records**

- Parents/guardians of a student under the age of eighteen (18), or a student who is eighteen (18) years of age or older or who is attending an institution of post-secondary education, shall have an opportunity for a hearing to challenge the content of the school records, to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students and to provide an opportunity of the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

*Family Education Rights and Privacy Act of 1974  
20 United States Code (U.S.C.) Section 1232(g)  
34 Code of Federal Regulations (CFR) Section 300.571*

**Subject: STUDENT DIRECTORY INFORMATION****Policy: 7242**

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- The District shall publish an annual public notice informing parents or eligible students of their right to refuse the release of student directory information and indicating a time period for their response. Following such public notice and a reasonable response period, the District may release such information to an outside group without individual consent.

- The Family Education Rights and Privacy (FERPA) defines student directory information as the following: name; address; telephone listing, date and place of birth, enrollment status (e.g. undergraduate or graduate, full time or part time); major field of study; grade level; participation in officially recognized activities and sports; weight and height (if members of athletic teams); dates of attendance; honors, degrees and awards received; electronic mail address; photograph; and the name of the educational agency or institution most recently previously attended by the student.

**Student Lists**

- No list of students may be released to any outside group which desires to use such lists for a commercial purpose. The Board of Education may make an exception to this rule with respect to seniors where such a release could be to their advantage, e.g., informational materials from the Armed Forces, any special business offers, or where duly elected legislators may wish to merely send congratulatory letters to them.

*20 United States Code (U.S.C.) 1232(g)*

Note: 3.29 31<sup>st</sup> Edition School Law

- Districts may disclose directory information about students such as their names and addresses, if they notify parents of the categories of information, and give parents reasonable time to inform district that such information should not be released without their consent.

- Send form with newsletter - have parents return form if they DO NOT want directory information released.

**Subject: SCHOOL CONDUCT AND DISCIPLINE****Policy: 7310**

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- The Board of Education acknowledges its responsibility to protect the educational climate of the District and to promote responsible student behavior. Accordingly, the Board delegates to the Superintendent the responsibility for assuring the implementation of a Code of Conduct for the Maintenance of Order on School Property, including school functions, which shall govern the conduct of students as well as teachers, other school personnel, and visitors. The Board shall further provide for the enforcement of such Code of Conduct. The District Code of Conduct shall be developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other personnel and shall incorporate, at a minimum, those components addressed in law and enumerated in Policy #3410 - Code of Conduct on School Property. Specific components may vary as appropriate to student age, building levels, and educational needs.
  
- In accordance with the Code of Conduct on School Property, areas addressing student conduct and behavior will further utilize the following strategies in promoting acceptable student behavior:
  - A bill of rights and responsibilities of students that focuses upon positive student behavior, and is publicized and explained to all students on an annual basis;
  - A Code of Conduct for student behavior setting forth prohibited student conduct and the range of penalties that may be imposed for violation of such Code, that is publicized and disseminated to all students and parents/guardians on an annual basis pursuant to law;
  
  - Strategies and procedures for the maintenance and enforcement of public order on school property that shall govern the conduct of all persons on school premises, in accordance with Section 2801 of the Education Law and accepted principles of due process of law.
  
  - Procedures within each building to involve student service personnel, administrators, teachers, parents/guardians and students in the early identification and resolution of discipline problems. For students identified as having disabilities, procedures are included for determining when a student's conduct shall constitute a reason for referral to the Committee on Special Education for review and modification, if appropriate, of the student's individualized education program;

(Continued)

**Subject: SCHOOL CONDUCT AND DISCIPLINE****Policy: 7310**

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- Alternative educational programs appropriate to individual student needs;
- Disciplinary measures for violation of the school policies developed in accordance with subparagraphs b and c of this paragraph. Such measures shall be appropriate to the seriousness of the offense and, where applicable, to the previous disciplinary record of the student. Any suspension from attendance upon instruction may be imposed only in accordance with Section 3214 of the Education Law;
- Guidelines and programs for in-service education for all District staff to ensure effective implementation of school policy on school conduct and discipline;
- The Superintendent or designee is directed to insure that regulations, rules, or codes are in place and disseminated.

*Education Law Sections 2801 and 3214  
8 New York Code of Rules and Regulations  
(NYCRR) Section 100.2(1)(2)*

NOTE: Refer also to Policy #3410 - Code of Conduct on School Property.

**Subject: LOSS OR DESTRUCTION OF DISTRICT  
PROPERTY OR RESOURCES****Policy: 7311**

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- The District is authorized to seek restitution, through civil action when necessary, from the parent or guardian of an un-emancipated student over the age of ten (10) and under the age of eighteen (18) where such student:

- has willfully, maliciously, or unlawfully damaged, defaced or destroyed real or personal property in the care, custody and/or ownership of the District; or
- has knowingly entered or remained in a District building, and wrongfully taken, obtained or withheld personal property owned or maintained by the District.

- In instances where the district has sought and obtained a judgment from a court of competent jurisdiction, parent/guardian liability for civil damages shall not exceed \$5,000. Under certain circumstances, prior to the entering of a judgment in the sum total of \$500 or more, a court may consider the parent's or guardian's financial inability to pay any portion or all of the amount of damages which are in excess of \$500 and enter a judgment in an amount within the financial capacity of the parent or guardian. However, no such judgment shall be entered for an amount which is less than \$500.

**False Reporting of an Incident and/or Placing a False Bomb**

- A school district is also authorized to seek restitution, as described in law, from a parent or guardian of an un-emancipated student over the age of ten (10) and under the age of eighteen (18) where such student:

- has falsely reported an incident; or
- has placed a false bomb or making the threat of placing a bomb or blowing up school property as defined in the New York State Penal Law.

- Damages for falsely reporting an incident or placing a false bomb shall mean the funds reasonably expended by the School District in responding to such false report of an incident or false bomb, less the amount of any funds which have been or will be recovered from any other source as enumerated in law.

- In seeking restitution, the School District shall file with the court, district attorney and defense counsel an affidavit stating that the funds reasonably expended for which restitution is being sought have not been and will not be recovered from any other source or in any other civil or criminal proceeding, except as provided for pursuant to General Obligations Law Section 3-221.

**Subject: SUSPENSION OF STUDENTS****Policy: 7313**

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- The principal and/or the Superintendent may suspend the following students from required attendance and instruction:

- A student who is insubordinate or disorderly;
- A student whose physical or mental condition, or whose conduct endangers the health, safety or morals of himself/herself or of other students.

- When a student has been suspended and is of compulsory attendance age, immediate steps shall be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes.

**Suspension from BOCES**

- The Board of Education empowers the BOCES principal to suspend school district students from BOCES classes for a period not to exceed five (5) school days when a student behavior warrants such action.

**In-School Suspension**

- In-school suspension will be used as a lesser discipline to avoid an out-of-school suspension. The student shall be considered present for attendance purposes. The program is used to keep each student current with his/her class work while attempting to reinforce acceptable behavior, attitudes and personal interaction.

**Exhaustion of Administrative Remedies**

- If a parent/person in parental relation wishes to appeal the decision of the building principal and/or Superintendent to suspend a student from school, regardless of the length of the student's suspension, the parent/person in parental relation must appeal to the Board of Education prior to commencing an appeal to the Commissioner of Education.

*Education Law Section 3214  
8 New York Code of Rules and Regulation  
(NYCRR) Section 100.2(1) and Part 201  
20 United States Code (U.S.C.) Sections 1400-1485,  
Individuals with Disabilities Education Act (IDEA)  
34 Code of Federal Regulations (CFR) Part 300*

**Subject: ACCEPTABLE USE POLICY****Policy: 7314**

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- We are pleased to offer students of the DeRuyter Central School District access to the District computer network for use of the Internet. To gain access to the Internet, all students must obtain parental permission and must sign and return the attached parent permission form from the Building Principal.

- Access to the Internet will enable students to explore thousands of libraries, databases, and bulletin boards, and will permit students to exchange information with Internet users throughout the world. You are cautioned, however, that material accessible via the Internet may contain items that are illegal, defamatory, inaccurate, or potentially offensive. While our intent is to make the Internet access available only to further educational goals and objectives, students may find ways to access other materials as well. We believe that the benefits to students from access to the Internet, in the form of information resources and opportunities for collaboration, exceed any disadvantages.

- School officials have no control over the information through the Internet. Thus, the District cannot be responsible for restricting, monitoring, or controlling the communications of individuals utilizing these services. Ultimately, parents and guardians of minors are responsible for setting and conveying standards that their children should follow when using media and information sources. To that end, the DeRuyter Central School District supports and respects each family's right to decide whether or not to apply for access.

- As indicated by the attached policy, students are responsible for good behavior on school computer networks just as they are in a classroom or a school hallway. Communications over the network are often public in nature and general school rules for behavior and communications apply. Access to these services will be given only to students who agree to act in a considerate and responsible manner and in compliance with all school policies.

- Access to the Internet is a privilege, and not a right. Access entails responsibility. Individual users are responsible for their behavior and communications over the Internet. It is assumed that users will comply with District standards and will honor the agreements that they have signed.

- Students' network storage areas are provided for storage of students' school files only. Students will not be permitted to download files from the Internet (either to their H:\ drive on the server or to a workstation's hard drive), unless specifically instructed to do so by a DeRuyter Central School faculty or staff member.

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### Subject: **ACCEPTABLE USE POLICY**

### Policy: **7314**

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- Network storage areas are analogous to school lockers, and users should not expect their files stored on District servers or computers to be private in nature. Network administrators may review files and communications to maintain system integrity and to ensure that users are using the system responsibly.

- Within reason, freedom of speech and access to information will be honored. During school exercise, teachers of younger students will guide them towards appropriate materials. Outside of the school, however, families bear the same responsibility for such guidance as they exercise with other information sources such as television, telephones, movies, radios and other potentially offensive media.

- As outlined in the attached Board Policy and the existing procedures on students' rights and responsibilities, copies of which are available in school offices, the following conduct is prohibited:

- Sending, displaying or distributing offensive messages, materials or pictures.
- Using obscene language.
- Harassing, insulting or attacking others.
- Damaging computers, computer systems or computer networks. This includes creating or willfully disseminating computer viruses.
- Adjusting, changing or viewing computer system configurations or settings in any way.
- Violating copyright laws.
- Using another's password.
- Trespassing into another's folder, work or files.
- Intentionally wasting limited resources.
- Downloading files from the Internet (either to the student's H:\ drive on the server or to a workstation's hard drive), installing or running software, unless specifically instructed to do so by a DeRuyter Central School faculty or staff member.
- Employing the network for commercial purposes.
- Sending, displaying and distributing messages, materials or pictures containing adult material or material that threatens or intimidates a person or group of people on the basis of their sex, race, color, religion or national origin.
- Removing/moving, unplugging, altering, or adding equipment or software to the computers or network without the approval of the network administrator. This includes wireless equipment.

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**Subject: ACCEPTABLE USE POLICY****Policy: 7314**

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- Connecting personal technology equipment or media, such as, but not limited to laptops, flash drives, CD-ROMS, etc., to the computers or network without prior approval from the classroom teacher or network administrator. Any personal technology equipment or media must go through a thorough scanning process to prevent the potential spread of viruses or damaging applications.
- Violations may result in a loss of access and other disciplinary or legal action. Children will have access to the Internet in school to further educational goals and objectives unless a Parent/Guardian requests in writing to the Building Principal that their child not be allowed access. If parents so request, their child will still have access to computers for educational purposes.



**Subject: ACCEPTABLE USE POLICY**

**Policy: 7314**

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## **Internet User Agreement No Internet Access Form**

- As the parent and legal guardian of the minor student below, I do not wish for my son or daughter to access networked computer services such as the Internet.

Name of Student \_\_\_\_\_

School \_\_\_\_\_ Grade \_\_\_\_\_

Date of Birth \_\_\_\_\_

Address \_\_\_\_\_

Home Telephone Number \_\_\_\_\_

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

**Subject: SEARCHES AND INTERROGATIONS****Policy: 7330**

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- Students are protected by the Constitution from unreasonable searches and seizures. A student may be searched and contraband seized on school grounds or in a school building by a School District employee only when the School District employee has reasonable suspicion to believe the student is engaging in proscribed activity which is in violation of school rules and/or illegal.
- Factors to be considered in determining whether reasonable suspicion exists to search a student include:
  - The age of the student;
  - The student's record and past history;
  - The predominance and seriousness of the problem in the school where the search is directed; and
  - The urgency to conduct the search without delay.
- If reasonable suspicion exists to believe that a student possess a weapon, it is permissible for a school district employee to search that student.

**Lockers**

- Lockers are provided by the school for student use and the administration has the right to search lockers. A student may have exclusive use of a locker as far as other students are concerned but he/she does not have such exclusivity over the locker as it relates to the school authorities.

**Questioning of Students by School Officials**

- School officials have the right to question students regarding any violations of school rules and/or illegal activity. In general, administration may conduct investigations concerning reports of misconduct which may include, but are not limited to, questioning students, staff, parents/guardians, or other individuals as may be appropriate and, when necessary, determining disciplinary action in accordance with applicable due process rights.
- Should the questioning of students by school officials focus on the actions of one particular student, the student will be questioned, if possible, in private by the appropriate school administrator. The student's parent/guardian may be contacted; the degree, if any, of parental/guardian involvement will vary depending upon the nature and the reason for questioning, and the necessity for further action which may occur as a result.

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**Subject: SEARCHES AND INTERROGATIONS****Policy: 7330**

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- The questioning of students by school officials does not preclude subsequent questioning/interrogations by police authorities as otherwise permitted by law. Similarly, the questioning of students by school officials does not negate the right/responsibility of school officials to contact appropriate law enforcement agencies, as may be necessary, with regard to such statements given by students to school officials.
- Schools officials acting alone and on their own authority, without the involvement of or on behalf of law enforcement officials (at least until after the questioning of students by school authorities has been conducted) are not required to give the so-called “Miranda warning” (i.e., advising a person, prior to any custodial interrogations as defined in law, of the right to remain silent; that any statement made by the individual may be used as evidence against him/her; and that the individual has the right to the presence of an attorney, either retained or appointed), prior to the questioning of students.
- If deemed appropriate and/or necessary, the Superintendent/designee may also review the circumstances with the School District legal counsel so as to address concerns and the course of action, if any, which may pertain to and/or result from the questioning of students by school officials.

**Law Enforcement Officials**

- It shall be the policy of the DeRuyter Central School District that a cooperative effort shall be maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on school premises or during a school-sponsored activity, or to maintain the educational environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property.
- Administrators have the responsibility and the authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions. The School District’s administrators shall at all times act in a manner that protects and guarantees the rights of students and parents.

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**Subject: SEARCHES AND INTERROGATIONS****Policy: 7330**

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**Interrogation of Students by Law Enforcement Officials**

- Interviews of students by police authorities will be allowed only when:
  - The officer has a warrant; or,
  - Written or verbal permission from a parent or guardian is obtained; or,
  - The questioning of students concerns a crime committed on school property,
  
- Removal of students by police authorities will be allowed only when:
  - Written permission of a parent or guardian is obtained; or,
  - The officer has a warrant; or,
  - The parent or guardian is present and gives consent.
  
- In each instance, the Building Administrator must notify the Superintendent. In matters regarding a school request for investigation of an incident, an administrator must be present at all times. Due process shall be followed and parents/guardians shall be notified at any point where criminal involvement by their child is suspected. Whenever possible, and if appropriate, the parents/guardians will be present. The Building Administrator will provide a private place for all interrogations.



**Subject: TRANSPORTATION**

**Policy: 7340**

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- The distance transportation provided will be in accordance with law.

*8 New York Code of Rules and Regulations  
(NYCRR) Section 156  
20 United States Code (U.S.C.)  
Sections 1400-1485, Individuals With  
Disabilities Education Act (IDEA)*

**Subject: GUN-FREE SCHOOLS****Policy: 7361**

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- No student shall bring onto school premises any "firearm" as defined in federal law. For purposes of this policy, the term "firearm" includes any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of such weapon; any firearm muffler or silencer; or any "destructive device" (e.g., any explosive, incendiary, or poison gas, including bombs, grenades, rockets or other similar devices). The term does not include a rifle which the owner intends to use solely for sporting, recreational or cultural purposes; antique firearms; or Class C common fireworks.
- In accordance with the Gun-Free Schools Act of 1994 and Section 3214(3)(d) of the Education Law, any student who brings a firearm, as defined in federal law, onto school property will be referred by the Superintendent to the appropriate agency or authority for a juvenile delinquency proceeding in accordance with Article 3 of the Family Court Act when the student is under the age of sixteen except for a student fourteen or fifteen years of age who qualifies for juvenile offender status under the Criminal Procedure Law, and will be referred by the Superintendent to the appropriate law enforcement officials when the student is sixteen years of age or older or when the student is fourteen or fifteen years of age and qualifies for juvenile offender status under the Criminal Procedure Law.
- In addition, any student attending a District school who has been found guilty of bringing a firearm onto school property, after a hearing has been provided pursuant to Section 3214 of the Education Law, shall be suspended for a period of not less than one calendar year and any student attending a non-district school who participates in a program operated by the School District using funds from the Elementary and Secondary Education Act of 1965 who is determined to have brought a firearm to a District school or other premises used by the School District to provide such programs shall be suspended for a period of not less than one calendar year from participation in such program. The procedures of Education Law Section 3214(3) shall apply to such a suspension of a student attending a non-district school. Further, after the imposition of the one year penalty has been determined, the Superintendent of Schools has the authority to modify this suspension requirement for each student on a case-by-case basis. In reviewing the student's one year suspension penalty, the Superintendent may modify the penalty based on factors as set forth in Section 100.2 of the Regulations of the Commissioner of Education and in Commissioner's Decisional Law. The determination of the Superintendent shall be subject to review by the Board of Education in accordance with Education Law Section 3214(3)(c) and by the Commissioner of Education in accordance with Education Law Section 310.
- A student with a disability who is determined to have brought a firearm to school may be placed in an interim alternative educational setting, in accordance with federal and state law, for not more than 45 calendar days. If the parent or guardian requests an impartial hearing, the student must remain in the interim alternative placement until the completion of all proceedings, unless the parent or guardian and District can agree on a different placement.

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**Subject: GUN-FREE SCHOOLS****Policy: 7361**

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- A student with a disability may be given a long term suspension pursuant to the Gun-Free Schools Act only if a group of persons knowledgeable about the student, as defined in federal regulations implementing the IDEA, determines that the bringing of a firearm to school was not a manifestation of the student's disability, subject to applicable procedural safeguards.
- If it is determined that the student's bringing of a firearm to school was a manifestation of the student's disability, the Superintendent must exercise his/her authority under the Gun-Free Schools Act to modify the long term suspension requirement, and determine that the student may not be given a long term suspension for the behavior. The Committee on Special Education may review the student's current educational placement and initiate change in placement proceedings, if appropriate, subject to applicable procedural safeguards.
- The District may offer home instruction as an interim alternative educational setting during the pendency of review proceedings only if the student's placement in a less restrictive alternative educational setting is substantially likely to result in injury either to the student or to others.
- The District may also seek a court order to immediately remove a student with a disability from school if the District believes that maintaining the student in the current educational placement is substantially likely to result in injury to the student or to others.
- Students with disabilities continue to be entitled to all rights enumerated in the Individuals With Disabilities Education Act and Article 89 of the Education Law; and this policy shall not be deemed to authorize suspension of students with disabilities in violation of these laws.
- This policy does not prohibit the District from utilizing other disciplinary measures including, but not limited to, out-of-school suspensions for a period of five days or less, or in-school suspensions, in responding to other types of student misconduct which infringe upon the established rules of the school. Additionally, this policy does not diminish the authority of the Board of Education to offer courses in instruction in the safe use of firearms pursuant to Education Law Section 809-a.
- The District will continue to provide the suspended student who is of compulsory attendance age with appropriate alternative instruction during the period of the student's suspension.

Goals 2000: Educate America Act,  
P.L. 103-227 (Gun-Free Schools Act of 1994)  
18 United States Code (U.S.C.) Section 921  
Education Law Sections 310, 809-a, 3214, and Article 89  
8 New York Code of Rules and Regulations  
(NYCRR) Section 100.2 and Part 200  
20 United States Code (U.S.C.) Sections 1400-1485,  
Individuals With Disabilities Education Act (IDEA)  
Family Court Act Article 3  
Criminal Procedure Law Section 1.20(42)

NOTE: Refer also to Policies #3411 -- Unlawful Possession of a Weapon Upon School Grounds and #7360 -- Weapons in School.

**Subject: STUDENT SAFETY & HAZARDOUS INITIATION  
TO SCHOOL RELATED ORGANIZATIONS: HAZING****Policy: 7413**

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- Any student or student groups who, in the course of another student's initiation into or affiliation with any school-related organizations, intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other student or a third person and does cause such injury will be in violation of School District Policy, the Student Discipline Code of Conduct and may also be in violation of the New York State Penal Law. Similarly, any student or student group who, in the course of another student's initiation into or affiliation with any school-related organization, intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other student or a third person, even without actually causing such physical injury, will also be in violation of School District Policy, the Student Discipline Code of Conduct, as well as possible violation of the Penal Law.
- The practice of "hazing" as defined above, and in accordance with the New York State Penal Law, shall be prohibited in school buildings and on school premises as well as at any activities which are sponsored by the School District and occur off school grounds.
- The prohibition of "hazing" will be incorporated into the Student Discipline Code of Conduct and appropriate sanctions for such behavior will be developed by the Superintendent.

*New York State Penal Law  
Sections 120.16 and 120.17  
& New York Code of Rules & Regulations  
(NYCRR) Section 100.2(1)*

**Subject: CONTESTS FOR STUDENTS,  
STUDENT AWARDS AND SCHOLARSHIPS****Policy: 7430**

Page 1 of 1

**Student Awards and Scholarships**

- The School District may obtain and award to its students awards and scholarships. The Board of Education, having been entrusted by law, will hold in trust gifts, grants, bequests and legacies given or bequeathed to the DeRuyter Central School District and shall apply the same and/or their interest and proceeds according to the instruction of the donors and according to the procedures established by the administration.
- Awards and/or scholarships that are to be continued annually and are awards or scholarships of \$50.00 or more, may, at the request of the donating person or organization, be deposited in the School's Trust and Agency Fund. Prior to the establishment of such an account, it will be necessary for the donating person or organization to define the criteria for the selection of the recipient.

*Education Law Section 1709(12-a)*

**Subject: MUSICAL INSTRUMENTS****Policy: 7440**

Page 1 of 1

- School owned musical instruments will be disbursed upon decisions by the instrumental music staff. Decisions will be dependent upon the individual student's talent and merit, need for a balanced instrumentation at each grade level, and ability to afford.
- Students and parents/guardians will assume responsibility for proper care of school-owned instruments and will pay for damages to same.
- The District will only transport in its vehicles those instruments meeting certain safety standards as indicated in the New York State Department of Transportation Regulations.

*New York State Department of Transportation  
Regulations Section 720.2*

**Subject: FUND RAISING BY STUDENTS****Policy: 7450**

Page 1 of 2

- Fund raising projects in which students sell merchandise, provide services, or in other ways solicit money for school activities may be sponsored by school organizations with the express approval of the building principal. Any such plan shall have a clearly defined purpose and, in general, shall contribute to the educational experience of students and shall not conflict with instructional programs or state mandates. Fund raising activities away from school property shall be held to a minimum.
  
- Door to door sales projects undertaken by any organization using the DeRuyter Central School name shall require previous approval of the Board of Education. Profits shall be used to enhance school programs by providing money for expenditures not normally funded by the District.
  
- All participation shall be voluntary, with written parent/legal guardian consent for children in grades K-12.
  
- The following rules apply to all fund-raisers:
  - All organizations doing annual fund-raisers must be approved by the BOE.
  - The Superintendent will keep a list of all approved organizations
  - All fundraising activities should be approved the prior year for inclusion in the District Calendar.
    - Approval Committee
      - Appropriate Principal
      - 11<sup>th</sup> and 12<sup>th</sup> grade Class Presidents
      - Student Council President
      - Advisors of Student Council and 11<sup>th</sup> and 12<sup>th</sup> grades
  - Fund Raising Requirement – When selling items there will be a minimum of a 30% profit.
  
- The Superintendent will be responsible for regulations concerning fund raising and will distribute this to all personnel by hardcopy or online.

(Continued)

**Subject: FUND RAISING BY STUDENTS****Policy: 7450**

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- Fund raising must benefit students collectively or in recognized groups. Fund raising is not to benefit an individual.
  - The profit from fund raising events will not be used to buy personal consumable items.
  - Services for students, such as training and entrance fees, may be paid for.
  - Deviations for the spending of the funds must be approved by the administration.
  - If funds are to be split among more than one organization the public must be informed of this.
  - Any equipment/supplies that are to be donated to the school thru the use of fund raisers must be approved by the Administration/Athletic Director as appropriate.

*8 New York Code of Rules and Regulations  
(NYCRR) Section 19.6  
New York State Constitution, Article VIII, Section 1  
Education Law Section 414*

NOTE: Refer to Policy #3271 -- Solicitation of Charitable Donations From School Children.



**Subject: IMMUNIZATION OF STUDENTS**

**Policy: 7511**

Page 1 of 1

- The Superintendent will set up regulations and procedures in accordance with Public Health Law.

**Subject: ADMINISTRATION OF MEDICATIONS****Policy: 7513**

Page 1 of 1

- Under certain circumstances, when it is necessary for a student to take medication during school hours, the school nurse may administer the medication if the parent or guardian submits a written request accompanied by a written request from a physician indicating the frequency and dosage of prescribed medication. The parent or guardian must assume responsibility to have the medication delivered directly to the health office in a properly labeled original container.
- Procedures for taking medications off school grounds or after school hours while participating in a school-sponsored activity will be in accordance with State Education Department Guidelines.

*New York State Bureau of Health Service*

**The Use Of Inhalers In Schools**

- The School District permits students who have been diagnosed by a physician or other duly authorized health care provider as having a severe asthmatic condition to carry and use a prescribed inhaler during the school day. Prior to permitting such use, the school health office must receive the written permission of the prescribing physician or other duly authorized health care provider, and parental consent, based on such physician's or provider's determination that the student is subject to sudden asthmatic attacks severe enough to debilitate that student.
- A record of such physician or health care provider/parental permission shall be maintained in the school health office.
- Health office personnel will maintain regular parental contact in order to monitor the effectiveness of such self-medication procedures and to clarify parental responsibility as to the daily monitoring of their child to ensure that the medication is being utilized in accordance with the physician's or provider's instructions. Additionally, the student will be required to report to the health office on a periodic basis as determined by health office personnel so as to maintain an ongoing evaluation of the student's management of such self-medication techniques, and to work cooperatively with the parents and the student regarding such self-care management.
- Students who self-administer medication without proper authorization, under any circumstances, will be referred for counseling by school nursing personnel. Additionally, school administration and parents will be notified of such unauthorized use of medication by the student, and the school administration may also be involved in determining the proper resolution of such student behavior.

**Subject: HEALTH RECORDS****Policy: 7514**

Page 1 of 1

- The school shall keep a convenient, accurate, and up-to-date health record of every student. Insofar as the health records include confidential disclosures or findings, they shall be kept confidential. Individual records may be interpreted by the nurse to administrators, teachers, and counselors, consistent with law.

*8 New York Code of Rules and Regulations  
(NYCRR) Part 136*

**Subject: STUDENTS WITH HIV-RELATED ILLNESS****Policy: 7515**

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- The DeRuyter Board of Education recognizes the public concern over the health issues surrounding acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection. The Board also recognizes, based upon the current state of medical knowledge, that HIV is not easily transmitted and cannot be transmitted by casual contact.
- The Board acknowledges both the rights and interests of students diagnosed with HIV infection or AIDS to continue their education, and of non-infected students and employees to be in an environment free of any significant risks to their health. The Board also recognizes that current law and regulations strictly limit the disclosure of confidential HIV-related information without an authorized consent form.
- It is the policy of the Board of Education that:
  - No student's right to education shall be interrupted or curtailed solely on the basis of such information. As students, they must be offered the same rights, privileges, and services available to other students.
  - A parental request to modify the educational program of a student who is infected with HIV must be made to the Superintendent or designee. As students, they must be offered the same rights, privileges, and services available to other students.
  - No student shall be discriminated against on the basis that he or she has been identified as HIV infected or having AIDS.
  - All students in the school district shall receive instruction regarding the nature, transmission, prevention, and treatment of HIV infection from kindergarten through high school, in an age-appropriate manner unless exempted from prevention component only, pursuant to the Commissioner's Regulation.

**Implementation Plan**

- The Superintendent of Schools is directed to develop an Implementation Plan to be presented to the Board of Education yearly.

**Confidentiality**

- Information obtained pursuant to the Authorization for Release of Confidential HIV Related Information or court order is confidential and shall not be released to anyone, except to :
  - persons listed on the said form,
  - persons listed on the court order pursuant to Section 2785 of Article 27F of the New York State Public Health Law; or
  - persons authorized to receive such information without a release or court order under Section 2785 of Article 27-F of the New York State Public Health Law.

(Continued)

**Subject: STUDENTS WITH HIV-RELATED ILLNESS****Policy: 7515**

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- All medical information and written documentation of discussions, telephone conversations, proceedings and meetings will be kept by the Superintendent in a locked file. Access to this file will only be granted to those persons who are stated on the Authorization for Release form.
- Any school staff member privileged with any HIV-related information shall be bound by the confidentiality requirements contained in Article 27F of the Public Health Law. Any breach of such confidentiality shall be subject to conditions contained in Article 27-F of the Public Health Law and in addition to disciplinary procedures as established by the Board of Education.

***AIDS/HIV Testing***

- No school official shall require any student to undergo an HIV antibody test or other HIV-related test. This policy shall not, however, preclude school officials from requiring a student to undergo an examination under Sections 903 and 904 of the Education Law, when other illness is suspected, as long as no involuntary HIV antibody test or other HIV-related test is administered as part of such examination.

*Section 504, Federal Rehabilitation Act of 1973  
NYS Civil Rights Act  
Education for all Handicapped Children's Act of  
1975  
NYS Public Health Law Article 27F*

**Subject: STUDENT INJURY, ACCIDENTS AND  
MEDICAL EMERGENCIES****Policy: 7520**

Page 1 of 1

- The Superintendent shall establish procedures for the handling of student injuries and medical emergencies that occur on school property and during school activities.

**Student Emergency Treatment**

- All staff members of the School District are responsible to obtain first aid care of students who are injured or become ill while under school supervision. The Board of Education encourages all staff members to become qualified to give emergency treatment through instruction in first aid and Cardiopulmonary Resuscitation (CPR).

**Transporting an Ill or Injured Student**

- In most instances, first aid should be rendered and a parent or person in parental relation should be contacted to come to school and transport the student to the family physician if further medical care is required. Generally, an ambulance will be called only after other alternatives, including parent/legal guardian contact, have been exhausted. However, in the event of an extreme or serious injury or illness which, in the judgment of the Superintendent of Schools or his/her designee, requires immediate medical attention or hospitalization, an ambulance may be called before the parent or guardian is contacted.

**Insurance**

- The Board of Education shall approve provisions for all students to be covered by group insurance.
- Such student accident insurance policies are to be a co-insurance with family coverage(s) as primary.

*Education Law Sections 1604(7-a, b) and 1709(8-a,b)*

**Subject: CHILD ABUSE****Policy: 7530**

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The DeRuyter Central School District subscribes to all of the provisions of Title 6 - Child Protective Services of the Social Services Law (Sections 411-428). Our purpose is to provide protective services to abused and neglected/maltreated children as described by the law, and to make all school personnel within the District aware of our legal responsibilities under this law.

Regulations shall be developed, maintained and disseminated by administration regarding the:

- Mandatory reporting of suspected child abuse/neglect/maltreatment;
- Reporting procedures and obligations of persons required to report;
- Provisions for taking a child into protective custody;
- Mandatory reporting of deaths;
- Immunity from liability and penalties for failure to report;
- Obligations for provision of services and procedures necessary to safeguard the life of a child; and
- Provision of information in recognizing signs of unlawful methamphetamine laboratories for all current and new school officials (i.e. "mandated reporters") who, as part of their usual responsibilities, visit children's homes.

Additionally, an ongoing training program for all current and new school officials be established and implemented to enable such staff to carry out their reporting responsibilities.

## **School Officials Required to Report**

- The definition of a "school official" who is mandated to report cases of child abuse or neglect/maltreatment to the State Central Register (SCR) pursuant to Social Services Law Section 413(1) includes, but is not limited to, school teachers, school guidance counselors, school psychologists, school social workers, school nurses, school administrators or other school personnel required to hold a teaching or administrative license or certificate.

- All mandated reporters shall make the report themselves and then immediately notify the Building Principal or his/her designee. The Building Principal or his/her designee shall be responsible for all subsequent administration necessitated by the report.

(Continued)

**Subject: CHILD ABUSE****Policy: 7530**

Page 2 of 2

- Any report shall include the name, title and contact information for every staff member who is believed to have direct knowledge of the allegations in this report.

**Prohibition of Retaliatory Personnel Action**

- Social Services Law Section 413(1) also prohibits a school from taking any retaliatory personnel action against an employee because such employee believes that he/she has reasonable cause to suspect that a child is an abused or neglected/maltreated child and that employee makes a report to SCR pursuant Social Services Law. Further, no school or school official shall impose any conditions, including prior approval or prior notification, upon any staff member specifically designated as a mandated reporter.
- Pursuant to Labor Law Section 740(1)(e), “retaliatory personnel action” means the discharge, suspension or demotion of any employee, or other adverse employment action taken against an employee in the terms and conditions of employment.
- Report Form
- The Revised May 2007 New York State Office of Children and Family Services “Report of Suspected Child Abuse or Maltreatment” form LDSS-2221A may be accessed at:  
<http://www.ocfs.state.ny.us/main/cps/>.

*Social Services Law Sections 411-428  
Family Court Act Section 1012  
Education Law Section 3209-a  
Education Law Article 23-B and Section 3028-b  
Penal Law Article 130, 235, and 263  
8 New York Code of Rules and Regulations  
(NYCRR) Part 83*

**Subject: COMPLAINTS AND GRIEVANCES BY STUDENTS****Policy: 7550**

Page 1 of 2

• While students have the responsibility to abide by the policies and regulations of the District, they shall also be afforded opportunity to present complaints and grievances free from interference, coercion, restraint, discrimination or reprisal. Administration shall be responsible for:

- Establishing rules and regulations for the redress of complaints or grievances through proper administration channels;
- Developing an appeals process;
- Ensuring that students have full understanding and access to these regulations and procedure; and
- Providing prompt consideration and determination of student complaints and grievances.

**Complaints and Grievances Coordinator**

• In addition, students and parents/guardians will receive annual notification of the District's established grievance procedures for resolving complaints of discrimination based on sex or disability. This notice shall include the name, address and telephone number of the Title IX, Section 504, ADA Coordinator.

• The Title IX, Section 504, ADA Coordinator shall also be responsible for handling complaints and grievances regarding discrimination based on race, color, creed, religion, national origin, political affiliation, age or marital status.

*Title VII of the Civil Rights Act of 1964,  
42 United States Code (U.S.C.)  
Section 2000-e, et seq. – Prohibits discrimination on  
the basis of race, color, religion, sex or national origin.*

*Title VI of the Civil Rights Act of 1964,  
42 United States Code (U.S.C.)  
Section 2000-d, et seq. – Prohibits discrimination on  
the basis of race, color or national origin.*

*Section 504 of the Rehabilitation Act of 1973,  
29 United States Code (U.S.C.) Section 794 et seq.*

*The Americans With Disabilities Act,  
42 United States Code (U.S.C.) Section 12101 et seq. -  
Prohibits discrimination on the basis of disability.*



**Subject: COMPLAINTS AND GRIEVANCES BY STUDENTS**

**Policy: 7550**

Page 2 of 2

*Title IX of the Education Amendments of 1972,  
20 United States Code (U.S.C.) Section 1681 et seq. –  
Prohibits discrimination on the basis of sex.*

*New York State Executive Law  
Section 290 et seq. - Prohibits discrimination on the  
basis of age, race, creed, color, national  
origin, sex, disability or marital status.*

*Age Discrimination in Employment Act,*

*29 United States Code Section 621.*

NOTE: Refer also to Policy #3420 -- Anti-Harassment in the School District.

**Subject: SEXUAL HARASSMENT OF STUDENTS****Policy: 7551**

Page 1 of 3

- The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide for all District students an environment that is free of sexual harassment and intimidation. Sexual harassment is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of sexual harassment by employees, school volunteers, students, and non-employees such as contractors and vendors which occur on school grounds and at all school-sponsored events, programs and activities including those that take place at locations off school premises. Generally, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication of a sexual nature when:

- Submission to or rejection of such sexually harassing conduct and/or communication by a student affects decisions regarding any aspect of the student's education, including participation in school-sponsored activities;
- Conditions exist within the school environment that allow or foster obscene pictures, lewd jokes, sexual advances, requests for sexual favors or other harassing activities of a sexual nature; and
- Such conduct and/or communication has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creating an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit.

- The Board acknowledges that in determining whether sexual harassment has occurred the totality of the circumstances, expectations, and relationships should be evaluated including, but not limited to, the ages of the harasser and the victim; the number of individuals involved; and the type, frequency and duration of the conduct. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from a third party such as a school visitor, volunteer, or vendor, or any other individual associated with the School District. Sexual harassment may occur from student-to-student, from staff-to-student, from student-to-staff, as well as staff-to-staff.

- In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any student who believes he/she has been a victim of sexual harassment in the school environment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, immediately report such alleged harassment; such report shall be directed to or forwarded to the District's designated complaint officer(s) through informal and/or formal complaint procedures as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged sexual harassment will also be promptly investigated in accordance with the terms of this policy. In the event that the complaint officer is the alleged offender, the report will be directed to the next level of supervisory authority.

(Continued)

**Subject: SEXUAL HARASSMENT OF STUDENTS****Policy: 7551**

Page 2 of 3

- Upon receipt of an informal/formal complaint, the District will conduct a thorough investigation of the charges. To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges, and any disclosure will be provided on a "need to know" basis.
- Based upon the results of the investigation, if the District determines that an employee and/or student has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with District policy and regulation, the Student Code of Conduct, and applicable laws and/or regulations. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations will be subject to appropriate sanctions as warranted and in compliance with law.
- The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment. Follow-up inquiries shall be made to ensure that harassment has not resumed and that all those involved in the investigation of the sexual harassment complaint have not suffered retaliation.
- Regulations will be developed for reporting, investigating and remedying allegations of sexual harassment. An appeal procedure will also be provided to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable complaint officer(s).
- Such regulations will be developed in accordance with federal and state law as well as any applicable collective bargaining agreement(s).
- The Superintendent/designee(s) will affirmatively discuss the topic of sexual harassment with all employees and students, express the District's condemnation of such conduct, and explain the sanctions for such harassment. Appropriate training and/or "awareness" programs will be established for staff and students to help ensure knowledge of and familiarity with the issues pertaining to sexual harassment in the schools, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for training in the investigation of sexual harassment complaints.

(Continued)

**Subject: SEXUAL HARASSMENT OF STUDENTS****Policy: 7551**

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

*Title IX of the Education Amendments of 1972,  
20 United States Code (U.S.C.) Section 1681 et seq.*

*34 Code of Federal Regulations (C.F.R.)  
Section 100 et seq.*

*Title VII of the Civil Rights Act of 1964,  
42 United States Code (U.S.C.) Section 2000e et seq.*

*The Civil Rights Act of 1991  
42 United States Code (U.S.C.) Section 1981(a)*

*29 Code of Federal Regulations (C.F.R.)  
Section 1604.11(a)*

*Executive Law Sections 296 and 297*

**Subject: NOTIFICATION OF SEX OFFENDERS****Policy: 7560**

Page 1 of 1

- In accordance with the Sex Offender Registration Act ("Megan's Law"), the Board of Education supports the New York State Department of Criminal Justice Services (DCJS) in its effort to inform the community in certain circumstances of the presence of individuals with a history of sex offenses, particularly against children, in the school locality. This policy is enacted in order to minimize the possibility that the sex offender will come in contact with school-age children, and to assist law enforcement agencies in preventing further criminal activity from occurring. Furthermore, the District shall cooperate with local police authorities and the local community in promoting and protecting the safety and well being of its students.
- It is the policy of the Board of Education to disseminate all information which the District receives from local police authorities in conjunction with Megan's Law to designated staff members who might have possible contact with the offender during the course of their school duties including, but not limited to, building principals, supervisors, teachers, office personnel, coaches, custodians, bus drivers, and security personnel. The Superintendent will disseminate such information to additional members of the staff, designated supervisors of non-school groups that regularly use District facilities and have children in attendance, parents/guardians of District students, and other community residents who, in the opinion of the Superintendent, have an immediate need to be notified of such data in order to protect the safety of our students.
- All staff members shall be informed of the information received by the District pursuant to Megan's Law upon written request to the applicable building principal/designee or supervisor. (*\* If applicable to District practice, include in policy: Community residents shall be notified of the availability of this information, with written requests directed to the District Office.*)
- Staff members shall inform their immediate supervisor if they observe within the school building, on school grounds, at school activities, or at or near bus routes any individual whose description matches the information which was provided to the District by local law enforcement authorities. Such law enforcement officials will be notified of this information by the District as appropriate.
- Information that is disseminated to the School District pursuant to Megan's Law may be disclosed or not disclosed by the District in its discretion.
- Any information which the School District receives regarding a sex offender from a source other than the Sex Offender Registry, and which is maintained independent of the requirements of Megan's Law, will be available from the District, upon written request, in accordance with the requirements of the Freedom of Information Law.

**Implementation**

- Administrative regulations shall be developed to implement this policy.

**Subject: SPECIAL EDUCATION: DISTRICT PLAN****Policy: 7610**

Page 1 of 1

- A District plan shall be developed and updated every two years describing the Special Education program in the DeRuyter Central School District. The District plan shall include the following:
  - A description of the nature and scope of special education programs and services currently available to students residing in the District, including but not limited to descriptions of the District's resource room programs and each special class program provided by the District in terms of group size and composition.
  - Identification of the number and age span of students (school age and preschool) to be served by type of disability and recommended setting.
  - The method to be used to evaluate the extent to which the objectives of the program have been achieved.
  - A description of the policies and practices of the Board of Education to ensure the allocation of appropriate space within the District for special education programs that meet the needs of students and preschool children with disabilities.
  - The estimated budget to support such plan.
  - The date on which such plan was adopted by the Board of Education.
- The District plan, with personally identifiable student information deleted, shall be filed and available for public inspection and review by the Commissioner.

8 New York Code of Rules and Regulations  
(NYCRR) Section 200.2(c)

**Subject: CHILDREN WITH DISABILITIES****Policy: 7611**

Page 1 of 1

• The Board of Education recognizes the existence of individual differences in the intellectual, social, emotional and physical development of children attending school in the District. In recognizing these differences the Board supports a system of services offered in the least restrictive environment for children with disabilities which includes:

- Education in regular classes with or without support services, education in a resource room, education for part of the day in a special class, full time education in a special class, home instruction and education in a residential setting.
- Providing for the education of students with disabilities with non-disabled peers to the extent appropriate.
- Consideration of the location of a school program(s) to a student's residence, before placement into an educational program.
- Adoption of written policies and procedures ensuring that students with disabilities are provided appropriate opportunities to earn a high school diploma in accordance with Commissioner's Regulations.
- Allocation of appropriate space within the District for special education programs that meet the needs of students with disabilities.
- Assurance that appropriate space will be available to meet the needs of resident students with disabilities who attend special education programs provided by BOCES.

20 United States Code (U.S.C.)  
Sections 1400-1485, Individuals with  
Disabilities Education Act (IDEA)  
State Law - Education Law Sections 4401-4407  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 100.5, 100.9, 200.2(b)(3),  
200.2(c)(2)(v), and 200.6(a)(1)

NOTE: Refer also to Policy #7616 -- Least Restrictive Environment.

**Subject: PRE-SCHOOL SPECIAL EDUCATION PROGRAM  
RELATED SERVICES****Policy: 7614**

Page 1 of 1

- This Board of Education acknowledges the importance of preschool special education and recognizes its responsibility to provide all eligible resident preschool students with disabilities, or suspected of having a disability, with the opportunity to receive special education programs and services pursuant to federal and state law. The administration is directed to take appropriate steps to locate and identify all preschool students with disabilities who reside in the district and are eligible to receive instruction from a preschool program or services. The administration shall provide the parents of such children with a consent form to evaluate their child, and with the name and phone number of the district staff member who can explain and assist in completing the consent form. The administration is further directed to maintain and disseminate a list of State Education Department-approved preschool evaluation sites, evaluators and programs within Madison County and adjoining counties and to provide that list to pre-kindergarten, daycare, Head Start programs and early childhood Direction Centers in the District.
- A Committee on PreSchool Education (CPSE) shall be established in accordance with applicable provisions of the Education Law and the Commissioner's Regulations. It shall be the responsibility of the CPSE to develop an Individualized Education Program (IEP) for each preschool child (three or four years of age) with a disability and to provide the same to this Board for approval in accordance with applicable law.

Education Law Section 4410  
20 United States Code (U.S.C.)  
Sections 1400-1485, Individuals With  
Disabilities Education Act (IDEA)  
8 New York Code of Rules and Regulations  
(NYCRR) Section 200.2(b)(5)

NOTE: Refer also to Policy #7632 -- [Appointment and Training of Committee on Preschool Special Education \(CPSE\) Members.](#)

**Subject: LEAST RESTRICTIVE ENVIRONMENT****Policy: 7616**

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- *Least restrictive environment* means that placement of students with disabilities in special classes, separate schools or other removal from the regular educational environment occurs only when the nature or severity of the disability is such that even with use of supplementary aids and services education in regular classes cannot be satisfactorily achieved. The placement of an individual student with a disability in the least restrictive environment shall:
  - Provide the special education and related services, as well as supplementary aids and services, needed by the student;
  - Provide for education of the student to the maximum extent appropriate to the needs of the student with other students who do not have disabilities; and
  - Be as close as possible to the student's home.
  
- The District has an obligation, pursuant to law and regulation, to educate students with disabilities in the least restrictive environment. The School District shall ensure that:
  - Each student with a disability shall be educated with nondisabled students to the maximum extent appropriate;
  - Each student with a disability shall be removed from the regular educational environment only when the nature or severity of the student's disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily; and
  - To the maximum extent appropriate to the student's needs, each student with a disability shall participate with nondisabled students in nonacademic and extracurricular services and activities.
  
- The District shall ensure that a continuum of alternative placements, in accordance with law and/or regulation, will be available to meet the needs of students with disabilities for special education and related services. To enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate, specially designed instruction and supplementary services may be provided in the regular class. Such services may include, but are not limited to, consultant teacher services and other group or individual supplemental or direct special education instruction.

20 United States Code (U.S.C.) Sections 1400-1485,  
Individuals with Disabilities Education Act (IDEA)  
34 Code of Federal Regulations (C.F.R.) Part 300  
State Law - Education Law Sections 4401-4410-a  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 100.5, 100.9, 200.1(cc),  
200.2(b), 200.4, and 200.6



**Subject: PRE-REFERRAL INTERVENTION STRATEGIES IN  
GENERAL EDUCATION  
(PRIOR TO A REFERRAL FOR SPECIAL EDUCATION)**

**Policy: 7617**

Page 1 of 1

### **Academic Intervention Services**

- *Academic intervention services* means additional instruction which supplements the instruction provided in the general curriculum and assists students in meeting the State learning standards as defined in Commissioner's Regulations and/or student support services which may include guidance, counseling, attendance, and study skills which are needed to support improved academic performance. However, such services shall not include services provided to students with limited English proficiency pursuant to Commissioner's Regulations or special education services and programs as defined in Education Law Section 4401. Academic intervention services are intended to assist students who are at risk of not achieving the State learning standards in English language arts, mathematics, social studies and/or science, or who are at risk of not gaining the knowledge and skills needed to meet or exceed designated performance levels on State assessments.

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

Education Law Sections 3602(32), 4401 and 4401-a  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 100.1(g),(p),(r),(s), and (t);  
100.2(v); 100.2(dd)(4); 200.2(b)(7);  
200.4(a)(2) and (9); 200.4(c); and Part 154  
Section 504 of the Rehabilitation Act of 1973,  
29 United States Code (U.S.C.) Section 794 et seq.

**Subject: DECLASSIFICATION OF STUDENTS WITH DISABILITIES****Policy: 7618**

Page 1 of 3

- The School District shall establish and implement a plan for the appropriate declassification of students with disabilities which must include:
  - The regular consideration for declassifying students when appropriate;
  - A reevaluation of the student prior to declassification; and
  - The provision of educational and support services to the student upon declassification.

**Eligibility Determinations**

- The School District must evaluate a student with a disability prior to determining that a student is no longer a student with a disability as defined in accordance with Commissioner's Regulations, and the District shall provide a copy of the evaluation report and the documentation of eligibility to the student's parent. The District is not required to conduct a reevaluation of a student before the termination of a student's eligibility due to graduation with a local high school or Regents diploma or exceeding the age eligibility for a free appropriate public education. However, the parent must receive prior written notice, in accordance with Commissioner's Regulations, before the student's graduation from high school with a local or Regents diploma or before he/she receives an Individualized Education Program (IEP) diploma. The results of any reevaluations must be addressed by the Committee on Special Education (CSE) in a meeting to review and, as appropriate, revise the student's IEP.

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

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

**Individual Evaluation**

- As part of any reevaluation, a group that includes the CSE and other qualified professionals, as appropriate, shall review existing evaluation data on the student including evaluations and information provided by the parents of the student, current classroom-based assessments and observations, and observations by teachers and related services providers.

(Continued)

**Subject: DECLASSIFICATION OF STUDENTS WITH DISABILITIES****Policy: 7618**

Page 2 of 3

- On the basis of that review, and input from the student's parents, the CSE and other qualified professionals, as appropriate, shall identify what additional data, if any, are needed to determine:
  - In the case of a reevaluation of a student, whether the student continues to have such a disability;
  - The present levels of performance and educational needs of the student;
  - In the case of a reevaluation of a student, whether the student continues to need special education; and
  - Whether any additions or modifications to the special education services are needed to enable the student to meet the measurable annual goal set out in the Individualized Education Program (IEP) of the student and to participate, as appropriate, in the general curriculum.
  
- If additional data are not needed, the District must notify the parents of that determination and the reasons for it and of the right of the parents to request an assessment to determine whether, for purposes of services provided in accordance with law and Commissioner's Regulations, the student continues to be a student with a disability. The District is not required to conduct the assessment unless requested to do so by the student's parents.
  
- The CSE shall arrange for an appropriate reevaluation of each student with a disability at least every three (3) years by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of the student's disability. The reevaluation shall be sufficient to determine the student's individual needs, educational progress and achievement, the student's ability to participate in instructional programs in regular education and the student's continuing eligibility for special education. The results of any reevaluations must be addressed by the CSE in reviewing and, as appropriate, revising the student's IEP.

**Recommendation for Declassification**

- If the student has been receiving special education services, but it is determined by CSE that the student no longer needs special education services and can be placed in a regular educational program on a full-time basis, the recommendation shall:
  - Identify the declassification support services, if any, to be provided to the student; and/or the student's teachers; and
  - Indicate the projected date of initiation of such services, the frequency of provision of such services, and the duration of these services, provided that such services shall not continue for more than one year after the student enters the full-time regular education program.

(Continued)

**Subject: DECLASSIFICATION OF STUDENTS WITH DISABILITIES****Policy: 7618**

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**Declassification Support Services**

- When appropriate, the District shall provide declassification support services to students who have moved from special education to a full-time regular educational program in accordance with the recommendation of the CSE.
- Declassification support services means those services provided by persons appropriately certified pursuant to Part 80 of Commissioner's Regulations, or holding a valid teaching license in the appropriate area of service, to a student or the student's teacher to aid in the student's move from special education to full-time regular education, including:
  - For the student, psychological services, social work services, speech and language improvement services, non-career counseling, and other appropriate support services; and
  - For the student's teacher, the assistance of a teacher aide or a teaching assistant, and consultation with appropriate personnel.

**Procedural Safeguards Notice**

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

20 United States Code (U.S.C.) Sections 1400-1485,  
Individuals with Disabilities Education Act (IDEA)  
34 Code of Federal Regulations (C.F.R.) Part 300  
State Law - Education Law Sections 4401-4410-a  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 100.1(q), 100.2(u), 200.2(b)(8),  
200.4(b)(4) and (5), 200.4(c)(3), 200.4(d)(1), and 200.5

**Subject: SECTION 504 OF THE REHABILITATION ACT OF 1973****Policy: 7621**

Page 1 of 1

- The Board of Education affirms its compliance with those sections of the Rehabilitation Act of 1973 dealing with program accessibility.
- Section 504 of the Rehabilitation Act prohibits discrimination against qualified individuals with disabilities in federally assisted programs or activities solely on the basis of disability. The District shall make its program and facilities accessible to all its students with disabilities.
- The District shall also identify, evaluate and extend to every qualified student with a disability under Section 504 a free, appropriate public education, including modifications, accommodations, specialized instruction or related aids and services, as deemed necessary to meet their educational needs as adequately as the needs of non-disabled students are met.
- The District official responsible for coordination of activities relating to compliance with Section 504 is the Superintendent of Schools. This official shall provide information, including complaint procedures, to any person who feels his or her rights under Section 504 have been violated by the District or its officials.

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

**Subject: APPOINTMENT AND TRAINING OF COMMITTEE ON  
SPECIAL EDUCATION (CSE)/SUBCOMMITTEE ON  
SPECIAL EDUCATION MEMBER****Policy: 7631**

Page 1 of 3

- The Board of Education shall appoint a Committee on Special Education (CSE) whose membership shall include, but not be limited to, the following members:

**Committee on Special Education (CSE) Membership**

- The parent(s) of the student;
- At least one regular education teacher of such student (if the student is, or may be, participating in the regular education environment);
- At least one special education teacher of the student, or, where appropriate, at least one special education provider (i.e., related service provider) of such student;
- A representative of the School District who is qualified to provide or administer or supervise special education and who is knowledgeable about the general curriculum and about the availability of resources of the District;
- An individual who can interpret the instructional implications of evaluation results, who may be a CSE member selected from the regular education teacher, the special education teacher or provider, the school psychologist, or the School District representative described above, or a person having knowledge or special expertise regarding the student as determined by the District;
- At the discretion of the parent or the District, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate;
- Whenever appropriate, the student with a disability;
- A school psychologist;
- A school physician, if requested in writing at least seventy-two (72) hours prior to the meeting by the parents of the student or the School District; and
- A parent of a student with a disability residing in the District or a neighboring school district, provided that the parent shall not be employed by or under contract with the School District; and provided further that such parent shall not be a required member if the parents of the student request, in writing, that the additional parent member not participate in the meeting.

(Continued)

**Subject: SPECIAL EDUCATION (CSE)/SUBCOMMITTEE ON  
SPECIAL EDUCATION MEMBER****Policy: 7631**

Page 2 of 3

**Subcommittee on Special Education Membership**

- The Membership of each subcommittee shall include, but not be limited to, the following members:
  - The parent(s) of the student;
  - At least one regular education teacher of such student (if the student is, or may be, participating in the regular education environment);
  - At least one special education teacher, of the student, or where appropriate, at least one special education provider (i.e., related service provider) of such student;
  - A representative of the School District who is qualified to provide or administer or supervise special education and who is knowledgeable about the general curriculum and about the availability of resources of the District;
  - A school psychologist, whenever a new psychological evaluation is reviewed or a change to a program option with a more intensive staff/student ratio, as set forth in Section 200.6(f)(4) of the Regulations of the Commissioner, is considered;
  - At the discretion of the parent or the District, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate;
  - An individual who can interpret the instructional implications of evaluation results, who may be a member described in letters "b" through "f" of this subheading; and
  - Whenever appropriate, the student with a disability.

**Training**

- The training of qualified personnel is essential to the effective implementation of the Regulations of the Commissioner of Education regarding the education of all students with disabilities.
- The Director of Special Education shall be responsible to the Superintendent for establishing administrative practices and procedures for training all District personnel responsible for carrying out the provisions of Part 200 of the Commissioner's Regulations as well as members of the Committee on Special Education and members appointed by the Board of Education to the Committee on Preschool Special Education.

(Continued)



**Subject: SPECIAL EDUCATION (CSE)/SUBCOMMITTEE ON  
SPECIAL EDUCATION MEMBER**

**Policy: 7631**

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Education Law Section 4402  
8 New York Code of Rules and Regulations (NYCRR)  
Sections 200.2(b)(3) and 200.3  
20 United States Code (U.S.C.) Sections 1400-1485,  
Individuals with Disabilities Education Act (IDEA)  
34 Code of Federal Regulations (CFR)  
Sections 300.342-344

NOTE: Refer also to Policy #7632 -- Appointment and Training of Committee on Preschool  
Special Education Members.

**Subject: APPOINTMENT AND TRAINING OF COMMITTEE ON  
PRE-SCHOOL SPECIAL EDUCATION (CPSE) MEMBERS****Policy: 7632**

Page 1 of 2

- The Board of Education shall appoint a Committee on Preschool Special Education (CPSE) whose membership shall include, but not be limited to, the following members:

**Committee on Preschool Special Education (CPSE) Membership**

- The parent(s) of the child;
- At least one regular education teacher of such child (if the child is, or may be, participating in the regular education environment);
- At least one special education teacher of the child or, where appropriate, at least one special education provider (i.e., related service provider) of such child;
- A representative of the School District who is qualified to provide, or supervise the provision of, special education and who is knowledgeable about the general curriculum and about the availability of preschool special education programs and services and other resources of the District (who shall serve as Chairperson of the CPSE);
- An individual who can interpret the instructional implications of evaluation results, who may be a member of the team selected from the regular education teacher, the special education teacher or provider, the school psychologist, the School District representative described above, or a person having knowledge or special expertise regarding the student as determined by the District;
- At the discretion of the parent or the District, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;
- A parent of a child with a disability who resides in the School District or a neighboring school district, and whose child is enrolled in a preschool or elementary level education program provided that such parent shall not be employed by or under contract with the School District or municipality; and provided further that such parent shall not be a required member if the parents of the child request, in writing, that the additional parent member not participate in the meeting.
- For a child's transition from early intervention programs and services (Infant and Toddler Programs), the appropriately licensed or certified professional from the County Early Intervention Program. This professional must attend all meetings of the CPSE conducted prior to the child's initial receipt of services; and
- An appropriately certified or licensed professional from the municipality. Attendance of the appointee of the municipality is not required for a quorum.

(Continued)

**Subject: APPOINTMENT AND TRAINING OF COMMITTEE ON  
PRE-SCHOOL SPECUATION (CPSE) MEMBERS****Policy: 7632**

Page 2 of 2

**Training**

- The training of qualified personnel is essential to the effective implementation of the Regulations of the Commissioner of Education regarding the education of all students with disabilities.
- The Director of Special Education shall be responsible to the Superintendent for establishing administrative practices and procedures for training all District personnel responsible for carrying out the provisions of Part 200 of the Commissioner's Regulations as well as members of the Committee on Special Education and members appointed by the Board of Education to the Committee on Preschool Special Education.

Education Law Section 4410  
20 United States Code (U.S.C.) Sections 1400-1485,  
Individuals With Disabilities Education Act (IDEA)  
34 Code of Federal Regulations (C.F.R.) Part 300  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 200.2(b)(3) and 200.3

NOTE: Refer also to Policies #7614 -- Preschool Special Education Program and #7631 -- Committee on Special Education/Subcommittee on Special Education Members.

**Subject: STUDENT INDIVIDUALIZED EDUCATION PROGRAM****Policy: 7640**

Page 1 of 1

- The Board of Education directs that the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) shall have prepared a written statement (program) for each child with a disability.
- Such an Individualized Educational Program will be developed by the CSE or CPSE upon referral, and reviewed or revised, whichever is appropriate, for every child with a disability at least annually or in the event that the program no longer appears to be appropriate to meet the student's needs and ability level.

**The Use of Recording Equipment at IEP Meetings**

- The Board of Education shall allow recording equipment to be used at meetings regarding individualized education programs (IEPs) for students with disabilities.

8 New York Code of Rules and Regulations  
(NYCRR) Section 200.4(c)

**Subject: TWELVE MONTH SPECIAL SERVICES AND/OR PROGRAMS****Policy: 7642**

Page 1 of 1

- The School District shall provide, directly or by contract, special services and/or programs during July and August to those students whose disabilities are severe enough to exhibit the need for a structured learning environment of twelve months duration in order to prevent substantial regression as determined by the Committee on Special Education or Committee on Preschool Special Education.

8 New York Code of Rules and Regulations  
(NYCRR) Sections 200.1(qq), 200.6(j) and  
200.16(h)(3)(v)

**Subject: LOCAL CERTIFICATES FOR STUDENTS WITH DISABILITIES****Policy: 7643**

Page 1 of 1

- Each Superintendent of a school district shall report to the State Education Department, within 15 days after the June graduation, the total number and the names of the students awarded certificates by each high school in that school year.
- A copy of the school district's policies and procedures adopted pursuant to subdivision (a) of Section 100.6 shall be on file in the district office and available for review by the Commissioner.
- No other certificates shall be awarded except certificates recognizing achievement beyond the high school diploma.
- To ensure students with disabilities are provided appropriate opportunities to attain diplomas, the Board of Education supports the awarding of local certificates to students with disabilities provided that:
  - Such student has achieved the educational goals specified in such student's individualized education program in effect during the school year in which such a certificate is awarded;
  - Each high school individualized education program diploma shall be identical in form to the local high school diploma issued by the school district, except that there shall appear on the front of such diploma a clear annotation to indicate that the diploma is awarded on the basis of the student's successful achievement of the educational goals specified in the student's current individualized education program as recommended by the Committee on Special Education; and
  - Unless identified as meeting all the criteria of Section 200.1 (cc)(4) of Commissioner's Regulations, such student has attended school for at least 12 years, excluding kindergarten, or has received a substantially equivalent education in accordance with Section 3204(2) of the Education Law for such period of time.
- Each local certificate awarded shall be accompanied by a written statement of assurance that the student named as its recipient shall continue to be eligible to attend the public schools of the school district in which the student resided until the student has earned a high school diploma or until the end of the school year of such student's 21st birthday, whichever is earlier.

**Subject: IDENTIFICATION AND REGISTER OF  
CHILDREN WITH DISABILITIES****Policy: 7650**

Page 1 of 1

- The policy of the Board of Education is to conduct a census in order to have all children with disabilities, within its jurisdiction under the age of twenty-one (21) identified, located and evaluated, including children of preschool age and children in all public and private agencies and institutions.

- Persons involved in the collection of data must receive prior training and written information regarding data collection procedures.

**Register of Children with Disabilities**

- It is the policy of the Board of Education of the DeRuyter Central School District to maintain a register containing the data requirements as indicated in the Commissioner's Regulations.

Education Law Sections 3240-3242 and 4402(1)(a)  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 200.2(a)(2)(a-f) and 200.4

NOTE: Refer also to Policy #7160 -- School Census.

**Subject: PARENT INVOLVEMENT****Policy: 7660**

Page 1 of 1

- The Board of Education recognizes the rights of the parent/guardian to be fully informed of all information relevant to the identification, or change in identification, evaluation and educational placement of a student with a disability.

- All due process procedures for parents/guardians and children in the State Regulations shall be observed by the School District.

**Surrogate Parents**

- In the event that no parent or guardian for a student with a disability can be identified or after reasonable efforts, the whereabouts of the parent or guardian cannot be determined, or the student with a disability is a ward of the state, the Board shall assign an individual to act as a surrogate for the parents or guardians. The person selected as a surrogate shall have no interest that conflicts with the interest of the child he/she represents, and shall have knowledge and skills that insure adequate representation of the child.

- It is the duty of the School District to determine whether a child needs a surrogate parent and to assign a surrogate parent in the manner permitted under New York State law.

Education Law Sections 4401 and 4402  
8 New York Code of Rules and Regulations  
(NYCRR) Section 200.5

**Subject: SPECIAL EDUCATION MEDIATION****Policy: 7690**

Page 1 of 1

- The District will offer mediation as an alternative to the impartial hearing process in disputes regarding the provision of a free, appropriate public education for students identified by the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) as having a disability, or students suspected of having a disability. Such mediation shall be conducted by mediators furnished by a Community Dispute Resolution Center under Article 21-A of the Judiciary Law.
- Parents or persons in parental relationship to students suspected of or having disabilities will receive written notice of the availability of the mediation program each time they receive notice of their entitlement to the impartial hearing procedures in accordance with Federal and State law and regulations.
- Mediation will not operate to diminish or limit any rights provided for in law, including the right of the parent or person in parental relationship to request an impartial hearing subsequent to mediation. Parents or persons in parental relationship to students suspected of or having disabilities continue to have full access to all rights, including due process procedures, provided for in 34 Code of Federal Regulations Sections 300.500-300.515 and in 8 New York Code of Rules and Regulations Section 200.5(c). Similarly, mediation shall not be construed to limit a parent or person in parental relationship from requesting an impartial hearing without having first utilized mediation procedures set forth in Education Law.

Education Law Section 4404-a



First Reading – 4/14/10  
Second Reading – 4/26/10  
Revised – 5/12/10

### Subject: **TITLE 1 COMPLAINT POLICY**

**Policy: 7700**

Page 1 of 2

• DeRuyter Central School (DCS) is committed to open communication with our Title I school to reach the goal of educating all students. DCS is aware that disagreements may arise periodically. These disagreements need to be resolved in a timely fashion. The following procedures have been developed to handle complaints dealing with Title I programs, services, and staff members. All Title I complaints are to be directed to the Assistant Superintendent of Management Services using procedures outlined below.

- **Filing a Complaint**
  - Gather all information dealing with the complaint.
  - Fill out the Complaint Form, being as specific as possible.
  - Send the Complaint Form to the Assistant Superintendent's Office at the address listed on the form.
  - The Assistant Superintendent will review the completed Complaint Form.
  - The Assistant Superintendent will set up an appointment with the originators of the complaint to resolve the complaint. This will usually occur within five (5) working days after receipt of the complaint.
  
- **Additional Steps (if required)**
  - If the complaint cannot be resolved by the Assistant Superintendent, a meeting will be set up with the Assistant Superintendent, the Building Principal and the concerned parties.
  - The Building Principal will work with the Assistant Superintendent to resolve the complaint.
  - If the issue is still unresolved, the Assistant Superintendent will contact the
  - New York State Department of Education's (NYSED) Title I Office for guidance.
  - Meetings with officials from NYSED may be scheduled in order to resolve the complaint.
  - If additional steps beyond the NYSED are required in the resolution of the complaint, these steps will occur in accordance with the federal No Child Left Behind legislation.
  
- **Contacts for Complaints**
  - Assistant Superintendent of Management Services  
DeRuyter Central Schools  
Phone – 315-853-3400 Fax – 315-852-9600  
Effective: March, 2010
  
  - New York State Education Department  
Title 1 School & Community Services Office  
89 Washington Ave., Room 365 EBA  
Albany, NY 12234  
Roberto Reyes – 518-473-0295
  
  - US Department of Education  
Compensatory Education Programs  
400 Maryland Ave., S.W., Room 3W230, FOB # 6  
Washington, DC 20202-6132  
202-260-0984

