

( ) Required  
(X) Local  
( ) Notice

### STUDENT POLICIES GOALS

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

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

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

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

Adoption date: 5/14/13

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**(X) Notice****STUDENTS WITH DISABILITIES PURSUANT TO SECTION 504**

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

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

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

Cross-ref: 4321, Programs for Students with Disabilities  
5030, Student Complaints and Grievances  
5300, Code of Conduct

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

Adoption date: 5/14/13

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## **STUDENT ATTENDANCE**

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

### Notice

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

- A plain language summary of this attendance policy will be included in Back-to-School materials and will be reviewed with students at the start of the school year.
- A plain language summary of this attendance policy is included in the Code of Conduct and will be mailed to parents at the start of the school year. Parents will be asked to sign and return a statement indicating that they have read and understand the policy. Students will review this document with their teachers.
- When a student is absent, tardy, or leaves early from class or school without excuse, designated staff member(s) will notify the student’s parent(s) by phone and mail of the specific ATED, remind them of the attendance policy, and review ATED intervention procedures with them.
- A back-to-school event will be held at the beginning of each school year to emphasize that every day of attendance counts, explain this policy, and stress the parent’s responsibility for their ensuring their children’s attendance.
- School newsletters and publications will include periodic reminders of the components of this policy.
- The district will provide a copy of this attendance policy and any amendments thereto to faculty and staff. New staff will receive a copy upon their employment.
- All faculty and staff will meet at the beginning of each school year to review the attendance policy to clarify individual roles in its implementation.
- Copies of this policy will also be made available to any community member, upon request.
- The district will share this policy when necessary, with local Child Protective Services (CPS) to ensure a common understanding of excused and unexcused ATED’s and to work toward identifying and addressing cases of educational neglect.

Excused and Unexcused Absences

Excused ATEDs are defined as absences, tardiness, and early departures from class or school due to personal illness, illness or death in the family, impassable roads or weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits, approved cooperative work programs, military obligations, or such other reasons as may be approved by the appropriate building administrator (including, but not limited to, absences due to circumstances related to homelessness).

All other ATEDs are considered unexcused absences.

All ATEDs must be accounted for. It is the parent's responsibility to notify the school office within 24 hours of the ATED and to provide a written excuse upon the student's return to school. For homeless students, the homeless liaison will assist the student in providing or obtaining documentation if needed. Parent/guardian signatures for homeless unaccompanied youth are addressed in policy 5151 and regulation 5151-R.

General Procedures/Data Collection

- Attendance will be taken at least once daily.
- At the conclusion of each school day, all attendance information will be compiled and provided to the designated staff member(s) responsible for attendance.
- The nature of an ATED will be coded on a student's record.
- Student ATED data will be available to and must be reviewed by the designated school personnel in an expeditious manner.
- Where additional information is received that requires corrections to be made to a student's attendance records, such correction will be made immediately. Notice of such a change will be sent to appropriate school personnel subject to applicable confidentiality rules.
- Attendance data will be analyzed periodically to identify patterns or trends in student absences. If patterns emerge, district resources will be targeted to understand and eliminate barriers to attendance.
- Continuous monitoring will be conducted to identify students who are absent, tardy, or leave class or school early. **A student will be considered chronically absent if they miss ten percent or more of the school year.** Satisfactory attendance is missing five percent or less of school over the course of the year. If a pattern of ATED's for an individual student is identified a designated staff person(s) will follow-up in accordance with this policy.

Remote Learning

Students learning remotely will need to show daily school participation, which is to be recorded by teachers and reported under the provisions of this policy. Such participation will vary depending on the type of remote learning taking place. For example, may include: documented participation in online or virtual classes, completion of assignments, documentation of daily

school activities and learning, or correspondence via online platform, email, and telephone). Teachers are also expected to pay particular attention to the educational progress of students learning remotely, and initiate appropriate interventions with the student and their family if a student does not show adequate engagement or growth.

#### Attendance Incentives

The district will design and implement systems to acknowledge a student's efforts to maintain or improve school attendance. For example:

- In elementary grades, weekly certificates or other small rewards (including fun activities) recognizing perfect or improved attendance (not counting absences due to illness/injury) may be distributed.
- An attendance honor roll may be maintained and published weekly/monthly identifying those students with perfect attendance as well as those students whose attendance has improved significantly, subject to parental consent and applicable confidentiality rules.
- Teachers are encouraged to assign special responsibilities (distribute and collect materials, lead groups, assist the teacher, etc.) to students who may need extra motivation to come to school.

#### Consequences of Excessive ATEDs

A designated staff member(s) will contact the student's parents in the event that a student's record reveals excessive ATED's, excused and/or unexcused. **Excessive ATED's is defined as: missing 10% or more of school.** Such staff member(s) shall remind parents of the attendance policy, explain the ramifications of excessive ATEDs, stress the importance of class attendance and discuss appropriate intervention strategies to correct the situation.

Unexcused ATEDs may result in disciplinary action consistent with the district's code of conduct. Those penalties may include, for example, detention or denial of the privilege of participating in or attending extracurricular events. However, absences related to homelessness shall not result in negative consequences where the district determines that it would be in the best interests of the student in retaining the student in school.

In addition, the designated staff member will contact local Child Protective Services (CPS) if they suspect that the child is being educationally neglected. The designated staff

member will provide CPS with the information necessary to initiate a report. If other staff members suspect education neglect, they must follow the procedures outlined in Board policy and regulation 5460, Child Abuse in a Domestic Setting, and advise the Superintendent//Principal, lead teacher or designee accordingly.

#### Attendance/Grade Policy

The Board of Trustees recognizes an important relationship between class attendance and student performance. Consequently, each marking period a student's final grade may be based on classroom participation as well as student performance on homework, tests, papers, projects, etc.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, unexcused ATEDs will affect a student's class participation grade for the marking period.

In implementing the policy set forth above, students who are unable to attend school or a class on a given day due to their participation in a school-sponsored activity (i.e., music lessons, field trips), may arrange with their teachers to make up any work missed. This also applies to any student who is absent, tardy or leaves early from school or a class due to illness or any other excused reason.

All students with an excused ATED are expected upon their return to consult with their teachers regarding missed work.

Only those students with excused ATEDs will be given the opportunity to make up a test or other missed work and/or turn in a late assignment for inclusion in their final grade. Make up opportunities must be completed by a date specified by the student's teacher for the class in question.

#### Annual Review

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

Cross ref: 4710, Grading Systems  
5151, Homeless Children  
5300, Code of Conduct  
5460, Child Abuse in a Domestic Setting  
8131, Pandemic Planning

Ref: 42 USC §11432(g)(1)(I) (McKinney-Vento Homeless Assistance Act)  
Education Law §§1709; 3024; 3025; 3202; 3205-3213; 3225  
8 NYCRR §§104.1; 175.6  
Social Service Law §34-a

Adoption date: 5/14/13  
Amended: 1/17/17  
Amended: 6/11/2020  
Amended: 2/9/21

( ) Required  
(X) Local  
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### ADMISSION OF RESIDENT STUDENTS

In accordance with state law, the district shall provide a public education to all persons between the ages of five and 21 who have not received a high school diploma and are entitled to attend school. If such persons reside in the district, they may attend without payment of tuition.

Resident student shall mean:

- every unemancipated child of school age who resides with a person in parental relation as defined by Education Law §3212, where such person in parental relation is a resident of the district;
- every duly emancipated child of school age who maintains his or her only actual bona fide residence within the district; or
- every child deemed to be a resident of this district pursuant to express mandate of Education Law §3202, or pursuant to the express mandate of any other statute of the State of New York.

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

A non-veteran under age 21 who has NOT received a diploma may attend school, and does NOT have to pay tuition.

Upon registration, all new students shall be required to present proof of date of birth, record of immunizations and a health certificate from a licensed physician, and proof of residency as follows:

For resident students to attend district schools, two proofs of residency shall be required as follows:

1. Documentation of age: a birth certificate ((original or certified transcript, including a foreign birth certificate) or baptismal record is sufficient, if provided no other form of evidence may be requested. If neither of these is available, a passport (including a foreign passport) may be used. If a passport is not available, the district may consider other evidence, which has been in existence for at least two years, such as: an official driver's license, government-issued identification, school photo I.D. with date of birth, consulate identification card, hospital or health records, military dependent I.D. card, documents issued by government agencies, court-issued documents, Native American tribal documents, or records from non-profit international aid agencies or voluntary agencies; or other documents such as an entry in a family bible, an adoption record, or previously verified school records;.



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2. Record of immunizations and a health certificate from a licensed physician, physician assistant, or nurse practitioner; and

3. Documentation of district residency: examples of acceptable forms of documentation include, but are not limited to, mortgage/deed, or lease documents to a house/condominium/apartment, a statement by the parent/guardian's landlord, property owner or co-tenant, or a statement by a third party relating to physical presence in the district, a pay stub, income tax form, telephone or utility bills or other bills, membership documents based upon residency, official driver's license, learner's permit, or non-driver identification, rent payment receipts, a copy of a money order or canceled check from payment of rent, a letter from a parent's employer that is written on company letterhead, voter registration document, or a state- or other government-issued ID, documents issued by federal, state, or local agencies, or judicial custody orders, or guardianship papers showing residency. The district may require multiple forms of residency documentation sufficient to establish both physical presence in the district and intent to remain.

The district shall not request or require a Social Security card number, or any information which would tend to reveal the immigration status of the child, the parents, or the person in parental relation, in any forms, meetings or other communication, at the time of and/or as a condition of enrollment.

The district shall review all submitted documentation, and make a determination of a student's eligibility to attend district school as soon as possible, but within three business days of initial enrollment, or four days if the documentation is represented on the third day. The district may verify documentation of age from a foreign country, but will not delay enrollment during verification. At any time, during the school year, notwithstanding any prior determination to the contrary, the district may make a determination that a student is not eligible to attend the district's schools, subject to the procedures outlined in the regulations of the Commissioner of Education.

The district shall post its student enrollment/registration forms on the district website, and shall provide such materials to all parents/guardians/children who request enrollment in the district.

### Cross-ref:

5152. Admission for Non-Resident

### *Ref:*

*Education Law S8903: 904: 3202: 3208: 3212*

*Public Health Law §2164*

Adoption date: 9/12/13

Amended date: 10/8/13

Amended date: 4/13/15

Amended date: 11/19/15

CUSTODIAL AFFIDAVIT

STATE OF NEW YORK    )  
                                  ) SS:  
COUNTY OF \_\_\_\_\_)

\_\_\_\_\_, being duly sworn, deposes and says:  
(Name of Custodian)

1. I reside at \_\_\_\_\_  
(Full Address of Custodian)

2. \_\_\_\_\_ is \_\_\_\_\_  
(Full Name of Child)                      (Child's Relationship to Custodian)

and he/she has been living with since \_\_\_\_\_.  
(Date)

3. \_\_\_\_\_ intends to reside with me for \_\_\_\_\_.  
(Child's Name)                                      (Length of Time)

4. Give statement naming the individual who will have custody and control of the child.

5. Give the reasons the child is living with the person in custodial relationship.

6. Describe any other location(s) where the child lives. Indicate the length of time the child is at the other address and provide an explanation. If the child does not live at any other address, so indicate.

7. Please furnish a statement establishing who will provide the child with food, clothing and all other necessities.

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8. State that as the person in custodial relationship you will assume full responsibility for all matters relating to the child's education and medical care.

9. Please provide any other relevant facts to assist the school district in making a determination in this matter.

\_\_\_\_\_  
(Signature of Custodian)

Sworn to before me this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Notary Public)

*Note: This is an affidavit which sets forth facts, the truth of which are sworn under oath. False swearing may constitute a crime punishable as provided in the Penal Law of the State of New York. The Sagaponack Common School District may also take legal action to collect tuition charges in any case where a student is illegally registered.*

\_\_\_\_\_  
FOR SCHOOL USE ONLY

Reviewed and approved by: \_\_\_\_\_  
(Superintendent)

Date \_\_\_\_\_ School: \_\_\_\_\_

Adoption date: 9/12/13

Sagaponack Common School District  
Student Withdrawal Form

Student Name \_\_\_\_\_ Grade Level \_\_\_\_\_

Address \_\_\_\_\_

Last Attendance Date \_\_\_\_\_ Withdrawal Date \_\_\_\_\_

Reason(s) for Withdrawal \_\_\_\_\_

\_\_\_\_\_

New School (if known) \_\_\_\_\_

New Home Address \_\_\_\_\_

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

IMPORTANT: MUST BE COMPLETED AT TIME OF WITHDRAWAL

STUDENT RECORDS WILL BE FORWARDED UPON REQUEST TO THE NEW SCHOOL.

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Note: School Office will not initial withdrawal until all books have been returned and/or fines paid.

Initialed by \_\_\_\_\_ Date \_\_\_\_\_

cc: Registrar

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Adoption date: 5/11/15

5150-E.3

Sagaponack Common School District  
Release of Information

Re: \_\_\_\_\_

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

I, \_\_\_\_\_ authorize the Sagaponack  
Common School District to release the following information

on my child, \_\_\_\_\_ to

\_\_\_\_\_

These documents will be used to develop a diagnostic prescription based on this data to help initiate an appropriate program placement that can be used in the home and/or school setting and follow-up.

All information obtained is available upon request to be reviewed by parent/guardian.

Date \_\_\_\_\_

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

Relationship to Child \_\_\_\_\_

Address \_\_\_\_\_

Adoption date: 5/11/15

**(X) Required****( ) Local****( ) Notice**

### **HOMELESS CHILDREN**

The Board of Trustees recognizes its responsibility under federal (McKinney-Vento) and state laws and regulations to identify homeless children within the district, encourage their enrollment and eliminate existing barriers to their identification, enrollment, attendance, or success in school which may exist in district practices. The Board will provide homeless children attending the district's schools with access to the same free and appropriate public education and other school programs and activities, including publicly funded preschool education, as other children.

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

To assist in determine eligibility for services under the McKinney-Vento Act, the district will use a housing questionnaire for all enrolling students, and those reporting a change of address, which asks for a description of the student's current living arrangements.

A homeless child or youth has the right to attend their school of origin, or any school that permanently housed students who live in the attendance area in which the homeless student is actually living are eligible to attend. For homeless students, a school of origin can be:

1. the public school they attended when permanently housed (i.e., before becoming homeless); or
2. the public school where they were last enrolled, or
3. the public school they were entitled or eligible to enroll in when the child became homeless, if that child became homeless after such child was eligible to apply, register, or enroll in a public preschool or kindergarten, or he/she is living with a school-age sibling who attends school in the district; or
4. the designated receiving school at the next grade level for any feeder school, where the child has completed the final grade in the feeder school.

Such schools include publicly-funded preschools administered by the district or the State Education Department (SED).

The homeless child is entitled to attend the designated school on a tuition-free basis for the duration of homelessness. If the child becomes permanently housed, the child is entitled to continue attendance in the same school building until the end of the school year and for one additional year if that year constitutes the child's terminal year in such building.

If a homeless child completes the final grade level in the school of origin, the child may also attend the designated receiving school at the next grade level for all feeder schools for one year.

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

1. Admission and Participation: Upon designation, the district shall immediately admit the homeless child to school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical or immunization records (however, the district may temporarily exclude a child from attendance if there are actual symptoms of a communicable disease that poses a significant risk of transmission to others), proof of age or residency or other documentation and even if there is a dispute with the child's parents regarding school selection or enrollment. During a dispute, the student may continue attending the school until final resolution of the dispute, including all available appeals. Homeless children will have the same opportunity as other children to enroll in and succeed in the district's schools, including extracurricular activities and summer school programs available to district students. They will not be placed in separate schools or programs based on their status as homeless. The district will eliminate barriers to identification, enrollment and retention of homeless children, including barriers to enrollment and retention due to outstanding fees, fines or absences.
2. Transportation: The district will promptly provide transportation for homeless students currently attending district schools as required by applicable law, as described in the accompanying regulation. In general, the district will ensure that transportation is provided to homeless students enrolled in the district who attend a school of origin, including a publicly funded preschool administered by the district or SED, even if the student lives outside the district's boundaries. Transportation will be provided for the duration of homelessness, through the remainder of the school year in which the student becomes permanently housed, and one additional year if that is the student's final year in the school.
3. School Records: For homeless students attending school out of the district, the district will, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluation, immunization records and guardianship paper, if applicable. For homeless students attending school in the district, the district will request the student's records (academic, medical, etc.) from the school the student last attended.
4. Coordination: The district will coordinate with local social services agencies and other entities providing services to homeless children and their families for the provision of services to homeless children, and will coordinate with other school districts on issues of prompt identification, transportation, transfer of records, and other inter-district activities. This will include ensuring the provision of appropriate services to homeless students with disabilities who are eligible for services under either Section 504 or IDEA.

A portion of the district's Title I, Part A funds will be set aside for homeless children and youth to provide educationally related support services and services not ordinarily provided to other students.

Information about a homeless child's living situation will be treated as a student education record, and will not be considered directory information under FERPA. See policy 5500, Student Records, for more information.

The Superintendent will also designate a McKinney-Vento liaison for homeless children and ensure that this person is aware of, and able to carry out, their responsibilities under the law. The Superintendent will ensure that the liaison receives appropriate professional development on identifying and meeting the needs of homeless students, including the definitions of terms related to homelessness. The liaison's responsibilities will include, but not be limited to, ensuring that:

1. parents or guardians of homeless children are informed of the educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children;
2. parents and guardians and unaccompanied youth are fully informed of all transportation services available to them, and are assisted in accessing them;
3. enrollment disputes involving homeless children are promptly mediated and resolved;
4. school personnel, through outreach and in coordination with shelters and social service agencies and other appropriate entities, identify homeless children, including homeless preschoolers;
5. homeless children receive educational services, including but not limited to Head Start and preschool services to which they are eligible, as well as referrals to health care and other appropriate services for homeless children and their families;
6. public notice of the educational rights of homeless children is disseminated in locations frequented by homeless unaccompanied youth and parents/guardians of homeless children, in a manner and form understandable to them;
7. staff who provide services to homeless students receive required professional development and support on identifying and meeting the needs of homeless students;
8. homeless unaccompanied youth are informed of their rights, are enrolled in school, and have opportunities to meet the same state standards set for all students, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner's regulations.

In accordance with law and regulation, the district will offer a prompt dispute resolution process (described in more detail in the accompanying administrative regulation). A student shall be entitled to continued enrollment in the district's schools, and transportation, pending resolution of the dispute and all available appeals.

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



Cross-ref: 5150, School Admissions  
5420, Student Health Services  
5500, Student Records

Ref: 20 USC § 6313(c)

42 USC §§11431 et seq.

McKinney-Vento Education for Homeless Children and Youth Program, 81 Fed. Reg. 14432-14436 (3/17/16)

U.S. Department of Education, Education for Homeless Children and Youths Program, Non-Regulatory Guidance 7/16),

<https://www2.ed.gov/policy/elsec/leg/essa/160240ehcyguidance072716.pdf>

Education Law §§207; 305; 3202; 3205; 3209

Executive Law §§532-b; 532-e

Social Services Law §§17; 62; 397

8 NYCRR §§100.2(x); 175.6

Adoption date:3/17/16

Amended date: 10/19/16

Amended date: 7/11/17

Amended date: 4/19/21

**HOMELESS CHILDREN REGULATION**

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

School placement decisions for homeless children will be based on the "best interest of the child" and will:

1. presume that keeping the child in the school of origin is in the child's best interest, except when doing so is contrary to the wishes of the parent or guardian or unaccompanied youth; and
2. consider student-centered factors such as the effect of mobility on student achievement, education, health and safety of the child, giving priority to the wishes of the child's parent or guardian or unaccompanied youth.

If the district determines that it is in the best interests of the student to attend school other than the school of origin or a school requested by the parent or guardian, the Superintendent or designee will provide the parent or guardian or unaccompanied youth with a written explanation of its decision, together with a statement regarding the right to appeal the placement, which will be in a manner and form understandable to them. The Superintendent or designee will refer any such dispute to the district's McKinney-Vento liaison for resolution. The student must be enrolled in the school sought by the parent or guardian or unaccompanied youth and provided with requested transportation pending final resolution of the dispute, including all available appeals.

*Admission Procedures*

Upon identifying a student experiencing homelessness, the Superintendent of Schools or designee will immediately:

1. ensure that a designation form is given to the parent or guardian or unaccompanied youth and review the designation form to ensure that it is complete;
2. admit the homeless child even if the child or parent or guardian is unable to produce records normally required for enrollment, or the student has missed application or enrollment deadlines, or there is an unresolved dispute regarding eligibility, school selection or enrollment;
3. where applicable, make a written request to the school district where a copy of the child's records is located for a copy of the homeless child's school records;
4. notify the McKinney-Vento liaison of the child's admission. The liaison must:
  - a. notify the child and/or the parent or guardian of the educational and related opportunities available to homeless children including transportation to the school of origin, and help arrange for transportation and other services such as those under Title I, Section 504, IDEA, and federal school meals;

- b. ensure that the child receives the educational services for which they are eligible, including Head Start and Early Head Start, early intervention services, and preschool programs administered by the district;
- c. make necessary referrals for the homeless children or their families to health care services, dental services, mental health services, substance abuse services, housing services, and other appropriate services;
- d. ensure that any enrollment disputes are mediated promptly and in accordance with law;
- e. when assisting unaccompanied youth in placement or enrollment decisions, give priority to the views of such youth, and inform them of their status as “independent students” for purposes of applying for federal financial aid for college and assist with that process; and
- f. assist in obtaining required immunizations, health screenings, immunization records or health records.

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

#### *Unaccompanied Youth and Parent/Guardian Signatures*

To the extent that district policies and practices require parent/guardian permission or consent, the district will remove barriers to admission and participation for unaccompanied youth due to lack of parent/guardian signatures. This includes, but is not limited to, enrollment, providing medical care and excuses for absences, participating in field trips and extracurricular activities, and accessing or releasing records. Where parent/guardian consent, permission or signatures cannot be obtained for unaccompanied youth, the district will accept signatures from the following:

Persons designated by the parent/guardian as a “person in parental relation” under state General Obligations Law Title 15-A;

- 1. Authorized caregivers age 18 or older so identified by the unaccompanied youth;
- 2. The unaccompanied youths themselves; or
- 3. The McKinney-Vento liaison.

Parental rights under FERPA pertaining to student records extend to a person acting as a parent in the absence of a parent/guardian. The district grants unaccompanied youth under age 18 the rights under FERPA for eligible students and parents/guardians.

#### *Transportation*

Unless the homeless child is receiving transportation provided by the Department of Social Services, the district will provide transportation services to the child in accordance with applicable law. Where the district is designated by the parent/guardian or unaccompanied youth, and the student attends the school of origin as defined in law described in the accompanying policy (including a publicly funded preschool administered by the district or the State Education Department), the district will provide transportation, even if transportation is not generally provided to permanently housed students and the student is residing outside the district’s boundaries. A designated school district that must provide transportation to a homeless

child is not required to provide transportation in excess of 50 miles one way, unless the Commissioner of Education determines that it is in the best interest of the child.

Transportation must be provided to the school of origin when the district receives notice of a child's homeless status, for the duration of the student's homelessness, as well as during the pendency of any disputes. Transportation must be provided to the receiving school as defined in Education Law §3209(1)(h) if the student is homeless over multiple school years. If a child is becomes permanently housed during the school year, the student has the right to transportation services to the school of origin until the end of the academic year, as well as one additional year if it is the student's final grade level or terminal year in the building.

If the district recommends that a homeless child attend a summer educational program, and lack of transportation is a barrier to participation, the district will provide transportation. The district will provide transportation to extracurricular or school activities for homeless students eligible for such activities where lack of transportation is a barrier to participation.

#### *Dispute Resolution Process*

If, after the Superintendent reviews the designation form, they find that the student is either not homeless, not entitled to attend the district's school, or not entitled to transportation (if requested) the Superintendent or designee will do the following:

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

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

1. state the rationale/basis for the district's determination;
2. state the date as of which the student will be excluded from the district's schools (or transportation), which must be at least 30 days from receipt of the written notice;
3. advise that the district's final determination may be appealed to the Commissioner of Education (Commissioner);
4. provide the name and contact information for the district's McKinney-Vento liaison;
5. inform the student's parent or guardian or the student, if the student is an unaccompanied youth, that the district's McKinney-Vento liaison is required to assist him/her in filing such an appeal; and
6. include, as an attachment, the form needed to file an appeal to the Commissioner.

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

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

Adoption date: 3/17/16

Amended date: 10/19/16

Amended date: 7/11/17

Amended date: 4/19/21

( ) Required  
(X) **Local**  
( ) Notice

### **ADMISSION OF NON-RESIDENT STUDENTS**

The intent of this policy is to fulfill the School Board's primary responsibility to provide a quality education to the resident students of the Sagaponack School District and to make possible the enrollment of additional students in the Sagaponack School to enhance the educational and social process for the resident students within the constraints of existing resources.

#### Admissions Criteria

Students who reside outside the school district may be admitted to the Sagaponack School at the request of the student's parents or guardians. The Superintendent of Schools shall observe the following criteria in considering requests for admission:

1. Admitting a non-resident student will not increase the total school enrollment beyond 15 students.
2. The Sagaponack School is a one-room school house with limited resources and all grades contained in a single classroom. Because of this unique situation, it is important to determine that the school has an appropriate program/placement for the student. This determination will be made by the Superintendent following a pre-admission test and review of student records and information from previous schools. Even if space permits, the Board reserves the right to deny admission to prospective students if the Superintendent determines that the school cannot meet a non-resident student's educational needs by providing services comparable to those offered to its resident students in its existing facility.

Prospective non-resident students for whom an appropriate program/placement exists shall be admitted on a first-come, first-served basis. However, it is the goal of the School District to balance enrollment among the school's grade levels, so the School Board reserves the right to give priority to children entering in grades with the fewest number of students.

This policy is not applicable to homeless students entitled to attend district schools under federal and state law and regulations, who may not be currently residing in the district (see policy 5151, Homeless Children). Homeless students who are not entitled to attend district schools under federal and state laws may be considered for non-resident enrollment under this policy. This policy is also not intended to cover students who are placed in district programs by agreement with, and paid for by, another school district.

#### Continued Enrollment

Once admitted, non-resident students will be granted continuous admission to the Sagaponack School provided the following conditions are met:

1. The child's continued placement in the district is deemed appropriate from the standpoint of the child and the School District.
2. Annual tuition payments are made in accordance with the Non-Resident Student Contract.
3. The student does not exhibit behavior that would result in suspension from the school.

Former Residents

Children whose families move out of the district during the second half of the school year will be allowed to finish the rest of that academic year with a prorated tuition payment.

A birth certificate, current physical and immunization records are required upon entry.

Transportation

Transportation to and from school for non-resident students is the responsibility of the parent or guardian.

Tuition Cost

A deposit of 10% of the tuition cost will be required with a signed contract **no later than April 15<sup>th</sup>** of the year prior to enrollment in September. Remaining payments to be made according to one of the following schedules:

- Paid in full by August 15<sup>th</sup>
- Paid semi-annually- 50 % balance due paid by August 15<sup>th</sup>  
Final 50% of balance due paid by December 15<sup>th</sup>

***\* Please note- All tuition is non-refundable.***

\* Parents will select payment schedule upon submission of signed contract.

The Board of Trustees, on or before the March meeting, will set the tuition rate for the upcoming school year.

Ref: Education Law §3202(2)

Adoption date: 9/13/11

Amended date: 3/12/13

2nd Amended date: 7/8/14

3rd Amended date: 3/9/15

4th Amended date: 1/17/17

5th Amended date: 3/15/22

# SAGAPONACK

**5152**

## **NON-RESIDENT INSTRUCTIONAL CONTRACT**

This document serves as an Instruction Contract between the Parent(s) or Guardian(s) of a non-resident student and the **Sagaponack Common School District**.

The **Sagaponack Common School District Board of Trustees** agrees to accept the Student (named below) for the \_\_\_\_\_ school year in accordance with School District Policy number 5152.

The annual tuition fee established by the Board of Trustees for the \_\_\_\_\_ school year is \_\_\_\_\_.

Such fee shall be paid as follows:

A non-refundable deposit of 10% of the tuition cost will be required with a signed contract **no later than April 15<sup>th</sup>** of the year prior to enrollment in September. Remaining payments to be made according to one of the following schedules:

**\* Please CIRCLE the tuition payment schedule that you would like to utilize:**

- Paid in full by August 15<sup>th</sup>

- Paid semi-annually- 50 % of balance due paid by August 15<sup>th</sup>  
Final 50% of balance due paid by December 15<sup>th</sup>

If the tuition fee for any non-resident student is not received in the amounts and on the dates set forth above, the School District reserves the right to terminate this agreement.

Please note- All tuition is non-refundable.

This agreement may also be terminated if the Student (named below) does not meet the conditions set forth in School District Policy number 5152.

STUDENT'S NAME: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_ GRADE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

I, \_\_\_\_\_, BEING THE LEGAL PARENT/GUARDIAN OF THE AFOREMENTIONED STUDENT AGREE TO THE STATED CONDITIONS OF THIS CONTRACT AND SAGAPONACK SCHOOL DISTRICT POLICY NUMBER 5152.

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

\_\_\_\_\_  
Date

Adoption date: 9/13/11

Amended date: 3/12/13

2nd Amended date: 7/8/14

3rd Amended date: 3/9/15

4th Amended date: 1/17/17

5th Amended date: 3/15/22



( ) Required  
(X) Local  
( ) Notice

## STUDENT ASSIGNMENT TO SCHOOLS AND CLASSES

The Board of Trustees directs that assignment of students to schools and classes be consistent with the best interests of students and the best use of the resources of the district. The Board also recognizes that diversity in school environments has been shown to have a positive impact on student achievement. Such diversity can be on the basis of race, ethnicity, sex and/or gender, religion or religious practice, disability, socioeconomic status, language, neighborhood, academic achievement, and/or academic potential. In addition, schools must prepare students for a future in which they interact with people from all backgrounds. While some aspects of student diversity are outside the scope of the Board's control, the Board aspires to prevent student isolation where possible. This does not, however, prevent the district from placing students into classes based on academic ability when it's in the best interest of those students.

Assignment of students to schools and classes may be based on current district population patterns, enrollment projections, building capacity, educational programs, students' educational needs, transportation requirements, demographic factors such as those listed in the paragraph above and the presence of diversity where possible.

### Assignment to Schools

Periodically, the Board will review the status of enrollment in the district's schools to ensure that the goals of this policy are being met. If the goals are not being met, the Board will solicit input from stakeholders, including but not limited to administrators, teachers, staff, parents and students, to assist in determining changes that could be made to the school assignment process that better aligns with this policy.

### Assignment to Classes/Teachers

In assigning students to classes/teachers, the following criteria shall be considered: age, social and emotional maturity, demographic characteristics and academic achievement in relation to individual ability, in order to assure appropriate assignments. It is the goal of administration to create classes that can productively learn together.

### Parent/Guardian Requests

The Board recognizes that parents/guardians may wish to make requests as to school, and/or class/teacher assignments. *[Choose either:* (a) Although the Board respects parents'/guardians' perspective, the district is not able to accommodate requests. Or (b) Parents may write a letter to the building principal describing the ideal learning environment for their child and the attributes that a teacher would have that would most benefit their student's educational growth. This information will be considered as part of the placement process.

Final decisions regarding assignment of students to schools and classes/teachers rests with the district.

## SAGAPONACK

Ref: Education Law §§1709(3); 2503(4)

*Fisher v. University of Texas at Austin*, 570 U.S. \_\_\_, 133 S. Ct. 2411 (2013)

*Parents Involved in Community Schools v. Seattle School District No. 1*, 551 U.S. 701 (2007)

*Grutter v. Bollinger*, 539 U.S. 306 (2003)

*Gratz v. Bollinger*, 539 U.S. 244 (2003)

*Regents of the University of California v. Bakke*, 438 U.S. 265 (1978)

*Matter of Addabbo v. Donovan*, 22 A.D.2d 383 (1965), aff'd, 16 N.Y.2d 619, cert denied, 382 U.S. 905 (1965)

*Matter of Older v. Board of Education of the Union Free School District No. 1, Town of Mamaroneck*, 27 N.Y.2d 333 (1971)

*Appeal of Jones*, 52 EDR Dec. No. 16,456 (2013)

*Appeal of Roy*, 51 EDR Dec. No. 16,279 (2011)

*Appeal of Strade*, 48 EDR 73 (2008)

*Appeal of Knoer*, 47 EDR 102 (2007)

*Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools* (2011), U.S. Department of Education and Department of Justice ([www2.ed.gov/about/offices/list/ocr/docs/guidance-ese-2011111.html](http://www2.ed.gov/about/offices/list/ocr/docs/guidance-ese-2011111.html)).

Coleman, A., Negron, F., and Lipper, K. *Achieving Educational Excellence for All: A Guide to Diversity-Related Policy Strategies for School Districts* (2011). The National School Boards Association, The College Board, and EducationCounsel, LLC ([www.nsba.org/SchoolLaw/Publications/Education-Excellence-for-All.html](http://www.nsba.org/SchoolLaw/Publications/Education-Excellence-for-All.html)).

Adoption date: 10/8/13

( ) Required  
(X) **Local**  
(x) Notice

### **STUDENT DISMISSAL PRECAUTIONS**

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

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

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

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

Ref: Education Law §3210(1)(c)

Adoption date: 5/14/13

**(X) Required**

☐ Local  
☒ Notice

### **STUDENT DISMISSAL PRECAUTIONS REGULATION**

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

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

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

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

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

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

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

Adoption date: 5/14/13

(X) Required

(X) Local

( ) Notice

## CODE OF CONDUCT/STUDENT HANDBOOK

**Mission Statement**

The Sagaponack Common School District and its community are committed to the belief that all children have the right and should be provided the opportunity to achieve excellence in their educational pursuits. The District is to educate students in the values, critical skills, and essential knowledge necessary to be informed and responsible citizens, prepared to take the next steps in their education, careers, and lives in our diverse society.

**School Hours**

School hours are from 8:00 a.m. until 2:30 p.m. each day. Students should not arrive earlier than 7:55 a.m. unless they are participating in a supervised activity. Students who arrive after 8:15 a.m. should check in at the school office. Students who arrive late must be walked into the school office by a parent or guardian and signed in with school personnel.

**Attendance**

An important part of being successful in school is regular and punctual attendance. All of the students are expected to be in attendance each day unless they are ill or a family emergency arises. We realize that there will be times when a student may be late, but parents should make every effort to avoid this whenever possible. Tardiness interrupts a child's and their classmate's instructional time. A child may miss important information about the day or upcoming events.

**Early Release of Students**

All students who leave school before the end of the regular school day must be signed out with school personnel by a parent or guardian.

**Snack/Lunch**

All students are to bring their drinks, snack and lunch to school every day, unless otherwise notified. Healthy snacks are encouraged.

**Recess**

The Sagaponack Common School recognizes the physical, mental, social, behavioral and academic benefits of outdoor recess. Therefore, Sagaponack School students are given the opportunity to play outside whenever possible. Temperatures above 25 degrees (including the wind chill), snowfall, and light precipitation are not considered impediments to outdoor recess.

Children should come to school appropriately dressed for outside play, year-round. If a parent prefers that their child not spend recess outside, they should send a note to the school requesting that the child be kept indoors during that period of time. Generally speaking, however, a child who is well enough to come to school is considered well enough to play outside.

**Health Office**

There is a full-time nurse on duty one day each week. If a student becomes sick or injured, the nurse or school staff member will call a parent or guardian if the student should go home.

**Medication**

Students may not give themselves their own medication. Parents will be required to administer their child's medications.

COVID-19: Students and staff will follow the guidelines and protocols in the most recent COVID-19 School Reopening Plan (see attached).

**Report Cards and Progress Reports**

Report cards are issued three times during the academic year: November, March and June. Important information regarding academic progress, personal development, life-long habits for learning and attendance are reported. Parent Teacher Conferences are held in November and March. Additional conferences may be scheduled if needed.

**Homework**

Homework is assigned by the teacher and is completed after school. Homework should be a review of what was already taught in school and expand on a student's school experience. Homework is considered an important part of education. Students are encouraged to set aside regular time to complete their homework. Completing and returning homework assignments are the student's responsibility.

**Standards of Behavior**

The Sagaponack Common School District has developed standards of behavior which are designed to foster responsible and respectful behaviors amongst all members of the school community including students, teachers, staff members and parents. The school's Code of Conduct is guided by the following:

Standards of Behavior:

- a. Respect others by being kind in action and words.
- b. Respect property.
- c. Demonstrate cooperative behavior.
- d. Demonstrate good manners.
- e. Refrain from bullying or harassment.

Consequences:

- a. Warning.
- b. Loss of recess – 1 day & parental contact by the Lead Teacher.
- c. If warranted, a meeting will take place with the Superintendent.

## Teachers and Other School Personnel:

- a. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex.
- b. Maintain confidentiality in accordance with federal and state law.
- c. Be familiar with the code of conduct.
- d. Help children understand the district's expectations for maintaining a safe, orderly environment.
- e. Participate in school-wide efforts to provide adequate supervision in all school spaces.
- f. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is on school property or at a school function.
- g. Address personal biases that may prevent equal treatment of all students.
- h. Be open to active participation in resolving conflicts through a restorative process.
- i. Be prepared to instruct and/or supervise.
- j. Demonstrate interest in teaching and concern for students and student achievement.

**Dignity for All Students Act (DASA)**

The Sagaponack Common School District endorses and abides by the Dignity For All Students Act, which states no student shall be subjected to harassment by employees or students on school property or at a school sponsored function; nor shall any student be subjected to discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender identity, or sex by school employees or students on school property or at a school sponsored function. School training programs will be in effect to discourage discrimination and harassment.

**Dress Code**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions.

A student's dress, grooming and appearance shall:

- a. Be safe, appropriate and not disrupt or interfere with the educational process.
- b. Recognize that extremely brief garments such as tube tops, net tops and halter tops are not appropriate.
- c. Include footwear at all times. Footwear that is a safety hazard will not be permitted.

**Transportation**

The Sagaponack Common School District provides bussing for students attending Sagaponack School. Out-of-District students must provide their own transportation. Riding the bus is a privilege and may be suspended or terminated if the student does not follow the rules and

regulations. If a student is removed from a bus, parents will be required to transport their child for the designated time frame.

Students must use only their bus and the bus stop that has been assigned for them. They are expected to practice orderly and safe behaviors while waiting for the bus. The following rules are to be followed when riding on a school bus:

- a. Remain seated, facing front, when the bus is in motion.
- b. WEAR SEATBELTS at all times.
- c. Talk quietly and make no unnecessary noise.
- d. Keep head, arms, and personal belongings inside the bus.
- e. Keep the aisle clear.
- f. Wait for the driver's signal before crossing the street. Cross at least ten feet in front of the bus.
- g. Do not eat or drink on the bus on routine am and pm bus routes.
- h. Do not bully, harass, argue, or engage in any rough housing behavior with any other student on a bus.
- i. Be respectful to the bus driver at all times.

### **Technology Agreement**

The Sagaponack Common School District provides the students with computers to use during the school day and at home. The computers have access to the Internet and may be used to enhance learning. Using the computers and the Internet is a privilege and each student must have permission from their parent or guardian before he/she can use the computers at school. The parents of all students are required to sign a form stating that he/she has read the Acceptable Use Policy and agrees to follow its rules. Respectable use of technology and communication via technology is expected by all members of the school community including students, parents, teachers and staff.

The following actions are **not** permitted:

- ☐ Damaging, abusing or breaking software, hardware or the network.
- ☐ Sending, using or displaying inappropriate language.
- ☐ Disrespecting the rights and property of others.
- ☐ Intentionally wasting limited resources, such as paper and ink.
- ☐ Cyber Bullying: (The use of information and communication technologies to support deliberate, repeated, and hostile behavior by an individual or group, that is intended to harm others "specifically among minors.")
- ☐ Cyber Stalking: (The use of the internet or other electronic communications to stalk or harass an individual, a group of individuals, or an organization. It may include distressing or antagonizing e-mails, false accusations, monitoring, making threats, identity theft, the solicitation of minors for sex, or gathering information in order to harass).

The definition of harassment must meet the criterion that a reasonable person, in possession of the same information, would regard it as sufficient to cause another reasonable person distress.)



**Visitors to the School**

The Board recognizes that the success of the school program depends, in part, on support by parents and the larger community. The Superintendent/Principal or designee is responsible for all persons in the building and on the grounds. All visitors to the school must enter through the main office door and sign in with school personnel. Parents or visitors who wish to attend a school activity must arrange such visits in advance with the District Clerk, and/or teachers and Superintendent/ Principal.

**Safety Drills**

Throughout the school year students practice several different types of safety drills. These include bus evacuation drills, fire drills, lock-down drills and "Emergency Go Home" drills.

Bus Safety Drill – The children are instructed about bus rules and procedures and practice evacuation of the bus through the emergency exits. Information about location and use of the portable fire extinguisher and two-way radio are included in the discussion.

Fire Drill – Students are required to be silent during a fire drill. The reason is to assure that any emergency instructions from school officials or fire fighters can be heard accurately. Students exit the building using the designated route and remain with the class and teacher until an all-clear signal is given. Teachers will take attendance when the class is in a safe area and report attendance to the Lead Teacher.

Lock-Down Drill – This is a drill for occasions when it would be safest to have students and staff remain in the school. The teachers move the students to an area away from the windows and doorways. Shades are drawn and attendance is taken. The children will participate in quiet activities until an all-clear signal is given.

Emergency Go Home Drill – This drill is for occasions when it is safest for students and teachers to evacuate the school building. Teachers and students will relocate to a designated safe location. Parents will be called, utilizing our Emergency Phone Chain. Parents will retrieve their children from the designated location.

**Student Records**

The Board of Trustees recognizes its legal responsibility to maintain the confidentiality of student records. The procedures for ensuring the confidentiality of student records shall be consistent with state and federal law, including the Family Educational Rights and Privacy Act of 1974 (FERPA) and its implementing regulations.

Under the Family Educational Rights and Privacy Act of 1974 (FERPA), parents/guardians or eligible students have the right to:

1. inspect and review the student's education records;
2. request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy rights;

3. consent to disclosure of personally identifiable information contained in authorizes disclosure without consent; and
4. file a complaint with the United States Department of Education alleging failure of the district to comply with FERPA and its regulations.

### **Closing of School**

During the school year, the Superintendent may have to cancel classes before, or prior to, the scheduled dismissal time because of weather conditions or other unforeseen reasons. If weather conditions or other factors force the closing of school, the following radio and television stations will carry the announcement:

Phone: REMIND System- Text Messages

Website: [www.sagaponackschool.com](http://www.sagaponackschool.com)

Radio: WLNG – 92.1 FM

Television: Channel 12 – News

adopted date: 5/14/13

amended date: 3/14/19

amended date: 11/18/21

- ☐ **Required**
- ☒ **Local**
- ☐ **Notice**

### **ALTERNATIVE INSTRUCTION**

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law 3214, the district will take immediate steps to provide alternative means of instruction for the student. The Board of Trustees expects students, administrators, teachers and parents to make every effort to maintain student academic progress in the event of removal or suspension, and support student re-entry to the classroom at the conclusion of the disciplinary action.

Cross-ref: 4327, Homebound Instruction

Adoption date: 11/13/14

(X) Required

( ) Local

( ) Notice

### CORPORAL PUNISHMENT

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

Corporal punishment does not include the use of physical restraint to protect the student, another student, teacher, or any other person from physical injury when alternative procedures and methods not involving the use of physical restraint cannot reasonably be employed to achieve these purposes.

Physical restraint will not be used to prevent property damage, except in situations where there is imminent danger of serious physical harm to the student or others, and the student has not responded to positive, proactive intervention strategies.

The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

Ref:

8 NYCRR §100.2(I)(3)

Rules of the Board of Regents §19.5

Adoption date: 11/7/23

( ) Required

( ) Local

**(X) Notice**

### **STUDENT SEARCHES AND INTEROGATIONS**

The Board of Trustees is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of “Miranda”-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

The Board authorizes the Superintendent of Schools, Building Principals, the school nurse and district security officials to conduct searches of students and their belongings, in most instances, with exceptions set forth below in A. and B., if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct. The student search may be conducted without parent/guardian consent.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

A. Student Lockers, Desks and other School Storage Places

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

B. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

1. Name, age and grade of student searched.
2. Reasons for the search.
3. Name of any informant(s).
4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search.
6. Person conducting search and his or her title and position.
7. Witnesses, if any, to the search.
8. Time and location of search.
9. Results of search (that is, what items(s) were found).
10. Disposition of items found.
11. Time, manner and results of parental notification.

The Principal or the Principal's designee shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The Principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the item is turned over to the police. The Principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

C. Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function.

Before police officials are permitted to question or search any student, the Principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted, unless the student is 16 years of age or older. The Principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

#### D. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will provide data and assistance to local child protective services workers, or members of a multi-disciplinary team accompanying such workers, who are responding to allegations of suspected child abuse, and/or neglect, or custody investigations. Such data and assistance include access to records relevant to the investigation, as well as interviews with any child named as a victim in a report, or a sibling of that child, or a child residing in the same home as the victim.

All requests by child protective services to interview a student on school property shall be made directly to Principal or his or her designee. Child protective service workers and any associated multi-disciplinary team members must comply with the district's procedures for visitors, provide identification, and identify the child(ren) to be interviewed.

The Principal or designee shall decide if it is necessary and appropriate for a school staff member, including but not limited to an administrator or school nurse, to observe the interview either from inside or outside the interview room

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if not he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

Ref: Social Services Law §425

18 NYCRR §432.3

*Safford Unified School District #1 et al. v. Redding*, 129 S. Ct. 2633 (2009)

*Vassallo v. Lando*, 591 F.Supp.2d 172 (E.D.N.Y. (2008))

*Phaneuf v. Fraikin* 448 F.3<sup>rd</sup> 591 (2006)

*New Jersey v. TLO*, 469 U.S. 325 (1985)

*In re Gregory*, 82 N.Y.2d 588 (1993)

*People v. Scott D.*, 34 N.Y.2d 483 (1974)

*People v. Singletary*, 37 N.Y.2d 310 (1975))

*People v. Overton*, 20 N.Y.2d 360 (1969)

*M.M. v. Anker*, 607 F.2d 588 (2d Cir. 1979)

*Opinion of Counsel*, 1 EDR 800 (1959)

Adoption date: 6/11/13

Amended: 11/17/16



**(X) Required**

(x) Local

( ) Notice

## **STUDENT WELLNESS**

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

For purposes of this policy, “school campus” means all areas of district property accessible to students during the school day; “school day” means the period from the midnight before to 30 minutes after the end of the official school day; and “competitive food” means all food and beverages other than meals reimbursed under federal food programs available for sale to students on the school campus during the school day.

### **I. Foods and Beverages Available to Students on School Campus During the School Day**

The Board recognizes that a nutritious, well-balanced, reasonably-portioned diet is essential for student wellness. To help students possess the knowledge and skills necessary to make nutritious food choices for a lifetime, the district shall strive that all foods and beverages available in school promote good nutrition, balance, and reasonable portion sizes.

#### **A. Meal Scheduling – the district shall:**

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

#### **B. Fund-Raising Activities:**

1. Student groups conducting fundraisers which take place off the school campus or outside the school day must obey this policy.
2. Outside organizations (e.g., Parent groups, booster clubs) conducting fundraisers which take place off the school campus or outside the school day are encouraged to follow this policy.

#### **C. School and Class Parties, Celebrations, and Events where food and beverages are provided, but not sold – the district shall:**

1. This section applies to all school and classroom parties, snacks which have been brought in for the class or school, celebrations, food provided to learn about cultures or countries, and other events where food is provided but not sold.

2. Schools shall set guidelines for the frequency and content of classroom and school-wide celebrations where food and beverages are provided.
3. Model the healthy use of food as a natural part of celebrations.

## II. Physical Activity

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

### A. Physical Education

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

### B. Recess

1. Maintain daily allotment of recess time for elementary school.
2. Recess shall not be used for punishment or reward.
3. Permit scheduling recess before lunch.
4. Recess will be held outdoors whenever possible, and indoors during the most inclement weather, at the discretion of the Superintendent/Building Principal or his/her designee.

### C. Physical Activity in the Classroom

1. Promote the integration of physical activity in the classroom, both as activity breaks and as part of the educational process (e.g., kinesthetic learning).
2. If the district is under severe time or space constraints, consider meeting the state requirements for Physical Education through collaborative and integrative in-classroom activity, under the supervision of a Physical Education teacher.

#### D. Extracurricular Opportunities for Physical Activity

1. Promote clubs and activities that meet the various physical activity needs, interests, and abilities of all students (e.g., walking, hiking, climbing and snowshoeing), including before and after school activities.
2. Promote students walking/biking to school (with proper storage of bicycles), safe routes to school, and “walking” school buses.
3. The setting of extracurricular activity eligibility participation requirements does not constitute withholding opportunities.

### III. Nutrition Promotion and Education

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

#### A. The Board’s goals for nutrition promotion and education include that the district will:

1. Include nutrition education as part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, social sciences and elective subjects.
2. Include enjoyable, developmentally appropriate, culturally relevant, participatory activities, such as contests, promotions, taste testing, farm visits, and school gardens.
3. Promote fruits, vegetables, whole grain products, low fat dairy products, safe and healthy food preparation methods, and health enhancing nutrition practices.

### IV. Other School-Based Activities

The district may implement other appropriate programs that help create a school environment that conveys consistent wellness messages and is conducive to healthy eating and physical activity. Such activities may include, but are not limited to, health forums or fairs, health newsletters, parent outreach, employee health and wellness activities, limiting the use of food as a reward, reviewing food marketing and advertising in school and hosting or promoting community-wide events.

## V. Implementation

The Board shall designate the Lead Teacher as District Wellness Coordinator responsible for ensuring that the provisions of this policy are carried out throughout the district.

## VI. Monitoring and Review

The Lead Teacher, in concert with the Superintendent/Principal, shall report every three years to the Board and the public on the implementation and effectiveness of this policy. Every three years, the District Wellness Coordinator, in consultation with appropriate personnel and advisory committees, shall monitor and review the district's wellness activities to determine the extent that the school is complying with this policy, how this policy compares to model wellness policies, and the progress made toward attaining the goals of this policy and whether this policy is having a positive effect on increasing student wellness and decreasing childhood obesity in the district. Based on those results, this policy, and the specific objectives set to meet its goals, may be revised as needed.

Parents, students, teachers, physical education teacher, school health professionals, school administrators, the general public, and the school board shall be provided with the opportunity to participate in the development, implementation and periodic review and update of this wellness policy. To do this, the Board will charge the Shared Decision Making Committee (SDMC) to serve as an advisory committee and invite participation via notices in school publications; staff and student announcements, handbooks and memos; the district website; and outreach to school-associated organizations interested persons and those with valuable expertise.

The district shall inform and update the public (including parents, students and others in the community) about the content and implementation of this wellness policy by posting this policy (and any updates) on the district website and in the school lunch area, referencing the policy and its availability on school publications and notices, and providing information about new and ongoing wellness policy activities to parents, staff and students via established communication channels.

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

1. Periodic informal surveys of Superintendent/Principal, classroom staff, and school health personnel to assess the progress of wellness activities and their effects.
2. Periodic checks of the amount of time students spend in Physical Education classes, and the nature of those activities.
3. Periodic checks of extracurricular activities of a physical nature, in the number of offerings and rates of participation by students.

4. Periodic review of data currently collected by the district, which may include but not limited to:
  - a. attendance data, particularly absences due to illness;
  - b. test scores;
  - c. rates of suspension, discipline, and violent incidents;
  - d. physical education scores on flexibility, endurance, and strength (i.e., fitness test results);
  - e. student BMI (Body Mass Index) statistics, as collected in accordance with the State Department of Health efforts.
5. Periodic surveys of student/parent opinions of wellness efforts.
6. Periodic review of professional staff development offered which focuses on student wellness.

## VII. Recordkeeping

The district shall keep records as required by federal regulations, including documentation of the following: this policy; the district's community involvement activities described above; that the policy is made available to the public; the assessments done every three years; how the public is informed of the assessment results; and when and how the policy is reviewed and updated.

Ref: P.L. 111-296 (The Healthy, Hunger-Free Kids Act of 2010), §204 amending 42 USC §1758b  
 P.L. 108-265 (Child Nutrition and WIC Reauthorization Act of 2004), §204  
 42 USC §§1758(f)(1); 1766(a) (Richard B. Russell National School Lunch Act)  
 42 USC §1779 (Child Nutrition Act)  
 7 CFR §§210.10; 210.11; 210.12; 210.15; 210.18; 210.30 (National School Lunch Program participation requirements – nutrition standards for lunch and competitive foods; community involvement; recordkeeping; state review; local wellness policy)  
 7 CFR §§220.8; 220.12 (School Breakfast Program participation requirements – nutrition standards for meals and competitive foods)  
 8 NYCRR Part 135 (Health and Physical Education curricular requirements); §114.1 (School Breakfast Program Requirements)  
*Appeal of Phillips*, 37 EDR 204 (1997) (dec. no. 13,843) (physical education requirements)  
*Appeal of Williams*, 32 EDR 621 (1993) (dec. no. 12,934) (physical education requirements)

Adoption date: 3/21/17

( ) Required  
(X) Local  
(X) Notice

### STUDENT HEALTH SERVICES

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

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

In order to enroll in school a student must have a health exam and submit a health certificate within 30 calendar days upon enrollment into school and upon entering prekindergarten or kindergarten, and first, third, seventh, ninth and eleventh grades. All new enrollees to the school must present a health exam. The examination, which must conform to state requirements, must have been conducted no more than 12 months before the first day of the school year in question. If a student is unable to furnish the health certificate, the school will provide a physical examination by a licensed provider. The only basis for exemption is a claim that the physical examination is in conflict with the parent or guardian's genuine and sincere religious belief.

In order to enroll in school, students must also furnish documentation of required immunizations against certain communicable diseases, as set forth in state law and regulations, unless exempted from immunizations for medical reasons as permitted by state law and regulation.

A request for exemption from immunizations, the physical examination, or the requirement to provide a health certificate, must be made in writing to the school principal/superintendent or designee, who may require documents supporting the request.

Homeless students will be admitted to school even if they do not have the required health or immunization records, but may be temporarily excluded if they show actual symptoms of a communicable disease that poses a significant risk of transmission to others (see "Communicable Diseases" below).

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The McKinney-Vento liaison will assist homeless students covered by that law in accessing health services described in this policy and accompanying regulation, including removing barriers for unaccompanied youth caused by a lack of parent/guardian permission.

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

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

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

### Emergency Care

The Sagaponack School will include in its emergency plan a protocol for responding to health care emergencies, including anaphylaxis, and head injury. Parents/guardians will be notified of any emergency medical situation as soon as is practicable. Parents/guardians will receive notification of non-emergency medical situations that have been reported to the school staff in a timely manner.

The school will also provide first aid and/or CPR in an emergency and/or medical situation. The parent(s) will be notified and contact with EMS will be made, if necessary.

### Communicable Diseases

It is the responsibility of the Board to provide all students with a safe and healthy school environment. To meet this responsibility, it is sometimes necessary to exclude students who have been diagnosed with or are showing symptoms of any contagious and infectious diseases, as defined in the Public Health Law, from attendance in school. Students will be excluded during periods of contagion for time periods indicated on a chart developed by the school nurse and shared with the school staff. A healthcare provider's note may be requested for the child to return to school.

During an outbreak of these communicable diseases (ex. measles), if the Commissioner of Health or the designee so orders, the district will exclude students from school who have an exemption from immunization or who are in the process of obtaining immunization. The district will provide additional protections to students who are otherwise medically vulnerable.

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

### Administering Medication to Students

Neither the Board nor district staff members will be responsible for the diagnosis or treatment of student illness. The administration of prescribed medication to a student during school hours will be permitted only when failure to take such medicine would jeopardize the health of the student, or the student would not be able to attend school if the medicine were not made available to them during school hours, or where it is done pursuant to law requiring

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accommodation to a student's special medical needs (e.g., Section 504 of the Rehabilitation Act of 1973). "Medication" will include all medicines prescribed by an authorized medical provider.

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

1. the written request of the parent(s) or guardian(s), which shall give permission for such administration and relieve the Board and its employees of liability for administration of medication;
2. the written order of the prescribing authorized medical provider, which will include the purpose of the medication, the dosage, the time at which or the special circumstances under which medication will be administered, the period for which medication is prescribed, and the possible side effects of the medication; and
3. that in order for a student to carry and use a rescue inhaler, an epinephrine auto-injector, insulin, or glucagon and associated testing supplies, written permission must be provided both by the parent and the prescribing authorized medical provider in accordance with state law and regulation.

Students are allowed to carry and apply parentally provided sunscreen without a prescription from a medical provider, assuming that the sunscreen is FDA approved and that the sunscreen is not treating a medical condition. Parents need to provide the district with written permission for students to use sunscreen.

Permission slips and medical orders will be kept on file in the office of the school nurse.

### Life-Threatening Allergies and Anaphylaxis Management

The Board recognizes its role and responsibility in supporting a healthy learning environment for all students, including those who have, or develop, life-threatening allergies. The district will work cooperatively with the student, their parent/guardian and healthcare provider to allow the child to participate as fully and as safely as possible in school activities. When a student has a known life-threatening allergy reported on their health form or if the district has been informed by the parent of the presence of a life-threatening allergy, the district will assemble a team, which may include the parent, the school nurse, the child's teacher, the building



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principal and other appropriate personnel, which will be charged with developing an individual health care plan and/or an emergency action plan. The plan(s) will be maintained by the school nurse. The plan(s) will guide prevention and response. If the student is eligible for accommodations based upon the IDEA, Section 504 or the Americans with Disabilities Act, the appropriate procedures will be followed regarding identification, evaluation and implementation of accommodations.

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### Training

Training to support the fulfillment of staff responsibilities in regard to student health services will be provided as part of the district's ongoing professional development plan and in conformity with Commissioner's regulations.

### Regulations

The Superintendent will develop comprehensive regulations governing student health services. Those regulations will include the provision of all health services required by law, procedures for the maintenance of health records, and procedures for the administering of medication to students. The Superintendent will also develop protocols, in consultation with the district medical director and other appropriate district staff, for the management of injury, with particular attention to concussion.

Cross-ref: 4321, Programs for Students with Disabilities  
5020.3, Students with Disabilities and Section 504  
5151, Homeless Students  
5280, Interscholastic Athletics  
5550, Student Privacy  
8130, School Safety Plans and Teams  
9700, Staff Professional Development

Ref: Education Law §§310 (provisions for appeal of child denied school entrance for failure to comply with immunization requirements); 901 et seq. (medical, dental and health services, BMI reporting); 916-b (students with diabetes);  
Public Health Law §§613 (annual survey); 2164 (immunization requirements); 135.4 (Physical Education); Part 136 (school health services program; concussion, anaphylaxis, medication, )  
10 NYCRR Part 66-1 (immunization requirements); § 80.138

*Guidelines for Medication Management in Schools*, State Education Department, December 2017, [www.p12.nysed.gov/sss/documents/MedicationManagement-DEC2017.pdf](http://www.p12.nysed.gov/sss/documents/MedicationManagement-DEC2017.pdf)  
*Immunization Guidelines: Vaccine Preventable Communicable Disease Control*, State

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Education Department, revised August 2000 *Making the Difference: Caring for Students with Life-Threatening Allergies*, New York State Department of Health, New York State Education Department, New York Statewide School Health Service Center, June 2008 *Guidelines for Medication Management in Schools*, State Education Department, December 2017, [www.p12.nysed.gov/ssd/documents/MedicationManagement-DEC2017.pdf](http://www.p12.nysed.gov/ssd/documents/MedicationManagement-DEC2017.pdf)

Adoption date: 3/12/13

Amended: 6/11/13, 10/16/14, 12/17/15

Amended: 9/21/17

Amended: 2/14/19

Amended date: 5/11/21

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### STUDENT HEALTH SERVICES REGULATION

This regulation provides specific details about major areas of the district's student health services, such as immunization, medications, medical exams, medical care, emergency records, and return to school after injury/illness. For purpose of this regulation, the McKinney-Vento liaison will assist homeless students covered by that law in accessing school health services. District regulation 5151-R covers unaccompanied youth who lack otherwise required parent/guardian permission.

#### A. Immunization Against Communicable Diseases

Under state Public Health Law 2164, in order to be enrolled in or attend district schools, children must be fully immunized against certain communicable diseases. Those diseases are: poliomyelitis, mumps, measles, diphtheria, rubella, varicella (chicken pox), hepatitis B, pertussis, tetanus, and, where applicable, *Haemophilus influenzae* type b (Hib), pneumococcal disease, and meningococcal disease.

“Fully immunized” means that the child has either (1) received the required vaccinations for these diseases as set forth in state regulations; or (2) demonstrated having immunity:

- a. for measles, mumps, and rubella – by showing a positive blood test for the disease antibodies;
- b. for varicella – by showing (1) a positive blood test for the disease antibodies, (2) laboratory confirmation of the disease, or (3) verification by a doctor, nurse practitioner, or physician’s assistant that the student had the disease;
- c. for hepatitis B – by showing a positive blood test for the disease antibodies; and
- d. for poliomyelitis – by showing a positive blood test for the disease antibodies for all three types (limited to tests performed prior to 9/1/19).

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Children who are not fully immunized may only be admitted to school if they (1) are in the process of receiving immunization or obtaining blood tests; or (2) have been granted a medical exemption.

Medical exemptions may be issued if immunization is detrimental to a child's health. Medical exemptions must be on the medical exemption form approved by the New York State Department of Health or the New York City Department of Education, signed by a physician licensed to practice medicine in New York State indicating the specific immunization, the medical contraindication, and the length of time the exemption is for. Medical exemptions must be reissued annually to remain valid. The Building Principal may require supporting documents for medical exemptions.

All students must present appropriate documentation of their immunization status, as set forth in the Regulations of the Commissioner of Health 10 NYCRR Subpart 66-1. Homeless students will be admitted to school even if they do not have the required immunization records, but may be temporarily excluded if they show actual symptoms of a communicable disease that poses a significant risk of transmission to others.

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The Building Principal may permit students without adequate documentation to attend school up to 14 calendar days while the parent/guardian furnishes the necessary documents. This time period may be extended to 30 days for students transferring from another state or country, as long as they show a good faith effort to obtain the necessary documentation.

District schools may access the New York State Immunization Information System (NYSIIS) or the New York City Citywide Immunization Registry (CIR) to verify the immunization history of students entering or registered in that school.

When a child is excluded from school for immunization reasons, the Building Principal must notify the parent/guardian of their responsibility to have the child immunized, and the public resources available for doing so. The Principal must also notify the local health authority of the child's name and address and the immunization(s) the child lacks, and cooperate with that authority to provide a time and place for the required immunization(s) to be administered.

The district will maintain a list of all students who have been exempted from immunization for medical reasons, or who are in the process of receiving immunization, and will exclude such students from school when so ordered by the Commissioner of Health, in the event of an outbreak in school of the vaccine-preventable diseases listed in Public Health Law 2164 and the first paragraph of this section. The district will provide additional protections to students who are otherwise medically vulnerable. Students who are excluded or additionally protected will be provided with alternate instruction or remote learning opportunities to continue their education. While ordered to be out of school for a specific vaccine-preventable disease.

When a student transfers out of the district, the parent/guardian can be provided with an immunization transfer record showing the student's current immunization status which will be signed by the school nursing personnel or the school physician. A transcript or photocopy of the

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immunization portion of the cumulative health record will be provided to the new educational institution upon request.

### B. Administering Medication to Students in School

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

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

1. a written order from a NYS licensed health care provider (e.g. physician, nurse practitioner or physician assistant) containing the following: student's name, the date and name of the medicine, dosage and time to be administered, and list of possible side effects; and
2. A written note from the parent/guardian giving appropriate licensed school personnel permission to administer the medication to their child during school or for trained unlicensed personnel to assist their child in taking their own medication.

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Sunscreen. Students are permitted to carry and apply sunscreen without a medical provider's order under the following conditions:

1. the sunscreen is used to avoid overexposure to the sun and not for medical treatment of an injury or illness, if sunscreen is required to treat a medical condition, the procedures for administering medication (above) apply;
2. the sunscreen is FDA approved for over-the-counter use;
3. the student's parents or guardians provide written permission annually for the student to carry and use the sunscreen.

The nurse or designee will keep written permission for students on file and develop procedures pertaining to this policy.

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

If a student is going on a field trip and is "nurse dependent" (i.e., requires a licensed health professional to administer their medication), then the student must have their medication administered by a licensed health professional, or the district may:

- permit the parent or guardian to attend the activity and administer the medication.
- 
- allow the student's health care provider to be consulted and, as the provider permits, order the medication time to be adjusted or the dose eliminated.
- If no other alternative can be found, consider canceling or rescheduling the trip.

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### C. Student Medical Exams

In accordance with Sections 903 and 904 of the state Education Law, each student will have a physical exam given by the school doctor or licensed health provider (including a physician, physician assistant or nurse practitioner) upon new enrollment into the school and upon entering pre-kindergarten or kindergarten, and first, third, fifth, seventh, ninth, and eleventh grades. Findings are to be kept on record at the school on forms that can be obtained from the school nurse. In addition, the school will request a dental health certificate according to the same schedule.

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

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

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

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

### D. Illness or Injury in School

If a student becomes ill or injured in school:

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

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7. While in the nurse's or designee's office, to the extent possible, students showing symptoms of communicable diseases will be kept separate from students with non-transmissible illness or injuries, and the district will take measures necessary to minimize disease transmission (e.g., physical barriers, face coverings, heightened hygiene procedures).
8. If the nurse or designee determines that the child can return to class, but needed some type of medical attention (i.e., a bandage for a minor scratch, a brief rest, etc.), the nurse or designee will notify the parent.
9. The nurse or designee will maintain appropriate records of all student visits.

### E. Medical Emergency Record

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

1. the student's parent(s) or guardian(s) at home, work and cellular;
2. one or two emergency contacts other than the parents
3. the student's licensed health care provider;
4. preferred action in case of emergency, (ex. Call doctor, call parent, call ambulance)
5. any allergies or serious health conditions.

**5420-R**

### F. Student Return to School after Illness/Injury

In general, students should be symptom-free before returning to school and resuming normal activities. In the case of communicable diseases, students must no longer be contagious. In some instances, students may be asked to provide a note from their licensed health care provider before they return to school or participate in the full range of school activities. The final decision to permit participation rests with the school nurse in consultation with a physician, when necessary. The Superintendent or designee, in consultation with public health authorities, a school physician, nurse and other appropriate staff, will develop protocols to address a student's return to activities when there has been a serious illness or injury.

Adoption date: 12/17/15

Amended date: 2/14/19

Amended date: 5/11/21

Amended date: 10/21/21

5450.1

( ) Required  
(x) Local  
(X) Notice

#### **NOTIFICATION OF SEX OFFENDERS**

The Board of Trustees acknowledges the efforts of local law enforcement to notify the district when a person with a history of sex offenses against a child is being paroled or released into the community, in accordance with the provisions of the Sex Offender Registration Act, commonly known as Megan's Law. The purpose of this notification is to protect members of the community, particularly children, by notifying them of the presence of individuals in their midst who may present a danger. Consistent with its duty to protect students under its care, the district shall cooperate with local law enforcement agencies in this endeavor.

Any information provided by local law enforcement officials pursuant to Megan's Law shall be posted in an appropriate location in the school building. In addition, the Superintendent of Schools shall ensure the dissemination of any such information to all staff who might come into contact with the offender in the course of doing their jobs, including teachers, bus drivers, and custodians. All other staff members and community residents shall be informed of the posting requirement for such information established by this policy and of the availability of the information, upon request. Community residents shall also be reminded of the security measures and personal safety instruction provided at school. All staff requests for information provided by the law enforcement agencies shall be directed to the Superintendent. Requests for information from community residents shall be directed to the District Clerk.

## SAGAPONACK

The Superintendent shall establish any necessary regulations for implementing this policy.

This policy shall be disseminated at least once a year to all district residents.

Ref: 42 U.S.C. §1407(d)  
Correction Law, Article 6-C (Sex Offender Registration Act)  
*Doe v. Pataki*, 3 F.Supp.2d 456 (SDNY 1998) (current injunction)  
*Doe v. Pataki*, 120 F.3d 1263 (2d. Cir. 1997), *cert. denied*, 522 U.S. 1122 (1998)

Adoption date: 6/11/13



**(X) Required**

( ) Local

(x) Notice

### **CHILD ABUSE IN A DOMESTIC SETTING**

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

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

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

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

The school official will also report the matter to the Superintendent of Schools.

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

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

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

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

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

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

The district will cooperate to the extent possible with authorized child protective services workers in investigations of alleged child abuse.

The school district shall maintain an ongoing training program which will address the identification and reporting of child abuse and maltreatment. Attendance at sessions of this training program shall be required of all school officials. Attendance records shall be kept, and notations will be made in personnel files as to the dates of attendance.

The Superintendent shall develop, with input from appropriate personnel, a plan for implementation of such a training program, to be approved by the Board. In addition, the policy and regulations will be distributed annually to all school officials. The Superintendent will prepare and implement all regulations as are necessary to accomplish the intent of this policy.

The district shall post the toll-free number for the Central Register (800-342-3720) and directions for accessing the NYS Office of Children and Family Services (<http://ocfs.ny.gov/main/cps>), in both English and Spanish, on the district website and in highly visible areas of school buildings so it is readily accessible to students and staff. The district shall also provide it to parents/guardians at least once per school year (including electronically and/or sent home with students), and provide it to all teachers and administrators.

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

Adoption date: 6/11/13

Amended: 9/21/17

( ) Required  
(x) Local  
(X) Notice

## STUDENT RECORDS

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

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

The District will use reasonable methods to provide access to student educational records only to those authorized under the law and to authenticate the identity of the requestor. The district will document requests for and release of records, and retain the documentation in accordance with law. Furthermore, pursuant to Chapter 56 of the Laws of 2014, the district will execute agreements with third-party contractors who collect, process, store, organize, manage or analyze student personally identifiable information (PII) to ensure that the contractors comply with the law in using appropriate means to safeguard the data.

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

### Definitions

*Authorized Representative:* an authorized representative is any individual or entity designated by a State or local educational authority or a Federal agency headed by the Secretary, the Comptroller General or the Attorney General to carry out audits, evaluations, or enforcement or compliance activities relating to educational programs.

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

- (a) records in the sole possession of the individual who made it and not accessible or revealed to any other person except a substitute (e.g. memory joggers);
- (b) records of the district's law enforcement unit;
- (c) grades on peer-graded papers before they are collected and recorded by a teacher.

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

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

*Personally identifiable information:(PII): as it pertains to students*, is information that would allow a reasonable person in the school or its community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. Such data might include social security number, student identification number, parents' name and/or address, a biometric record, etc. This term is fully defined in federal regulations at 34 CFR 99.3

*School official:* a person who has a legitimate education interest in a student record who is employed by the district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a member of the Board of Education; a person or company with whom the district has contracted to perform a special task (such as attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as disciplinary or grievance committee, or assisting another school official performing their . The district prohibits volunteers from accessing student information. The district expects that if volunteers discover any information about students in the course of their volunteer duties, they shall not redisclose such information to anyone other than a school official with a legitimate educational interest.

*Third party contractor:* is any person or entity, other than an educational agency (which includes schools, school districts, BOCES, or the State Education Department), that receives student data or teacher or principal data from an educational agency pursuant to a contract or other written agreement for purposes of providing services to such educational agency, including but not limited to data management or storage services, conducting studies for or on behalf of such educational agency, or audit or evaluation of publicly funded programs. This includes educational partnership organizations that receive student or teacher/principal PII from a school district to carry out responsibilities under Education Law §211-e (for persistently lowest-achieving schools or schools under registration review and is not an educational agency. This also includes not-for-profit corporations or other nonprofit organizations, other than an educational agency.

### Annual Notification

At the beginning of each school year, the district will publish a notification that informs parents, guardians and students currently in attendance of their rights under FERPA and New York State Law and the procedures for exercising those rights. A 'Parents' Bill of Rights for Data Privacy and Security' will be posted on the district website and included in any agreements with third-party contractors. (see 8635-E ) The notice and 'Bill of Rights' may be published in a newspaper, handbook or other school bulletin or publication. The notice and 'Bill of Rights' will also be provided to parents, guardians, and students who enroll during the school year.

The notice and Parents' Bill of Rights will include a statement that the parent/guardian or eligible student has a right to:

1. inspect and review the student's education records;
2. request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy rights;
3. consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and

4. file a complaint with the United States Department of Education alleging failure of the district to comply with FERPA and its regulations; and/or file a complaint regarding a possible data breach by a third party contractor with the district and/or the New York State Education Department's Chief Privacy Officer for failure to comply with state law.

**The annual notice and Parents' Bill of Rights will inform parents/guardians and students:**

1. that it is the district's policy to disclose personally identifiable information from student records, without consent, to other school officials within the district whom the district has determined to have legitimate educational interests. The notice will define 'school official' and 'legitimate educational interest.'
2. that, upon request, the district will disclose education records without consent to officials of another school district in which a student seeks to or intends to enroll or is actually enrolled.
3. that personally identifiable information will be released to third party authorized representatives for the purposes of educational program audit, evaluation, enforcement or compliance purposes.
4. that the district, at its discretion, releases directory information (see definition below) without prior consent, unless the parent/guardian or eligible student has exercised their right to prohibit release of the information without prior written consent. The district will not sell directory information.
5. that, upon request, the district will disclose a high school student's name, address and telephone number to military recruiters and institutions of higher learning unless the parent or secondary school student exercises their right to prohibit release of the information without prior written consent.
6. of the procedure for exercising the right to inspect, review and request amendment of student records.
7. that the district will provide information as a supplement to the 'Parents' Bill of Rights' about third parties with which the district contracts that use or have access to personally identifiable student data.

The district may also release student education records, or the personally identifiable information contained within, without consent, where permitted under federal law and regulation. For a complete list of exceptions to FERPA's prior consent requirements see accompanying regulation 5500-R, Section 5.

The district will effectively notify parents, guardians and students who have a primary or home language other than English.

In the absence of the parent or secondary school student exercising their right to opt out of the release of information to the military, the district is required to, under federal law, release the information indicated in number five (5) above.

Directory Information

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

- Name
- ID number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems (only if the ID cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the student’s identity),
- Address (except information about a homeless student’s living situation, as described below)
- Telephone number
- Date and place of birth
- Major course of study
- Participation in school activities or sports
- Weight and height if a member of an athletic team
- Dates of attendance,
- Degrees and awards received
- Most recent school attended
- Grade level
- Photograph
- E-mail address
- Enrollment status

Information about a homeless student’s living situation shall be treated as a student educational record, and shall not be deemed directory information. A parent/guardian or eligible student may elect, but cannot be compelled, to consent to release of a student’s address information in the same way they would for other student education records. The district’s McKinney-Vento liaison will take reasonable measures to provide homeless students with information on educational, employment, or other postsecondary opportunities and other beneficial activities.

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

Students who opt out of having directory information shared are still required to display the student ID cards, if applicable.

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

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

Cross-ref: 1120, School District Records  
4321, Programs for Students with Disabilities Under IDEA and Part 89  
4532, School Volunteers  
5550, Student Privacy  
5151, Homeless Children

Ref: Family Educational Rights and Privacy Act, as amended, 20 USC 1232g; 34 CFR Part 99  
No Child Left Behind Act, 20 USC §7908 (Military Recruiter Access)  
10 USC §503 as amended by §544 of the National Defense Reauthorization Act for FY 2002  
Education Law §§ 2-a; 2-b; 2-c; 2-d; 225;  
Public Officers Law §87(2)(a)  
Arts and Cultural Affairs Law, Article 57-A (Local Government Records Law)  
8 NYCRR 185.12 (Appendix I) Records Retention and Disposition, Schedule ED-1 for Use by School Districts and BOCES  
“Guidance for Reasonable Methods and Written Agreements,”  
[http://www2.ed.gov/policy/gen/guid/fpc/pdf/reasonablemtd\\_agreement.pdf](http://www2.ed.gov/policy/gen/guid/fpc/pdf/reasonablemtd_agreement.pdf)  
Parents’ Bill of Rights for Data Privacy and Security, July 29, 2014:  
<http://www.p12.nysed.gov/docs/parents-bill-of-rights.pdf>  
Family Policy Compliance Office website:  
<http://www2.ed.gov/policy/gen/guid/fpc/index.html>

Adoption date: 6/11/13

Amended date: 3/11/14

Amended date: 3/9/15

Amended date: 7/11/17

Amended: 7/9/2020

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

Dear Parent or Eligible Student:

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

1. **The right to inspect and review the student's education records within 45 days of the day the district receives a request for access.** Parents or eligible students should submit to the Superintendent a written request that identifies the records they wish to inspect. The Superintendent will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. **The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading or otherwise in violation of the student's privacy under FERPA.** Parents or eligible students may ask the district to amend a record that they believe is inaccurate or misleading by writing the Superintendent, clearly identifying the part of the record they want changed, and specifying why it is inaccurate or misleading.

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

3. **The right to provide written consent before the district discloses personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.** The exceptions, which permit disclosure without consent, include disclosure to school officials with legitimate educational interests or an authorized representative. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

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



## SAGAPONACK

An authorized representative is any individual or entity designated by a State or local educational authority or a Federal agency headed by the Secretary, the Comptroller General or the Attorney General to carry out audits, evaluations, or enforcement or compliance activities relating to educational programs.

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

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The Office that administers FERPA is:

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

Attached to this notice are two other important documents related to student data privacy: 5500-E.2. Notification of Directory Information Designations and. 5500-E.4. Parents' Bill of Rights for Data Privacy and Security.

## **NOTIFICATION OF DIRECTORY INFORMATION DESIGNATIONS**

In addition to the rights outlined in the accompanying letter (5500-E.1), FERPA also gives the school district the option of designating categories of student information as "directory information." Directory information includes student:

- Name
- ID Number
- Address
- Telephone number
- Date and place of birth
- Major course of study
- Participation in school activities
- Dates of attendance
- most recent school attended
- grade level
- E-mail address
- Enrollment status

You may object to the release of any or all of this "directory information." However, you must do so in writing within 10 business days of receiving this notice. If we do not receive a written objection, we will be authorized to release this information without your consent.

**PARENT BILL OF RIGHTS FOR STUDENT DATA  
PRIVACY AND SECURITY THIRD PARTY  
CONTRACTOR SUPPLEMENT**

**The (insert name of contractor)** has been engaged by the Sagaponack Common School District to provide services. In this capacity, the company may collect, process, manage, store or analyze student personally identifiable information (PII).

The **(insert name of contractor)** will provide the district with **(describe specific purpose for which the student PII will be used)**.

**The (insert the name of contractor)** will ensure that subcontractors or others that the company shares PII will abide by data protection and security requirements by **(describe methods/procedures to safeguard data use by subcontractors)**.

Parents may challenge the accuracy of **PII** held by **(insert name of contractor)** by contacting **(insert contact information, including title, phone number, mailing address and email address)**.

**The (insert name of contractor)** will take reasonable measures to ensure the confidentiality of student PII by implementing the following **(describe the following, as applicable)**:

- Password protections
- Administrative procedures
- Encryption
- Firewalls

The contractor's agreement with the district ends on **(insert date)**. Once the contractor has completed its service to the district, records containing student PII will be destroyed by **(insert date)**.

**PARENTS' BILL OF RIGHTS FOR STUDENT  
DATA PRIVACY AND SECURITY**

The Sagaponack Common School District, in recognition of the risk of identity theft and unwarranted invasion of privacy, affirms its commitment to safeguarding student personally identifiable information (PII) in educational records from unauthorized access or disclosure in accordance with State and Federal law. The Sagaponack Common School District establishes the following parental bill of rights:

- Student PII will be collected and disclosed only as necessary to achieve educational purposes in accordance with State and Federal Law.
- A student's personally identifiable information cannot be sold or released for any commercial purposes by a third party contractor. The district will not sell student personally identifiable information and will not release it for commercial purposes, other than directory information released by the district in accordance with district policy;
- Parents have the right to inspect and review the complete contents of their child's education record (for more information about how to exercise this right, see 5500-R):
- State and federal laws protect the confidentiality of personally identifiable information. Safeguards associated with industry standards and best practices, including but not limited to, encryption, firewalls, and password protection, must be in place when data is stored or transferred;
- A complete list of all student data elements collected by the State Education Department is available for public review at <http://www.p12.nysed.gov/irs/sirs/>.
- Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed to the Superintendent of Schools at P.O. Box 1500 Sagaponack, New York 11962 or email [super@sagaponackschool.com](mailto:super@sagaponackschool.com). Complaints can also be directed to the New York State Education Department by writing to the Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234 or by email to [CPO@mail.nysed.gov](mailto:CPO@mail.nysed.gov).
- In the event that the District engages a third party provider to deliver student educational services, the contractor or subcontractors will be obligated to adhere to State and Federal Laws to safeguard student PII. Parents can request information about third party contractors by contacting the Superintendent of Schools at P.O. Box 1500 Sagaponack, New York 11962 or email [super@sagaponackschool.com](mailto:super@sagaponackschool.com) or can access the information on the district's website at [www.sagaponackschool.com](http://www.sagaponackschool.com).

**(X) Required**

(x) Local

(x) Notice

## **STUDENT PRIVACY**

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

### Surveys

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

### Marketing

It is the policy of the Board not to collect, disclose, or use personal information gathered from students for the purpose of marketing or selling that information or providing it to others for that purpose.

### Inspection of Instructional Material

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

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

Notification

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

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

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

Adoption date: 6/11/13

**(X) Required**☐ Local☐ Notice

### **SCHOOL SAFETY AND EDUCATIONAL CLIMATE (SSEC)REPORTING**

The Board of Trustees is committed to promoting and maintaining the safety of all students, staff and visitors to the schools. The Board is also committed to maintain a school environment that is free from harassment, bullying, and discrimination. Consistent with these commitments and in accordance with state law and regulation, the district will submit an annual report to the Commissioner of Education regarding violent and disruptive incidents and material incidents of harassment/bullying/discrimination, as part of the New York State Education Department's School Safety and Educational Climate (SSEC) Summary Data Collection. In addition, the Board will use this data to assess the safety and educational climate of its schools and, where appropriate, identify and take steps to improve the safety, security, and well-being of its students, staff and visitors.

#### **Reporting Requirement**

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

Additionally, the Lead Teachers are required to provide a regular report on data and trends related to harassment, bullying, and/or discrimination to the Superintendent at least once during each school year.

#### **Confidentiality**

Any violent or disruptive incident or harassment, bullying, and discrimination report prepared in accordance with law will be available for inspection by the State Education Department upon request. All names and other personally identifiable information included in any report are

confidential and must not be disclosed to any person for use by any person for purposes other than the reporting purposes in Education Law §2802, except as otherwise authorized by law.

Cross-ref:

0115, Student Harassment and Bullying Prevention and Intervention

Ref: Education Law §§10-18 (Dignity for All Students Act); Education Law 2802 (Uniform Violent Incident Reporting System)  
8 NYCRR 100.2 (gg) (Uniform Violent Incident Reporting System)  
8 NYCRR §185.15 (Appendix L)  
(Retention and Disposition Schedule LGS-1 for New York Local Government Records)

Adoption Date: 6/11/13

Amendment Date: 5/9/23