CONTAINED HERIN ARE THE POLICY STATEMENTS FORMULATED BY THE BOARD OF EDUCATION OF THE PANAMA CENTRAL SCHOOL DISTRICT.

Policy is defined as a basic plan of action. It establishes limits within which freedom of judgment can be exercised.

Policy is a governing principle of management. It is a statement that has an effect on the interests of those who come under its jurisdiction. A policy may originate from the constitution, from statute, from local determinations and/or from customary patterns of formal behavior.

Policy should accomplish the following:

a) State a position taken by the District;
b) Grant the authority to act;
c) Be sufficiently detailed to give adequate direction;
d) Be achievable within the real environment of the school and community;
e) Provide for impartial procedures.

In addition to the adopted policies, the operation of the School District is governed by and subject to all applicable Laws, Regulations of the Commissioner of Education, Civil Service requirements, Board of Education Resolutions, School Administrative Regulations and Contracts of Agreement.

If any part of this manual is made invalid by judicial decision or legislative or administrative enactment, all other parts shall remain in full effect unless and until they are amended or repealed by the Board of Education. The official record of the adoption, amendment, or repeal of the by-laws and policies of the Panama Central School District shall be the minutes of the meetings of the Board of Education.
MISSION STATEMENT

District Mission

Our mission at Panama Central School is to provide the opportunity for every student to achieve maximum potential for knowledge and learning while encouraging a sense of pride of self, school and community.

Elementary Mission

The elementary staff of Panama Central School believes that all students can learn and achieve basic skills. Our purpose is to educate all students to high levels of academic performance while fostering positive growth in social/emotional behaviors and attitudes. We accept the responsibility to teach all students so that they can attain their own maximum educational potential.

Secondary Mission

Our high school educational mission is to enable all students to become independent, responsible, productive members of society. Knowledge, pride, and understanding are garnered from school and will be carried with students throughout their lives.
FREEDOM AND DIVERSITY IN THE SCHOOL PROGRAM

According to the Panama Central School District Philosophy of Education, the District should provide a "comprehensive and academically challenging education for all students in an atmosphere that will stimulate and nurture the students' intellectual, oral, social and physical development" in order "to prepare each student for responsible participation in the American democratic society."

The official educational goals of the District include:

a) Learn how to examine and use information.
b) Develop good character and self-respect.
c) Learn to respect and get along with people with whom we work and live.
d) Learn about and try to understand the changes that take place in the world.
e) Learn how to be a good citizen.
f) Understand and practice democratic ideas and ideals.

To achieve the philosophy and goals of the District, the District must offer a diverse educational program which enables students to learn how to:

a) Effectively communicate their feelings and ideas through reading, writing, listening and speaking.
b) Reason, think and make rational decisions.
c) Recognize values, the value making process and the consequences of value choices.

The Board of Education believes that:

a) The school program must reflect the general values and beliefs held by the vast majority of American citizens without advocating a specific religious or political point of view.
b) The staff must stimulate and guide each student in developing appropriate social, intellectual and philosophical values.
c) The right to examine, discuss and study about a variety of issues and opinions is basic to our pluralistic democratic society.

d) Each student must have the experience of learning about choices and selection.

e) The opportunity to teach and learn in an atmosphere of freedom must remain paramount.

f) A diversity of instructional materials, resources and activities must be used to support the educational program.

The Board recognizes that the materials and methods used to achieve the philosophy and goals of the District may occasionally conflict with the values and beliefs of individual students and parents. The parents or legal guardians of a student have a right to:

a) Review the learning materials and activities used to instruct their child.

b) Receive an explanation of why and how materials and activities are used to instruct their child.

c) Request that alternate materials and activities be used in the instruction of their child.

The Board directs the Superintendent to:

a) Insure that the educational program of the District complies with this policy and is appropriate for the age of the children being instructed.

b) Establish principles and guidelines for the selection and use of instructional materials and activities.

c) Establish procedures for parental review of instructional materials and activities.

d) Establish procedures for the use of alternative materials and activities if such materials and activities can reasonably be used to achieve the intent of this policy and the basic goals of the District.
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SUBJECT: ORGANIZATION

Personal, professional and human relations depend upon a clear understanding of the relative functions in an organizational structure. In recognition of this principle, the Board of Education acknowledges the following inter-relationships as being of utmost importance in achieving the educational goals of the local community and of the state as prescribed by the Constitution of the State of New York and the State Legislation.

The Citizens provide support and, through an elected Board of Education, determine the policies of the Panama Central School District.

The Board of Education adopts and evaluates general school policies so as to make it possible to achieve the goals and purposes set forth in the Philosophy of the Panama Central School District; prepares and adopts a budget consistent with established policies and goals for presentation to the citizenry at the annual budget hearing; selects the Superintendent of Schools who serves as the Chief Executive Officer of the Board, and supports him/her in the discharge of his/her duties.

The Superintendent of Schools furnishes professional leadership as the Board's Chief Executive Officer in the general administration of the school system; recommends policies to the Board; and coordinates and directs the total administrative team to the end of carrying out the policies of the Board of Education.

The Assistant Superintendents, Directors and Specialists who report directly to the Superintendent serve in areas of special responsibility in planning, coordinating, supervising, and directing the whole system as a unified enterprise under the direction of the Superintendent of Schools and in accordance with the policies adopted by the Board of Education.

The Principals are executive heads of the schools and furnish instructional and community leadership for the educational program.

The Coordinators serve as agents of the Superintendent in the coordination, facilitation, planning and evaluation of school operations on a system-wide basis. They act as helpers and counselors to principals and teachers on special problems and provide leadership in the improvement of the school programs in their respective areas of assignment.

The Teaching Personnel provide learning experiences for students under the direction of the administration, accomplishing the goals and purposes set forth in the Philosophy of the Panama Central School District.

The Non-Teaching Personnel provide the necessary supporting services for the educational program and for the operations of the schools.

(Continued)
The Students of Panama Central are provided educational experiences leading to responsible citizenship.

Education Law Section 1709
SUBJECT: SCHOOL DISTRICT AND BOARD OF EDUCATION LEGAL STATUS

The Constitution of New York State, as amended in 1894, instructs the Legislature to provide for a system of free common schools wherein all children of the State may be educated.

The Legislature of the State has implemented this constitutional mandate through the creation of school districts of various types. The Panama Central School District is governed by the laws set forth for Central School Districts in Article 37 of the Education Law, and by-laws relating to, or affecting, Union Free School Districts as set forth in Article 35 of the Education Law.

The School District constitutes a corporate entity that possesses all the usual powers of a corporation for public purposes, and in that name may sue and be sued, purchase, hold and sell personal property and real estate, and enter into such obligations as are authorized by law.

The Constitution of the State of New York places the responsibility for public education on the State Legislature, and directs the establishment of a State Department of Education for general supervision over the schools and headed by a Commissioner of Education. The New York State Constitution further provides that local public schools under the general supervision of the State Education Department shall be maintained, developed and operated by locally elected boards. Legally, local boards are instruments of the New York State Constitution, the New York Statutes and the regulations of the State Education Department and its Commissioner.

New York State Constitution
Education Law Articles 35, 37
Education Law Sections 1701, 1804 and 1805
SUBJECT: BOARD OF EDUCATION AUTHORITY

As a body created under the Education Law of New York State, the Board of Education of the Panama Central School District has full authority, within the limitations of federal and state laws and the Regulations of the Commissioner of Education and interpretations of them, to carry out the will of the people of its District in matters of education.

In all cases where laws or regulations of the State Commissioner of Education do not provide, permit, or prohibit, the Board shall consider itself the agent responsible for establishing and appraising educational matters and activities.

Board members have no authority over school affairs as individuals. They have authority only when acting as a body duly called in session.

Education Law Sections
1701, 1804 and 1805
SUBJECT: NUMBER OF MEMBERS AND TERMS OF OFFICE

The Board of Education of the Panama Central School District shall consist of seven (7) members elected by the qualified voters of the School District at the annual election as prescribed by law.

Members of the Board of Education shall serve for five (5) years beginning July 1 following their election and each term shall expire on the thirtieth day of June of the fifth year.

7 Member Board - Education Law Section 1804.1
Term of Office - Education Law Section 2105
SUBJECT: BOARD OF EDUCATION MEMBERS: QUALIFICATIONS

A Board of Education member of the Panama Central School District must meet the following qualifications:

a) A citizen of the United States;
b) Eighteen (18) years of age or older;
c) Able to read and write;
d) A legal resident one (1) year prior to the election;
e) Cannot be an employee of the Panama Central School District;
f) The only member of his/her family (that is, cannot be a member of the same household) on the Panama Central School District Board;
g) May not simultaneously hold another, incompatible public office;
h) Must not have been removed from a school district office within one year preceding the date of election to the Board.

Education Law Sections 2102, 2103 and 2103-a
Public Officers Law Section 3

Revised: 10/16/95; 09/08/97
SUBJECT: BOARD OF EDUCATION MEMBERS: NOMINATION AND ELECTION
(Cont'd.)

vacancy unless a separate District election shall have been ordered for that purpose by the Commissioner of Education, or unless such election shall be postponed to a subsequent meeting of the Board by consent of a majority of all members. Any such vacancy filled by the Board shall be only for a term ending with the next annual meeting of the School District at which time such vacancy shall be filled in a regular manner for the balance of the unexpired term. The Board, at its own option, may also elect to call a special election to fill the unexpired term. (Refer also to Policy #1240 -- Resignation and Dismissal/School Board Vacancy.)

k) When a term of office expires at the end of a school year and the office has become vacant at the time of election, the person elected to fill the new full/term vacancy begins his/her term of office immediately upon election.

Education Law Sections 2004, 2013, 2018, 2025, 2029, 2032, 2034(7)(d), 2105(14), and 2121
SUBJECT: ABSENTEE BALLOTS

The Board of Education authorizes the District Clerk or a Board designee (the latter only if the District does not provide for the personal registration of voters) to provide absentee ballots to qualified District voters. Absentee ballots shall be used for the election of School Board members, School District public library trustees, the adoption of the annual budget and School District public library budget and referenda.

A District voter must request in advance an application for an absentee ballot. The voter must complete the application and state the reason he/she will not be able to appear in person on the day of the District election/vote for which the absentee ballot is requested. The application must be received by the District Clerk or Board designee at least seven (7) days before the election/vote if the ballot is to be mailed to the voter, or the day before the election/vote if the ballot is to be delivered personally to the voter.

Pursuant to the provisions of Education Law, a qualified District voter is eligible to vote by absentee ballot if he/she is unable to appear to vote in person on the day of the School District election/vote because:

a) He/she is or will be a patient in a hospital, or is unable to appear personally at the polling place on the day of the election/vote because of illness or physical disability;

b) He/she has duties, occupation or business responsibilities, or studies which require being outside of the county or city of residence on the day of the School District election/vote;

c) He/she will be on vacation outside of the county or city of residence on the day of such District election/vote;

d) He/she will be absent from the voting residence due to detention in jail awaiting action by a grand jury or awaiting trial, or is confined in prison after conviction for an offense other than a felony; or

e) He/she will be absent from the School District on the day of the School District election/vote by reason of accompanying spouse, parent or child who is or would be, if he/she were a qualified voter, entitled to apply for the right to vote by absentee ballot.

Statements on the application for absentee ballot must be signed and dated by the voter.

An absentee ballot must reach the office of the District Clerk or Board designee not later than 5:00 p.m. on the day of the election/vote in order that his/her vote may be canvassed.

continued
SUBJECT: ABSENTEE BALLOTS (Cont'd.)

A list of all persons to whom absentee ballots have been issued shall be maintained in the office of the District Clerk or Board designee and made available for public inspection during regular office hours until the day of the election/vote. Any qualified voter may, upon examination of such list, file a written challenge of the qualifications as a voter of any person whose name appears on such list, stating the reason for such challenge. The written challenge shall be transmitted by the District Clerk or Board designee to the election inspectors on the day of the District election/vote.

Additionally, such list of all persons to whom absentee ballots have been issued shall be posted in a conspicuous place or places during the District election/vote, and any qualified voter may challenge the acceptance of the absentee voter's ballot of any person on such list by making his/her reasons known to the election inspector before the close of the polls.

Education Law Sections 2014, 2018-a and 2018-b

Board of Education Approval 12/20/99
SUBJECT: REPORTING OF EXPENDITURES AND CONTRIBUTIONS

Each candidate for the position of member of the Board of Education whose expenses and/or contributions received exceed five hundred dollars ($500) must file a statement accounting for his/her campaign expenditures and contributions with the District Clerk and an additional statement with the Commissioner of Education. In the event the expenses do not exceed five hundred dollars ($500) and the aggregate amount of all contributions made to the candidate do not exceed $500, then a sworn statement to that effect must only be filed with the District Clerk.

Required contribution statements shall include:

a) The dollar amount and/or fair market value of any receipt, contribution or transfer which is other than money;
b) The name and address of the transferor, contributor or person from whom received;
c) If that transferor, contributor or person is a political committee as defined in Section 14-100 of the Election Law;
d) The name and political unit represented by the committee;
e) The date of receipt;
f) The dollar amount of every expenditure;
g) The name and address of the person to whom the expenditure was made, or the name of and political unit represented by the committee to which it was made; and
h) The date of the expenditure.

The times for filing the statements are as follows:

a) The first statement on or before the thirtieth day preceding the election to which it relates;
b) A second statement on or before the fifth day before the election;
c) A third statement within twenty days after the election.

Any contribution or loan in excess of $1000 received after the close of the period covered in the last statement filed before the election (b above) but before the election itself shall be reported within 24 hours after receipt.

All statements must be sworn before a notary public, a commissioner of deeds, a lawyer or a public official authorized by New York State law to administer oaths.

Education Law Sections 1528 and 1529
Election Law Section 14-100(1)

Revised 10/6/95
Revised 10/3/05
SUBJECT: RESIGNATION AND DISMISSAL/SCHOOL BOARD VACANCY

A Board member may resign at an annual District meeting at which time the resignation shall be automatically accepted. At other times his/her resignation must be presented to the District Superintendent of the Supervisory District, who will endorse it and file it with the District Clerk. It shall become effective as indicated in the letter of resignation or on the date of delivery to or filing with the District Clerk. If an effective date is specified in the letter of resignation, such date shall not be more than thirty (30) days subsequent to the date of its delivery or filing.

It shall be the duty of each member of the Board of Education to attend all meetings of the Board and, if any member shall refuse to attend three consecutive meetings of the Board after having been regularly notified and a satisfactory cause for each non-attendance is not shown, the Board will proceed to declare that office vacant.

A Board member may be removed from office by the Commissioner of Education for willful violation of any provision of law, neglect of duty, or willfully disobeying any decision, order or regulation of the Commissioner.

In the event of death, resignation, refusal to serve, or any disqualification of a Board member, the Board may appoint a new member to fill such a vacancy. If the Board chooses to fill the vacancy, it shall be only for a term ending with the next annual election of the School District at which time such vacancy shall be filled in a regular manner for the balance of the unexpired term. The Board, at its own option, may also elect to call a special election within ninety days to fill the unexpired term. If not so filled, the district superintendent of the supervisory district may appoint a competent person to fill the vacancy until the next annual election of the District. The Commissioner of Education may order a special election for filling a vacancy. When such special election is ordered the vacancy shall not be filled otherwise.

A Board member who has been removed from office shall be ineligible to appointment or election to any office in the District for a period of one year from the date of such removal.

Education Law Sections 306, 1706, 1709(17)(18), 2103(2), 2109, 2111, 2112, and 2113
Public Officers Law Sections 30, 31 and 35

Revised: 10/16/95; 09/08/97
SUBJECT: ROLE OF THE BOARD OF EDUCATION

Recognizing the complexity of public elementary/secondary education and the limited time available to the unpaid, volunteer members of the Board of Education, the Board has decided that it can best fulfill its responsibilities by adopting a role consisting of the following:

a) Performance of all functions required by statute which cannot be delegated legally or prudently.

b) Selection of a Superintendent who is competent to manage the District school system through the development and implementation of a realistic, comprehensive, strategic plan.

c) Critically reviewing and approving the Superintendent's plan.

d) Evaluation of the Superintendent's performance on the basis of the Board established job descriptions and evaluation procedures.

e) To assist the Superintendent by providing the necessary fiscal and moral encouragement.
SUBJECT: COMPENSATION AND EXPENSES

No member of the Board may receive any compensation for his/her services unless he/she shall also serve as Clerk of the Board and be paid as Clerk. The Clerk may be reimbursed for actual expenses incurred for official duties. All bills or claims for reimbursement must be itemized in reasonable detail.

All members of the Board of Education may be reimbursed for actual expenses incurred in representing the District. All bills or claims for reimbursement must be itemized in reasonable detail.

Education Law Sections 2118 and 2130(1)
SUBJECT: POWERS AND DUTIES OF THE BOARD AND ITS OFFICERS

a) The Board of Education shall have powers and duties as set forth in New York State Education Law, principally Articles 35 and 37, and other applicable Federal and State laws and regulations. In general, the Board shall have in all respects the superintendence, management and control of the educational affairs of the District and shall have all the powers necessary to exercise these powers expressly granted to it by the laws of New York State and the Commissioner of Education.

b) Although each of the enumerated responsibilities belongs ultimately to the Board of Education, their definition and fulfillment requires the widespread cooperation of administrators, teachers and lay citizens if they are to represent an expression of community wishes, as well as a reflection of professional expertise, wisdom, experience, and research.

c) The basic responsibilities of the Board of Education members shall include:

1. Developing a philosophy of education and providing citizen leadership in determining the goals public education in their community should strive to attain.
2. Determining policies that will assist in developing and improving the curriculum to implement better the philosophy and goals of the District.
3. Evaluating the educational program of the schools as a continuing process.
4. Developing sound written policies as guidelines to action and decision.
5. Establishing conditions that will attract and retain an excellent professional staff.
6. Providing adequate financing for present needs and future plans of the total program.
7. Providing good physical facilities and equipment for carrying on the educational program.
8. Maintaining a program of public information for community understanding of the school's program and policies.
9) Providing necessary student services.
10) Engaging in self-improvement programs and activities for the purpose of rendering better Board of Education service.

(Continued)
SUBJECT: POWERS AND DUTIES OF THE BOARD AND ITS OFFICERS (Cont'd.)

Education Law Sections 1604, 1709 and 1804

Indemnification

The District will provide legal defense for School Board members being sued for events arising from the individual's performance of duties, provided the member was, at the time of the incident, acting in the discharge of his/her duties within the scope of his/her authority as a Board member.

(Refer also to Policy #6540 -- Defense and Indemnification of Board Members and Employees.)

Public Officers Law Section 18
Education Law Sections 1709(26) and (34-b), 2560, 3023, 3028, and 3811
General Municipal Law
Sections 6-n and 52

Revised: 09/08/97
SUBJECT: NOMINATION AND ELECTION OF BOARD OFFICERS

Officers of the Board of Education shall be nominated and elected by the simple majority of the Board at its annual Organization Meeting. They will take their oath as officers at this meeting along with newly elected members.

The elected officers of the Board of Education are:

a) President;

b) Vice-President.

Education Law Section 1701
SUBJECT: DUTIES OF THE PRESIDENT OF THE BOARD OF EDUCATION

The President's duties include the following:

a) Preside at all meetings of the Board;
b) Call special meetings as necessary or on request;
c) Appoint members to all committees of the Board;
d) Serve ex-officio as a member of all committees;
e) Execute documents on behalf of the Board;
f) Perform the usual and ordinary duties of the office.

Education Law Section 1701
SUBJECT: DUTIES OF THE VICE PRESIDENT OF THE BOARD OF EDUCATION

The Board of Education may, in its discretion, elect one of its members Vice President who shall have the power to exercise the duties of the President in case of the absence or disability of the President. In case of vacancy in the office of the President, the Vice President shall act as President until a President is elected.

Education Law Section 1701

Revised: 09/08/97
SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD OF EDUCATION

Appointments

The Board is authorized to appoint individuals to positions, which will facilitate the meeting of its responsibilities to the State, the School System, and the community. These appointments usually take place at the Annual Organizational Meeting.

The following shall be appointed annually:

a. District Clerk;
b. Deputy District Clerk;
c. District Treasurer;
d. Deputy Treasurer;
e. Tax Collector and Deputies;
f. District Auditor (independent);
g. Treasurer, Student Activities Account;
h. Comptroller, Student Activities Account.

The following must be appointed but need not be reappointed annually:

a. Census Enumerator and assistants:
b. District Physician/Nurse Practitioner;
c. Supervisors of Attendance;
d. Committee on Special Education and Committee on Preschool Special Education;
e. Records Access/Management Officer;
f. AHERA Local Educational Agency (L.E.A.) designee;
g. Title IX/Section 504/ADA Compliance Officer;
h. Liaison for Homeless Children and Youth;
i. Chemical Hygiene Officer.

The following may also be appointed:

a. School Attorney;
b. Claims Auditor;
c. Insurance Consultant;
d. Trustee for Health Insurance, Worker’s Compensation Consortium, and School & Municipal Energy Cooperative

(Continued)
SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD OF EDUCATION
(Cont’d.)

Designations

The following designations shall be made by the Board of Education at the Annual Organizational Meeting in July:

a. Petty Cash Fund(s);
b. Official Newspaper(s);
c. Official Bank Depositories;
d. Official Bank Signatories;
e. Official Monthly Meetings;
f. Purchasing Agent;
g. Certifier of Payrolls;
h. Designated Educational Official to receive court notification regarding a student's sentence/adjudication in certain criminal cases and juvenile delinquency proceedings;
i. School Pesticide Representative.

Authorizations

a. Approval of attendance at conferences, conventions, workshops, and the like;
b. Superintendent to approve unlimited budget transfers within limits prescribed by Commissioner's Regulation Section 170.2 and Board guidelines;
c. Superintendent to apply for Grants in Aid (State and Federal) as appropriate;
d. A charge of $.25 fee per photocopy for Freedom of Information Law request;
e. Establish mileage reimbursement rate;
f. School Business Official and/or the Superintendent the authority to deposit and invest funds;
g. The authority to participate in the Federal School Free and Reduced Price Lunch Program.

Bonding Personnel

a. School Business Official
b. District Treasurer
c. Tax Collector
d. Central Treasurers of Activity Funds
e. Employee Blanket Bond

COOPERATIVE BIDDING

The Superintendent recommends the participation with Erie 2-Chautauqua-Cattaraugus BOCES for the purchase of equipment, supplies, and materials and authorizes Erie 2-Chautauqua-Cattaraugus to prepare, let, review and award bids on behalf of Panama Central School
SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD OF EDUCATION

(Cont'd.)

REAFFIRMATION OF BOARD POLICIES AND BYLAWS

a. Reaffirm all policies and code of ethics in effect during the previous school year.

McKinney - Vento Homeless Assistance Act,
   Section 722, as reauthorized by the No
   Child Left Behind Act of 2001
   Education Law Sections 305(31), 409-h, 1709, and 2503

Revised: 10/16/95; 9/8/97; 4/1/04, 7/9/07
SUBJECT: DUTIES OF THE DISTRICT CLERK

The Clerk of the Board will be appointed by the Board at its Annual Organizational Meeting and will serve for a period of one (1) year. The Clerk's duties include the following:

a) To attend all meetings of the Board and keep a record of its proceedings and record, by name, those in attendance;

b) To prepare minutes of the meetings of the Board, obtain their approval by the Board at the next meeting and forward copies of the minutes to each member of the Board of Education;

c) To send notices of special meetings to members of the Board; contact and communicate with members as required;

d) To see that the proper legal notices and announcements are published on all specifications and items out on bid, in accordance with state law;

e) To maintain an up-to-date record of Board policies and by-laws;

f) To deliver to, and collect from, the President (or Vice-President) such papers for signature as may be necessary;

h) To distribute notices to the public announcing availability of copies of the budget to be presented at the annual District meeting in compliance with the requirements of the State Education Law;

i) To administer oaths of office, as required by Section 10, Public Officer's Law;

j) To assume other duties customary to the office.

The above duties of the District Clerk are not intended to be complete but should serve as a comprehensive guide in undertaking the duties of this office. The District Clerk shall perform such other duties as may be assigned from time to time by the Board.

Education Law Section 2121
SUBJECT: DUTIES OF THE SCHOOL DISTRICT TREASURER

The Treasurer is appointed by the Board of Education at the Annual Organizational Meeting and will be covered by a blanket bond. In addition to the routine duties of accounting, filing, posting and preparing reports and statements concerning District finances, the District Treasurer shall perform other specific tasks as follows:

a) To act as custodian of all moneys belonging to the School District and lawfully deposit these moneys in the depositories designated by the Board;

b) To pay all authorized obligations of the District as directed;

c) To maintain proper records and files of all checks, and approved payment of bills and salaries;

d) To make all such entries and post all such financial ledgers, records and reports as may be properly required to afford the District an acceptable and comprehensive financial accounting of the use of its moneys and financial transactions;

e) To sign all checks drawn on District fund accounts;

f) To assume other duties customary to the office.

Duties-Education Law Section 2122
Bond-Education Law Section 2130(5)
SUBJECT: DUTIES OF THE TAX COLLECTOR

The Tax Collector is appointed annually by the Board of Education and shall be covered by a bond. It shall be the responsibility of the District Tax Collector to perform the following duties:

a) To prepare and mail tax notices;

b) To use suitable printed tax receipt forms as prescribed by the State Tax Commission;

c) To collect taxes in the amount of the warrant, upon the issuance of the tax warrant by the Board of Education and penalty fees in accordance with the terms of such warrant;

d) To turn over daily to the School District Treasurer all money collected by virtue of any tax list and warrant issued;

e) To submit a report, certified by him/her to the Board of Education, showing the amount of taxes and fees collected along with the unpaid listing. The combination of taxes collected and uncollected shall equal the amount of the warrant;

f) To turn over to the County Treasurer, prior to November 15th, a list of unpaid taxes;

g) To carry out such other duties of the position as prescribed in the Education Law or as established by regulation of the Commissioner of Education.

Education Law Section 2130(5)
SUBJECT: DUTIES OF THE INDEPENDENT AUDITOR

The Board by law shall appoint an independent certified public accountant or an independent public accountant, and a copy of the certified audit in a form prescribed by the Commissioner must be furnished annually to the State Education Department.

8 New York Code of Rules and Regulations (NYCRR)
Section 170.2
SUBJECT: DUTIES OF THE SCHOOL ACTIVITIES TREASURER(S)

The School Activities Treasurer is appointed by the Board of Education and is responsible for the supervision of the school activities funds.

The Treasurer's duties include the following:

a) Countersign all checks disbursing funds from the Extraclassroom Activities Account;

b) Provide general supervision to insure that all receipts are deposited and that disbursements are made by check only;

c) Maintain records of all receipts and expenditures;

d) Submit records to the Board as required;

e) Other duties customary to the position.

8 New York Code of Rules and Regulations (NYCRR) Section 172
SUBJECT: RENDERING OF LEGAL ADVICE

The Panama Central School District retains legal counsel as needed. The assistance of counsel can be obtained through the Superintendent of Schools or the Board itself.

In no instance should District personnel render advice of a legal nature to students, parents, community members or other personnel on the District's behalf. Any individual rendering such advice will be deemed to be acting beyond the authority delegated by the Board of Education to him or her as an agent of the District.

Any incident which appears to require legal assistance or interpretation should be reported immediately to the Building Principal who shall in turn refer the matter to the Superintendent.
SUBJECT: DUTIES OF THE SCHOOL PHYSICIAN

The School Physician shall be appointed annually by the Board of Education. The duties of the School Physician shall include, but are not limited to, the following:

a) To perform professional medical services in the examination and care of school children;

b) To supervise routine examinations of school children by the school nurse practitioner to detect the presence of contagious diseases and physical defects;

c) To serve as an on call member on the Committee on Special Education;

d) To report to the Board on school health services;

e) To coordinate scheduling for physical examinations to all students participating in interscholastic athletics;

f) To develop the program of health service in accordance with policies approved by the Board and as directed by the Superintendent of Schools;

g) To conduct physical exams for all bus drivers and substitutes annually (prior to employment);

h) To conduct physical exams for all new employees (instructional and non-instructional);

i) To conduct a physical/mental exam on any employee at the request of the Board of Education.

Education Law Sections 902 and 913

Revised: 09/08/97
SUBJECT: METHODS OF OPERATION

The Board of Education shall act as a body in making decisions and in taking official action. No individual member of the Board shall be empowered to act in matters that require approval of the entire Board.

Official action may be taken only during a duly convened meeting of the Board of Education.

Education Law Sections 1701, 1804 and 2502
SUBJECT: PRINCIPLES FOR SCHOOL BOARD MEMBERS

A School Board member, operating under the highest ethical standards, should:

a) Observe and enforce state laws and regulations pertaining to education.

b) Accept office as a Board member as a means of unselfish service.

c) Transact school business only in public sessions.

d) Represent the entire community without fear or favor.

e) Remember at all times that he/she is one of a team.

f) Accept all Board decisions once they are made and assist in carrying them out effectively.

g) Delegate action to the chief school administrator as the Board executive and confine Board action to policy making, planning and appraisal.

h) Employ only competent, trained personnel and these only on the recommendation of the chief school administrator.

i) Preserve the right and obligation of teachers to teach controversial issues fairly and without bias.

j) Maintain confidentiality of privileged information.

NOTE: Refer also the Policy #6110 -- Code of Ethics For All District Personnel.
SUBJECT: CONFLICTS OF INTEREST

The Board of Education of Panama Central School states its policy with respect to conflicts of interest. This policy is as follows:

All Board members, administrative personnel and all other employees of Panama Central School are required to avoid any conflict between their personal interests and the interest of the School District in dealing with suppliers, contractors, and all organizations or individuals doing or seeking to do business with the School District. It is required that competitive bidding be used in the procurement of materials, supplies, services and equipment which complies with Section 103 of the General Municipal Law (which currently is $10,000 for supplies and $20,000 for contracts for public work).

While it is not practical to enumerate all situations which might be in conflict with this policy, the following examples indicate some of the relationships which should be avoided. Thus, it is considered to be in conflict with the School District' interest for any Board member or for any employee or any dependent of his/her family:

a) To have a financial interest in any organization which has business dealings with the School District where there is an opportunity for preferential treatment to be given or received, except where such interest comprises and sold on the open market and the interest is not material;

b) To buy, sell or lease any kind of property, facilities, services or equipment from or to the School District or to any organization or individual who is or is seeking to become a contractor of a supplier;

c) To serve as an officer, director, employee, or consultant of any organization or individual doing or seeking to do business with the School District;

d) To use or release to a third party any data on competitive bids or any other information which might be prejudicial to the interest of the School District; or

e) To accept commissions, a share in profits or other payments, loans (other than with established banking or financial institutions), services, excessive entertainment and travel, or gifts from any organization or individual doing or seeking to do business with the School District.

Any existing or potential (or questionable) conflicts of interest should be referred to the Board of Education so that it may indicate its position in regard to the matter.

Revised: 10/16/95
SUBJECT: FORMULATION, ADOPTION AND DISSEMINATION OF POLICY

The Board of Education shall reserve to itself the function of providing guides for the discretionary action of those to whom it delegates authority. The Superintendent shall act as an advisor to the Board in the adoption and approval of written Board policies. The Board shall seek input from the staff and community where appropriate. These guides for discretionary action shall constitute the policies governing the operation of the school system.

The formulation and adoption of these written policies shall constitute the basic method by which the Board of Education shall exercise its leadership in the operation of the school system. The study and evaluation of reports concerning the execution of its written policies shall constitute the basic method by which the Board of Education shall exercise its control over the operation of the school system.

The adoption of a written policy shall occur only after the proposal has been moved, discussed and voted on affirmatively at two successive meetings of the Board of Education (i.e., the "first reading" and the "second reading"). The policy draft may be amended at the second meeting. By a majority vote, the Board may waive the "second reading" and complete the adoption of the proposed policy at its "first reading." Job descriptions, references contrary to law or state and federal regulation, and conflicts with negotiated agreements will be updated without previous Board approval.

The formal adoption of written Board policy shall be recorded in the official minutes of the Board. Such written Board policy shall be the continuing legal regulations of the District.

Education Law Sections 1604(9) and 1709(1) and (2)

Revised: 10/16/95; 09/08/97
SUBJECT: EXECUTION OF POLICY: ADMINISTRATIVE REGULATIONS

The Board shall delegate to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the schools will be operated. These rules and these detailed arrangements shall constitute the administrative regulations governing the schools. They must be in every respect be consistent with the policies adopted by the Board. The Board shall be kept informed periodically of changes in administrative regulations.
SUBJECT: POLICY REVIEW AND EVALUATION

It shall be the Board's responsibility to keep its written policies up-to-date so that they may be used consistently as a basis for Board action and administrative decision.

The Superintendent is given the continuing commission of calling to the Board's attention all policies that are out-of-date or for other reasons appear to need revision.
SUBJECT: EXECUTIVE SESSIONS

Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the area or areas of the subject or subjects to be considered, the Board of Education may conduct an executive session for discussion of the below enumerated purposes only, provided, however, that no action by formal vote shall be taken except on a 3020-a probable cause finding. For all other purposes, the action by formal vote shall be taken in open meeting and properly recorded in the minutes of the meeting.

a) Matters that will imperil the public safety if disclosed;

b) Any matter that may disclose the identity of a law enforcement agent or informer;

c) Information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed;

d) Discussions regarding proposed, pending or current litigation;

e) Collective negotiations pursuant to Article 14 of the Civil Service Law;

f) Medical, financial, credit or employment history of any particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of any particular person or corporation;

g) Preparation, grading or administration of examinations;

h) Proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

Matters discussed in executive sessions must be treated as confidential; that is, never discussed outside of that executive session.

Public Officers Law Article 7
Education Law Section 3020-a

Revised: 10/16/95
SUBJECT: QUORUM AND ATTENDANCE OF THE BOARD OF EDUCATION

The quorum for any meeting of the Board shall be four members. No formal action shall be taken at any meeting at which a quorum is not present. Provided a quorum exists, the Board shall act by unanimous affirmative vote unless otherwise required by the laws of the State of New York.

The Superintendent and members of his/her staff at the Superintendent's discretion shall attend all meetings of the Board. The Superintendent shall attend all executive session meetings of the Board. The Board may request the attendance of such additional persons as it desires.

Education Law Sections
2109 and 2502(8)
General Construction Law
Section 41
SUBJECT: MINUTES

The minutes are a legal record of the activities of the School Board as a public corporation having the specified legal purpose of maintaining public schools. The minutes of all meetings shall be kept by the Clerk or, in his/her absence, by the Superintendent or his/her designee. The minutes shall be complete and accurate and stored in a minutes file.

The minutes of each meeting of the Board of Education shall state:

a) The type of meeting;

b) The date, time of convening, and adjournment;

c) Board members present and absent;

d) Board members' arrival and departure time, if different than opening or adjournment times;

e) All action taken by the Board, with evidence of those voting in the affirmative and the negative, and those abstaining;

f) The nature of events that transpire, in general terms of reference.

Communications and other documents that are too long and bulky to be included in the minutes shall be referred to in the minutes and shall be filed in the District Office.

All Board minutes shall be signed by the Clerk of the Board when approved and stored in a locked room or locked file cabinet, vault or file. Unless otherwise provided by law, minutes shall be available to the public within two (2) weeks following the date of a meeting; draft copies, so marked, are acceptable, subject to correction.

Public Officers Law Section 106
SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE)

All Board of Education meetings must be open to the public except those portions of the meetings, which qualify as executive sessions. A "meeting" is defined as an official convening of a public body for the purpose of conducting public business and a "public body" is defined as an entity of two (2) or more persons, which requires a quorum to conduct public business, including committees and subcommittees. Reasonable efforts shall be made to ensure that all meetings are held in an appropriate facility, which can adequately accommodate any and all members of the public who wish to attend.

Whenever such a meeting is to take place, there must be at least seventy-two (72) hours advance notice in accordance with the provisions of the Open Meetings Law. Notice of other meetings shall be given as soon as is practicable in accordance with law. When the District has the ability to do so, notice of the time and place of a meeting shall be conspicuously posted on the District's Internet Web site.

If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations.

Regular meetings of the Board of Education of Panama Central School District shall take place on the day and time designated by the Board at the Annual Organizational Meeting, except as modified at subsequent meetings of the Board.

It is the responsibility of the Superintendent to prepare the agenda and review it with the Board President for each meeting of the Board. The agenda for each meeting shall be prepared during the week prior to the meeting. The agenda shall be distributed to Board members no later than the Friday before such regular meeting. Whenever the President or other members of the Board wish to bring a matter to the attention of the Board, such request should be made to the Superintendent so that the same can be placed on the agenda. Whenever individuals or groups wish to bring a matter to the attention of the Board, such request shall be addressed in writing to the Superintendent. The Superintendent shall present such matter to the Board.

The District Clerk shall notify the members of the Board of Education in advance of each regular meeting. Such notice, in writing, shall include an agenda and the time of the meeting.

In the event that a meeting date falls on a legal holiday, interferes with other area meetings, or there is an inability to attend the meeting by Board members to the extent that a quorum would not be present, the Board shall select a date for a postponed meeting at the previous regular meeting, and shall direct the Clerk to notify all members.

Any meeting of the Board may be adjourned to a given future date and hour if voted by a majority of the Board present.

The Superintendent and members of his/her staff at the Superintendent's discretion shall attend all meetings of the Board. The Superintendent shall attend all executive session meetings of the Board except those that concern his/her evaluation, employment status, and salary determination. The Board may request the attendance of such additional persons, as it desires.

(Continued)
SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE) (Cont'd.)

Recording of Meetings

The Board recognizes that advances in technology allow public meetings to be photographed, broadcast, webcast and/or otherwise recorded, by means of audio or video, in a non-disruptive manner and supports the use of such technology to facilitate the open communication of public business. To that end, the Board may adopt rules addressing the location of the equipment and/or personnel used to photograph, broadcast, webcast and/or record such meetings to assure that its proceedings are conducted in an orderly manner. Such rules shall be conspicuously posted during meetings and written copies provided, upon request, to meeting attendees.

Public Expression at Meetings

Public expression at such meetings shall be encouraged and a specific portion of the agenda shall provide for this privilege of the floor. At its discretion, the Board may invite visitors to its meetings to participate in the Board's discussion of matters on the agenda.

The Board of Education reserves the right to enter into executive session as specified in Policy #1510 -- Executive Sessions.

Quorum

The quorum for any meeting of the Board shall be four (4) members. No formal action shall be taken at any meeting at which a quorum is not present. When only a quorum exists, the Board shall act by unanimous vote unless otherwise required by the laws of the State of New York.

Use of Parliamentary Procedure

The business of the Board of Education shall be conducted in accordance with the authoritative principles of parliamentary procedure as found in the latest edition of Robert's Rules of Order.

Education Law Sections 1708 and 2504
General Construction Law Section 41
Public Officers Law Article 7, Section 103(d), 104 and 107

NOTE: Refer also to Policies #1550 Special Meetings of the Board of Education
#1510 Executive Sessions
#5410 Purchasing
#6215 Employment of Relatives of Board of Education Members
#8230 Textbooks/Workbooks/Calculators/Instructional Computer Hardware

Board of Education Update and Approval: 10/16/95; 09/08/97; 03/05/12
SUBJECT: AGENDA FORMAT

1. OPENING
   1.1 Call to order
   1.2 Pledge of Allegiance
   1.3 Roll Call
   1.4 Approval of Minutes
   1.5 Suggestions for and/or Changes in Agenda
   1.6 Approval of Agenda

2. WELCOME TO VISITORS AND PUBLIC COMMENTS

3. PRESENTATION

4. BOARD PRESIDENT'S SECTION

5. PRINCIPALS' REPORTS

6. FINANCE

7. PERSONNEL

8. SUPERINTENDENT'S SECTION

9. COMMUNICATIONS AND DIALOGUE

10. EXECUTIVE SESSION

11. ADJOURNMENT

For work sessions, special and emergency meetings, the regular meeting agenda format shown above may be shortened and/or adapted to fit the purpose of the meeting.

Revised: 7/26/05
Revised & Approved: 7/13/09
SUBJECT: SPECIAL MEETINGS OF THE BOARD OF EDUCATION

Special meetings of the Board shall be held on call by any member of the Board. A reasonable and good faith effort shall be made by the Superintendent or the Board President, as the case may be, to give every member of the Board twenty-four hours' notice of the time, place and purpose of the meeting. All special meetings shall be held at a regular meeting place of the Board.

In an emergency, the twenty-four hour notice may be waived by unanimous consent of all Board members. When this occurs, it is advisable for the members to sign waiver-of-notice forms.

Public notice of the time and place shall be given, to the extent practicable, to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior to the meeting.

Education Law Section 1606
Public Officers Law, Section 104(2)
SUBJECT: ANNUAL DISTRICT MEETING AND ELECTION/BUDGET VOTE

Pursuant to law, the Annual District Meeting and Election/Budget Vote for the School District will be held on the third Tuesday in May. At this time, the District’s registered voters will elect members of the Board of Education and will also vote on the District Budget for the upcoming school year. However, in the event that the third Tuesday in May conflicts with a religious holiday, the School Board may petition the Commissioner of Education to obtain permission to hold the Annual Meeting and Election/Budget Vote on the second Tuesday in May. Such request from the Board of Education must be certified and received by the Commissioner no later than March 1st.

The District Clerk shall give notice of the time and place of holding the Annual Meeting and Election/Budget Vote by publishing such notice four (4) times within seven (7) weeks preceding the meeting. The first publication of the notice must be at least forty-five (45) days prior to the meeting. Such notice must appear in two, if there are two, newspapers which have a general circulation within the District, or one newspaper, if there is one newspaper with a general circulation within the District. The notice shall also contain such other information as required by law.

Copies of the proposed annual operating budget for the succeeding year to be voted upon at the Annual Meeting and Election shall be available to District residents, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen (14) days preceding such Annual Meeting. The availability of this budget information shall be included in a legal notice of the Annual Meeting; and such copies of the proposed budget will also be available to District residents at the time of the Annual Meeting and Election.

Annual Meeting (Election and Budget Vote) -
Education Law Sections 1804(4); 1906(1); 2002(1); 2017(5) and (6); 2022(1); and 2601-a(2)
Notice - Education Law Sections 1608(2); 1716(2); 2003(1); 2004(1); and 2601-a(2)

NOTE: Refer also to Policy #5110 -- Budget Policy.

Revised: 02/09/98
SUBJECT: BUSINESS OF THE ANNUAL DISTRICT ELECTION

The Board of Education will appoint at a regular or special meeting prior to the Annual Election, a qualified voter as chairperson.

The chairperson will call the meeting to order and proceed to the following order of business:

a) Designation of District Clerk as clerk of the election and assistant clerks;
b) Designation of tellers and/or inspectors of election as previously appointed by the Board;
c) Reading of notice of call of the election by the Clerk;
d) Opening of the booths for voting;
e) Closing of the booths;
f) Receiving the report of the Clerk of the results of the elections;
g) Adjournment.

Education Law Sections 1716 and 2025
SUBJECT: ANNUAL ORGANIZATIONAL MEETING

The Annual Organizational Meeting of the Board of Education shall be held on the first Tuesday in July of each year, unless that day is a legal holiday, in which event the Meeting shall be held on the first Wednesday in July.

The Board may pass a resolution, however, to hold its Annual Organizational Meeting at any time during the first fifteen (15) days of July.

Education Law Section 1707
SUBJECT: LEGAL QUALIFICATIONS OF VOTERS AT SCHOOL DISTRICT MEETINGS

A person shall be entitled to register and vote at any school meeting for election of members of the Board of Education, and upon all matters which may be brought before such meeting, who is:

a) A citizen of the United States;

b) Eighteen (18) years of age or older;

c) A resident within the District for a period of thirty (30) days next preceding the meeting at which he/she offers to vote.

Any person who would not be qualified to register or vote under the provisions of Sections 5-100 and 5-106 of the Election Law shall not have the right to register for or vote in an election.

Reasons For Exclusion:

a) No person who shall receive, accept, or offer to receive, or pay, offer or promise to pay, contribute, offer or promise to contribute to another, to be paid or used, any money or any other valuable thing as a compensation or reward for the giving or withholding a vote at an election, or for registering or refraining from registering as a voter, or who shall make any promise to influence the giving or withholding of any such vote or registration, or who shall make or become directly or indirectly interested in any bet or wager depending upon the result of an election, shall vote at such election.

b) No person who has been convicted of a felony pursuant to the laws of this state, shall have the right to register for or vote at any election unless he/she shall have been pardoned or restored to the rights of citizenship by the governor, or his/her maximum sentence of imprisonment has expired, or he/she has been discharged from parole. The governor, however, may attach as a condition to any such pardon a provision that any such person shall have the right of suffrage until it shall have been separately restored to him/her.

c) No person who has been convicted in a federal court, of a felony under the laws of this state, shall have the right to register for or vote at any election unless he shall have been pardoned or restored to the rights of citizenship by the president of the United States, or his maximum sentence of imprisonment has expired, or he has been discharged from parole.

(Continued)
SUBJECT: LEGAL QUALIFICATIONS OF VOTERS AT SCHOOL DISTRICT MEETINGS

any election unless he/she shall have been pardoned or restored to the rights of citizenship by the president of the United States, or his/her maximum sentence of imprisonment has expired, or he/she has been discharged from parole.

d) No person who has been convicted in another state for a crime or offense which would constitute a felony under the laws of this state shall have the right to register for or vote at any election in this state unless he/she shall have been pardoned or restored to the rights of citizenship by the governor or other appropriate authority of such other state, or his/her maximum sentence has expired, or he/she has been discharged from parole.

e) The provisions of subdivisions two, three and four of this section shall not apply if the person so convicted is not sentenced to either death or imprisonment, or if the execution of a sentence of imprisonment is suspended.

f) No person who has been adjudged incompetent or committed to an institution for the mentally ill by order of a court of competent judicial authority shall have the right to register for or vote at any election in this state unless thereafter he/she shall have been adjudged competent or released from such institution pursuant to law.

Education Law Section 2012
Election Law Article 5

Revised: 10/16/95
SUBJECT: VOTING MACHINES AND REGISTER OF VOTERS

Voting machines shall be used in annual Panama Central School District meetings for the purpose of voting on the election of a trustee or trustees, the school budget, and such special propositions as may be requested by the Board of Education.

The chief poll inspectors, appointed by the School Board, will instruct the inspectors of election in the operation of the machines, and in the reading of the election results.

A miniature diagram will be provided that presents an exact replica of all items and candidates to be voted upon.

Candidates for trustee will be listed according to a lottery drawn following the deadline for filing petitions.

All keys on the voting machine other than those necessary to vote on trustees and the budget will be locked out.

Inspectors of election shall be stationed at each voting machine and shall instruct each voter as necessary in the matter of voting. They shall also operate the button which allows the voter to close the curtain.

Provision shall be made on the voting machine for voters to write in candidates for the office of trustee.

The chairperson of the inspectors of election shall present the results to the clerk who will read the results.

Voters in school elections shall have their name and legal residence recorded in the poll list of voters.

Education Law Sections 2029 and 2035
SUBJECT: SUBMISSION OF QUESTIONS AND PROPOSITIONS AT ANNUAL ELECTIONS AND SPECIAL DISTRICT MEETINGS

Submission of Questions and Propositions at Annual District Elections

The following rules and regulations shall apply to the submission of the questions or propositions at the annual elections of this School District.

a) Questions or propositions to appear on the ballot on the voting machine shall be submitted by petition directed to the Clerk of the School District and shall be signed by twenty-five (25) qualified voters, or five percent (5%) of the registered voters of the District who voted in the previous annual election of Board members, whichever is greater.

b) A separate petition shall be required for each question or proposition.

c) Each petition shall be filed with the Clerk of the School District not later than thirty (30) days preceding the Annual District Election at which the question or proposition is to be voted upon.

d) The Board of Education shall cause the rules and regulations as to be distributed within the District.

e) Nothing herein contained shall affect the nominations of candidates as set forth in the Annual District Election notice pursuant to Section 2018 of the Education Law.

Questions or Propositions To Be Submitted at Special District Meetings

The procedure for requesting the Board of Education to call a Special District Meeting to vote on a question or proposition shall be in accordance with subdivision 2 of Section 2008 of the Education Law.

Education Law Sections 2008, 2013(5b) and 2035(2)

Revised: 09/08/97
SUBJECT: ORIENTING NEW BOARD MEMBERS

The Board and its staff shall assist each new member-elect to understand the Board's functions, policies, and procedures before he/she takes office, by the following methods:

a) The electee shall be given selected material on the job of being part of the Board, which material is supplied by the New York State School Boards Association, the National School Boards Association, and/or other professional organizations;

b) The electee shall be invited to attend Board meetings and to participate in its discussions;

c) The Clerk shall supply material pertinent to meetings and shall explain its use;

d) The electee shall be invited to meet with the Superintendent and other administrative personnel to discuss services they perform for the Board;

e) A copy of the Board's policies and by-laws shall be given the electee by the Clerk;

f) The opportunity shall be provided for new Board members to attend the New York State School Boards Association orientation program.
SUBJECT: BOARD MEMBER TRAINING ON FINANCIAL OVERSIGHT, ACCOUNTABILITY AND FIDUCIARY RESPONSIBILITIES

Within the first year of election, re-election or appointment, each Board member must complete a minimum of six (6) hours of training on the financial oversight, accountability and fiduciary responsibilities of a school board member. The curriculum and provider of this training must be approved by the Commissioner of Education.

Upon completion of the required training, the Board member must file a certificate of completion with the District Clerk.

Education Law Section 2102-a
8 New York Code of Rules and Regulations (NYCRR)
Section 170.12(a)
SUBJECT: USE OF PARLIAMENTARY PROCEDURE

The business of the Board of Education shall be conducted in accordance with the following principles:

a) Rules of the Board will have precedence;

b) Authoritative principles of parliamentary procedure as found in the latest edition of Robert's Rules of Order shall be followed.

Commissioner's Decision Numbers
8018 and 8873
General Construction Law Section 41

Revised: 10/16/95
SUBJECT: COMMITTEES OF THE BOARD

The Board and/or the President of the Board may at its discretion establish committees for the purpose of undertaking a specific task in connection with Board activity.

These committees, however, cannot make legal decisions for the entire Board.

At the request of the Board, the President shall appoint temporary committees consisting of fewer than the full membership for special purposes. These committees shall be discharged on the completion of their assignment. The President of the Board shall be an ex-officio member of such committees.

The Board of Education recognizes that it may be necessary from time to time to authorize advisory committees for the purpose of enlisting opinions and counsel of the general public. Such committees shall be appointed by the Board of Education under conditions identical to those outlined in Board policy.

All advisory committees shall be terminated at the completion of their task.
SUBJECT: MEMBERSHIP IN ASSOCIATIONS

Membership in the New York State and the County School Boards Associations is authorized under Education Law. Additionally, the Board may maintain membership and participate cooperatively in other associations.

Education Law Section 1618
SUBJECT: ATTENDANCE BY BOARD MEMBERS AT CONFERENCES, CONVENTIONS AND WORKSHOPS

The Board believes that continuing in-service training and development are important for its members. The Board, therefore, encourages the participation of all members at appropriate school board conferences, conventions and workshops which are believed to be of benefit to the School District. However, in order to control both the investment of time and funds necessary to implement this policy, the Board establishes the following guidelines:

a) A calendar of school board conferences, conventions and workshops shall be maintained by the Board Clerk. The Board will periodically decide which meetings appear to be most likely to produce direct and indirect benefits to the School District. At least annually, the Board will identify those new ideas or procedures and/or cost benefits that can be ascribed to participation at such meetings.

b) Funds for participation at such conferences, conventions, workshops and the like will be budgeted for on an annual basis. When funds are limited, the Board will designate which members are to participate at a given meeting.

c) Reimbursement to Board members for all actual and necessary registration fees, expenses of travel, meals and lodging, and all necessary tuition fees incurred in connection with attendance at conferences and the like will be in accordance with established regulations for expense reimbursement.

d) When a conference, convention or workshop is not attended by the full Board, those who do participate will be requested to share information, recommendations and materials acquired at the meeting.

The authorization for Board members to attend a conference, convention, workshop and the like shall be by Board resolution adopted prior to such attendance. However, the Board, in its discretion, may delegate the power to authorize attendance at such conferences to the Superintendent and/or Board President.

Where authorization has been delegated to the Superintendent and/or Board President, expense or claim form shall be paid unless a travel order or similar document signed by the Superintendent is attached to such form, authorizing the claimant to attend the conference.

General Municipal Law Section 77-b and 77-c
Education Law Section 2118

Revised: 09/08/97
SUBJECT: REIMBURSEMENT OF BOARD MEMBER EXPENSES

Application

The following policy shall apply to Panama Central School Board members with regard to the reimbursement of expenses.

General

Board members who incur expenses in carrying out their authorized duties shall be reimbursed upon submission of a properly completed and approved voucher and such supporting receipts as required by the Superintendent of Schools. All reimbursable expenses must be verified in the usual manner and original receipts must be provided for all expenses including, but not limited to, taxis, car rentals, hotels, tolls, airline tickets, and registration fees, as appropriate.

Budgetary Considerations

Such expenses may be approved and incurred in accordance with budgetary allocations for the specific type of expenses.

Travel Expenses

When official travel by personally owned vehicles is made in fulfilling the Board member's responsibilities, the mileage payment shall be made at the rate currently approved by the Board at their Annual Organizational Meeting.

Advances

In accordance with Section 77(b) of the New York State General Municipal Law, an advance payment may be requested at the rate of $50.00 per day for meal expenses. To the fullest extent possible, meals, public transportation, lodging expenses, and registration fees will be paid directly by Panama Central School by Purchase Order or District Credit Card, as appropriate.

Tax Exempt Status

Panama Central School is tax exempt from sales tax within New York State. Tax exempt forms should be obtained in advance for such items as hotel rooms, meals within the hotel, car rentals, etc.

Personal Expenses

Individual Board members shall be responsible for personal expenses incurred. Any personal expenses that have been advanced by the District shall be reimbursed to the District upon return. Please see paragraph below, "Expense Form/Voucher."

(Continued)
SUBJECT: REIMBURSEMENT OF BOARD MEMBER EXPENSES (Cont'd.)

Expense Form/Voucher

Upon return from the conference, workshop, or meeting, the Board member shall, within 14 days, file a completed Panama Central School expense form. Said voucher shall list all reasonable and necessary reimbursable expenses for attendance at the conference, workshop, or meeting from which shall be deducted any advanced payment and/or personal expenses (please see paragraph above, "Personal Expenses"), thereby indicating the net amount due to the individual or the balance to be returned to Panama Central School. Any balance due shall be reimbursed to Panama Central School in the form of a personal check payable to Panama Central School.

General Municipal Law Section 77-b

Adopted: 06/03/96
# PANAMA CENTRAL SCHOOL
## TRAVEL EXPENSE REPORT

### PURPOSE OF TRIP

**OTHERS INVOLVED AND THEIR RELATION TO PANAMA CENTRAL SCHOOL**

### CASH EXPENDITURES BY DISTRICT REPRESENTATIVE

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| TOTAL CASH EXPENSE | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 |

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### DATE | DETAIL OF PERSONAL EXPENSES TO BE REIMBURSED TO DISTRICT

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### DATE | DETAIL OF OTHER EXPENSE

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SUBJECT: BOARD SELF-EVALUATION

The Board may review the effectiveness of its internal operations at least once annually and will formulate a plan for improving its performance.

The Superintendent and others who work regularly with the Board may be asked to participate in this review and to suggest ways by which the Board can improve its functioning as a legislative body.
SUBJECT: SCHOOL-COMMUNITY RELATIONS

The Board believes that a main purpose of school public relations is to keep the citizens of a School District informed concerning the plans and activities of a school. Good public relations will stimulate people to participate more intelligently in the public school process. A second aim - that of gearing the operations of the schools to public interests and desires - requires a two-way current of communication.

This belief includes the following principles:

a) The public relations program should be a planned, systematic, two-way process of communications between the School District and its internal/external publics.

b) The public relations program should be many faceted to include a variety of media. i.e.

1. Budget statements;
2. News releases to newspapers and radio;
3. Newsletters and/or bulletins;
4. Brochures.

c) The public relations program should:

1. Encourage citizen participation on Advisory Committees.
2. Encourage citizens to attend school Board meetings.
3. Encourage school personnel to become active members of community groups.

(d) Communications must be internal as well as external and must stress the dissemination of factual, objective, and realistic data about the District.

e) Public attitudes should be determined by the use of polls, meetings, and conferences.

f) It is recognized by the Board of Education that all school employees have a key role in public relations.

Good teaching and courteous treatment of students, parents, and fellow workers are the greatest contributions that can be made by the classroom teacher to good public relations.

It is expected that teachers, administrators and all other employees realize this important responsibility in the school and in the community.

(Continued)
The role of non-instructional personnel in public education is often little understood and less appreciated. The impressions and attitude of students and citizens are deeply and daily affected by the quality of their relationships with these people. Therefore, the Board relies upon all School District employees to assume their important role of interpreting the school in their contacts with the public.
SUBJECT: SCHOOL SPONSORED MEDIA

The principal of each building is responsible for the preparation of news releases concerning the activities within that building, and for reviewing them with the Superintendent.

In addition, newsletters may be prepared and mailed to each resident of the School District. Included in the newsletter will be information regarding school activities and other items of interest to the community. The Board accepts the funding obligation for the necessary staff and production costs.

All news releases concerning the District will be released by the Office of the Superintendent or his/her designee.

All statements of the Board will be released through the Office of the Superintendent and/or the Clerk of the Board of Education.
 SUBJECT: RELATIONS WITH THE MUNICIPAL GOVERNMENTS

It is the policy of the Board to establish and maintain a positive working relationship with the governing bodies of the municipality. The Board shall also cooperate with municipal, county and state agencies whose work affects the welfare of the children of the District, including the Board of Health, the Recreation Department, the Public Library, the Police and Fire Departments and the Civil Defense Agency.
SUBJECT: SENIOR CITIZENS

Senior citizens (age 60 or over) of the Panama Central School District will be given free passes to all school events – i.e. basketball and football games, concerts, plays, etc. Special events such as banquets, etc. are to be excluded. Passes will be mailed to senior citizens upon request by the individual.

Passes are to be of such size, shape and color to be distinguished from other passes given to school employees.

Revised: 7/26/05
SUBJECT: FLAG DISPLAY

In keeping with State Education Law and Executive Law, the Board of Education accepts its duty to display the United States flag upon or near each public school building during school hours, weather permitting, and such other times as it may direct.

When ordered by the President, Governor, or local official, to commemorate a tragic event or the death of an outstanding individual, the flag shall be flown at half-staff. The Superintendent's approval shall be required for the flag to be flown at half-staff upon any other occasion. Regulations for seeking such approval shall be established in the Administrative Manual of the District.

Education Law Sections 418, 419 and 802
SUBJECT: BOOSTER CLUBS

Booster clubs or other related organizations may be created to promote community support and to raise funds for specific school activities or programs. These groups must receive official Board approval and may not discriminate on the basis of gender, color, national origin, ethnic background, disability, religion or any other arbitrary criteria.

The Board of Education directs the Superintendent or his/her designee to establish rules and regulations governing the activities of booster clubs and other related organizations. The Board further requires that:

a) Financial records be maintained and reviewed;

b) Fund raising activities be approved in advance by the Superintendent; and

c) Groups wishing to make a contribution adhere to the District's policy and regulations regarding the acceptance of gifts.

Violations to District policy or regulations may result in the dissolution of the club or organization.
SUBJECT: SCHOOL VOLUNTEERS

The Board recognizes the need to develop a school volunteer program to support District instructional programs and extracurricular activities. The purpose of the volunteer program will be to:

a) Assist employees in providing more individualization and enrichment of instruction;

b) Build an understanding of school programs among interested citizens, thus stimulating widespread involvement in a total educational process;

c) Strengthen school/community relations through positive participation.

Volunteers are persons who are willing to donate their time and energies to assist principals, teachers, and other school personnel in implementing various phases of school programs. Volunteers shall serve in that capacity without compensation or employee benefits except for liability protection under the District's insurance program.

An application shall be filled out by each volunteer and forwarded to the District Office for evaluation. All persons performing volunteer services shall be screened and interviewed by one or more members of the regular school staff.

The Board of Education directs the Superintendent/designee to develop regulations to implement this policy and to periodically inform the Board of the progress of the school volunteer program.

Education LawSections 3023 and 3028

NOTE: Refer also to Policy #6540 -- Defense and Indemnification of Board Members and Employees.

Adopted: 03/04/96
SUBJECT: RECOGNITION FOR ACCOMPLISHMENT

The Board of Education recognizes and appreciates the important role that past and present Board members, staff, students, and community residents play in the pursuit of educational excellence in the School District. The Board of Education wishes to acknowledge individuals for their achievements, meaningful contributions, standards of dedication and accomplishments which favorably reflect on the whole character of the School District, the larger community, the state or the nation.

In honor of the exceptional achievements and contributions frequently made by individuals which favorably reflect on the whole character of our District, it is the Board's intent to grant official recognition for such outstanding accomplishments. Therefore, it shall be the policy of the Board to recognize exemplary service or accomplishment of others by means of an award. Such awards may include: an honorary diploma or degree, plaque, certificate or recognition for accomplishment, dedication of a room, library, building or athletic field.

Nominations of persons for consideration may be made by members of the Board, staff, students, or other citizens of the community, and shall be forwarded to the Superintendent of Schools for further consideration. Selection of candidate(s) will be made by the Superintendent or a committee designated by the Superintendent.

Upon receipt of such recommendations, the Superintendent will submit to the Board the name of each candidate nominated to receive an award or recognition by the District. The Board will have final authority in selecting the person(s) to be honored and the form of recognition given. Such recognition shall be conferred at a date designated by the Board.

The Board directs the Superintendent of Schools to establish regulations which will govern to whom and under what circumstances recognition will be given.

Adopted: 09/23/96
SUBJECT: VISITORS TO THE SCHOOL

All visitors shall be required to report to the main office upon arrival at school and state their business. Visitations to classrooms for any purpose require permission in advance from the building principal in order to allow teachers the opportunity to arrange their schedules to accommodate such requests.

Any Board Member who wishes to visit the school rooms during the hours of instruction should contact the Superintendent before visiting the classroom and obtain his/her permission. Also, that any observation that they make should be brought directly to the Board as a whole and not made to the Secondary Principal or Elementary Principal.

Education Law Sections 1708 and 2801
Penal Law Sections 140.10 and 240.35

Revised: 09/08/97
SUBJECT: PUBLIC EXPRESSION AT BOARD OF EDUCATION MEETINGS

The Board of Education functions as the trustees of the District and in that role, makes policy decisions. Board of Education meetings are for the purpose of doing the business of the district. These meetings are open to the public, but are not considered public meetings where the public has any expectation of full participation in decision-making procedures.

The Board of Education does want to consider the sentiments of the public when making decisions and will provide multiple venues for hearing comments from the public. Although there is no legal requirement that the public be given an opportunity to speak at Board meetings, it will be the policy of this board to afford that opportunity at the beginning of each board meeting in accordance with the following procedures.

Who May Address the Board During the Public Comment Section

a. Any District resident.

b. A non-resident of the District who has received special permission prior to the board meeting.

Items of Discussion Allowed during the Public Comment Section

a. The public may address an item on the board’s agenda.

b. The public may address an item not on the board’s agenda by making a request prior to the meeting to the Superintendent and/or Board President.
   • Prior requests also allow the District to gather related information and prepare materials that may be required.

c. The public may address an item without prior permission only if it complies with the following guidelines.
   • Comments must relate to the policy making function of the Board.
   • Comments must not relate to a specific individual – student, employee, or community member.
   • Comments must not be defamatory or abusive in any way.

To Speak During the Public Comment Section

a. The speaker must stand and be recognized by the Board President or Officer.

b. The speaker must state his/her name and address.

c. The speaker must state the topic of his comments.

Public Comment Section Procedures

a. No speaker may talk for more than three minutes unless the time limit is waived by the majority of the members of the Board in attendance.

b. A speaker may speak only once during the Public Comment Section. This is an opportunity for the Board to hear the sentiments of the public and it is not a time for debate between public speakers.

c. If there are a number of individuals who wish to speak or the pressure of business or other circumstances dictate, the Board President may decide to curtail the length of time devoted to Public Comments.

(Continued)
SUBJECT: PUBLIC EXPRESSION AT BOARD OF EDUCATION MEETINGS (cont’d.)

Conduct of the Public

Interruptions or interferences with the orderly conduct of business of the Board will not be tolerated. Defamatory or abusive remarks are always out of order and will not be tolerated. The Board President may terminate a speaker’s right to continue if the speaker’s conduct or remarks are improper.

Responses to Public Comments

Only the Superintendent or a Board Member may ask questions or make comments related to a public comment. Others may speak only if recognized to do so by the Board President.

Forfeiture of Opportunity for Public Expressions

Any individual who speaks at a Board Meeting in a manner that violates the procedures outlined in this policy will forfeit his/her right to speak at future meetings.

Revised: 10/17/94
Revised: 05/06/96
Revised & Approved: 11/17/03
Revised & Approved: 7/13/09
SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT

The Board of Education is committed to providing an environment free from discrimination and harassment. Accordingly, the Board prohibits discrimination and harassment on the basis of race, color, religion, national origin, sex, sexual orientation, age, disability or other legally protected category. Such actions and occurrences are prohibited regardless of whether they take place on School District premises or at school-sponsored events, programs, or activities held at other locations.

Prohibited Conduct

Determinations as to whether conduct or occurrences constitute discrimination or harassment for the purposes of this Policy and its implementing Administrative Regulations will be made consistent with applicable law. Such determinations may depend upon a number of factors, including but not limited to: the particular conduct or occurrence at issue, the ages of the parties involved, the context in which the conduct or occurrence takes place, the relationship of the parties to one another, the category or characteristic that is alleged to have been the basis for the action or occurrence, and other considerations as are necessary and consistent with law. The characterizations and examples below are intended to serve as a general guide for individuals in determining whether to file a complaint of discrimination or harassment, and should not be construed to add or limit the rights individuals and entities possess as a matter of law.

Discrimination is, generally, the practice of conferring or denying privileges on the basis of membership in a legally protected class. Discriminatory actions may include, but are not limited to: refusing to promote or hire an individual on the basis of his/her membership in a protected class, denying an individual access to facilities or educational benefits on the basis of his/her membership in a protected class, or impermissibly instituting policies or practices that disproportionately and adversely impact members of a protected class.

Harassment generally consists of subjecting an individual, on the basis of his/her membership in a protected class, to conduct and/or communications that are sufficiently severe, pervasive, or persistent as to have the purpose or effect of: creating an intimidating, hostile, or offensive environment; substantially or unreasonably interfering with an individual's work or a student's educational performance, opportunities, benefits, or well-being; or otherwise adversely affecting an individual's employment or educational opportunities.

Harassment can include unwelcome verbal, written, or physical conduct which offends, denigrates, or belittles an individual because of his/her membership in a protected class. Such conduct includes, but is not limited to: derogatory remarks, jokes, demeaning comments or behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting, or the display or circulation of written materials or pictures.

(Continued)
SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont’d.)

Civil Rights Compliance Officer

The District will designate one or more individuals to serve as Civil Rights Compliance Officer. The Civil Rights Compliance Officer will be responsible for coordinating the District's efforts to comply with and carry out its responsibilities regarding non-discrimination and anti-harassment, including investigations of complaints alleging discrimination, harassment, or the failure of the District to comply with its obligations under relevant non-discrimination and anti-harassment laws and regulations (e.g., the Americans with Disabilities Act, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973).

Prior to the beginning of each school year, the District shall issue an appropriate public announcement or publication which advises students, parents/guardians, employees and other relevant individuals of the District's established grievance procedures for resolving complaints of discrimination and harassment. Included in such announcement or publication will be the name, address, telephone number, and email address of the Civil Rights Compliance Officer(s).

The District shall annually appoint a Civil Rights Compliance Officer.

Investigation of Complaints and Grievances

The School District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of discrimination and/or harassment based on any of the characteristics described above, and will promptly take appropriate action to protect individuals from further discrimination or harassment. In the event an anonymous complaint is filed, the District will respond to the extent possible.

It is essential that any individual who is aware of a possible occurrence of discrimination or harassment immediately report such occurrence. All reports will be directed or forwarded to the District's designated Civil Rights Compliance Officer(s). Such complaints are recommended to be in writing, although verbal complaints of discrimination or harassment will also be promptly investigated in accordance with applicable law and District policy and procedure. In the event the Civil Rights Compliance Officer is the alleged offender, the report will be directed to another Civil Rights Compliance Officer, if the District has designated another individual to serve in such a capacity, or to the Superintendent.

To the extent possible, all complaints will be treated as confidential. Disclosure may, however, be necessary to complete a thorough investigation of the charges and/or notify law enforcement officials.

(Continued)
SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

If an investigation reveals that discrimination or harassment has occurred, the District will take immediate corrective action as warranted. Such action will be taken in accordance with applicable laws and regulations, as well as any and all relevant codes of conduct, District policies and administrative regulations, collective bargaining agreements, and/or third-party contracts.

Knowingly Makes False Accusations

Any employee or student who knowingly makes false accusations against another individual as to allegations of discrimination or harassment will face appropriate disciplinary action.

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination and/or harassment. Complaints of retaliation may be directed to the Civil Rights Compliance Officer. In the event the Civil Rights Compliance Officer is the alleged offender, the report will be directed to another Civil Rights Compliance Officer, if the District has designated another individual to serve in such a capacity, or to the Superintendent.

Where appropriate, follow-up inquiries will be made to ensure that discrimination and/or harassment has not resumed and that those involved in the investigation have not suffered retaliation.

Additional Provisions

Regulations will be developed for reporting, investigating, and Remedying allegations of discrimination and/or harassment.

In order to promote familiarity with issues pertaining to discrimination and harassment in the schools, and to help reduce incidents of prohibited conduct, the District will provide appropriate information and/or training to staff and students. As may be necessary, special training will be provided for individuals involved in the investigation of discrimination and/or harassment complaints.

A copy of this policy and its accompanying regulations will be available upon request and will be posted and/or published in appropriate locations and/or school publications.

This policy should not be read to abrogate other District policies and/or regulations or the District Code of Conduct prohibiting other forms of unlawful discrimination, harassment, and/or inappropriate behavior within this District. It is the intention of the District that all such policies and/or regulations be read consistently to provide protection from unlawful discrimination and harassment. However, different treatment of any individual which has a legitimate, legal, and nondiscriminatory reason shall not be considered a violation of District policy.

(Continued)
SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

Age Discrimination in Employment Act, 29 USC Section 621
Americans with Disabilities Act, 42 USC Section 12101 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
Title VI of the Civil Rights Act of 1964, 42 USC Section 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e et seq.
Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.
Education Law Section 2801(1)
Executive Law Section 290 et seq.

NOTE: Refer also to Policies #6120 -- Equal Employment Opportunity
#6121 -- Sexual Harassment of District Personnel
#6122 -- Employee Grievances
#7426 -- Dignity For All Students Act
#7631 -- Sexual Harassment of Students
District Code of Conduct

Board Approval 5/7/12; Revised & Approved 5/21/18
SUBJECT: COMPLAINTS AND GRIEVANCES BY EMPLOYEES

In accordance with the provisions of General Municipal Law and the collective bargaining agreements, all District personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination or reprisal. The District shall provide at least two procedural stages and an appellate stage for the settlement of any grievance.

Complaints or grievances not covered under employee contracts shall be handled and resolved, whenever possible, as close to their origin as possible. The Superintendent is responsible for implementing regulations for the redress of complaints or grievances through proper administrative channels.

Complaints and Grievances Coordinator

Additionally, the Board shall ensure compliance with Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities (ADA). The Superintendent shall designate a District employee as the Title IX/Section 504/ADA Coordinator and shall implement regulations and procedures to resolve complaints of discrimination based on sex or disability.

Prior to the beginning of each school year, the District shall issue an appropriate public announcement which advises students, parents/legal guardians, employees and the general public of the District’s established grievance procedures for resolving complaints of discrimination based on sex or disability. Included in such announcement will be the name, address and telephone number of the Title IX/Section 504/ADA Coordinator.

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

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

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

(Continued)
SUBJECT: COMPLAINTS AND GRIEVANCES BY EMPLOYEES (Cont'd.)


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


Military Law Sections 242 and 243

Adopted: 03/04/96
Revised: 09/08/97
SUBJECT: COMPLAINTS AND GRIEVANCES BY STUDENTS

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

a) Establishing rules and regulations for the redress of complaints or grievances through proper administration channels;

b) Developing an appeals process;

c) Ensuring that students have full understanding and access to these regulations and procedure; and

d) Providing prompt consideration and determination of student complaints and grievances.

Complaints and Grievances Coordinator

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

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

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

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

(Continued)
SUBJECT: COMPLAINTS AND GRIEVANCES BY STUDENTS (Contd..)


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


Adopted: 03/04/96
Revised: 09/08/97
SUBJECT: STUDENT PARTICIPATION

Students provide an important channel of communication with parents and the entire community. Information concerning the schools may be properly disseminated through students. The School District's administrators shall review all messages and materials prior to authorizing their dispersal through the student body.
SUBJECT: PARENT-TEACHER ASSOCIATION

The Board of Education recognizes that the goal of the Parent-Teacher Association is to develop a united effort between educators and the general public to secure for every child the highest achievement in physical, academic and social education. Therefore, staff members and parents are encouraged to join the Parent-Teachers Association and to participate actively in its programs.
SUBJECT: ADVERTISING IN THE SCHOOLS

Neither the facilities, the staff, nor the students of the School District shall be employed in any manner for advertising or otherwise promoting the interests of any commercial, political, or other non-school agency, individual or organization, except that:

a) Schools may cooperate in furthering the work of any non-profit community-wide social service agency, provided that such cooperation does not restrict nor impair the educational program of the schools or conflict with Section 19.6 of the Rules of the Board of Regents;

b) The schools may use films or other educational materials bearing only simple mention of the producing firm;

c) The Superintendent of Schools may, at his/her discretion, announce or authorize to be announced, any lecture or other community activity of particular educational merit;

d) The schools may, upon approval of the Superintendent of Schools, cooperate with any agency in promoting activities in the general public interest that are non-partisan and non-controversial, and that promote the education and other best interests of the students and/or employees.

No materials of a commercial nature shall be distributed through the children in attendance in the Panama Central Schools except as authorized by law or the Commissioner's Regulations.

New York State Constitution Article 8, Section 1
8 New York Code of Rules and Regulations
(NYCRR) Section 19.6

Revised: 10/16/95
SUBJECT: SOLICITATION OF FUNDS FROM SCHOOL PERSONNEL

Soliciting of funds from school personnel by persons or organizations representing public or private organizations shall be prohibited. The Superintendent of Schools shall have the authority to make exceptions to this policy in cases where such solicitation is considered to be in the District's best interest. The Board of Education shall be notified of these instances.

Distribution of information about worthwhile area charities may be made through the Office of the Superintendent of Schools as a service to School District personnel.

Revised: 10/16/95
SUBJECT: COMMUNITY USE OF SCHOOL FACILITIES

It shall be the policy of the Board to encourage the greatest possible use of school buildings for community-wide activities. This is meant to include use by recognized civic, social and fraternal and religious organizations. Groups wishing to use the school facilities must secure written permission from the Superintendent and abide by the rules and regulations established for such use. The Superintendent, at his/her discretion, may consult with the Board of Education. Monthly reports may be made to the Board regarding community use of the school facilities.

Education Law Section 414(a)
SUBJECT: USE OF SCHOOL EQUIPMENT FOR PRIVATE PURPOSES

Equipment or other personal property owned by the School District is not to be loaned or leased to any individual or organization for private use. "Private use" shall not include a use which is authorized by the Superintendent or his/her designee and determined by him/her to be directly related to the improvement, enhancement or development of the School District's educational program.

Adopted: 05/06/96
SUBJECT: OPERATIONS OF MOTOR-DRIVEN VEHICLES ON DISTRICT PROPERTY

Vehicles, including snowmobiles, mini-bikes, all-terrain vehicles (ATV's) and other such vehicles, are prohibited on school grounds unless authorized by a school administrator.

Vehicles, including cars, motorcycles, and trucks, shall be driven only on designated roadways, driveways and parking lots.

It shall be the understanding of all persons who operate a motor vehicle on school property that Panama Central School District accepts no liability for personal injury or personal property damage or loss. Each person drives and parks at his/her own risk.

The speed limit on driveways and in parking areas will not exceed 10 MPH.

Parking will be in areas designated by the administration.

Note: Refer also to Policy 7480, 7480R, and 7480F
SUBJECT: PARTICIPATION IN SCHOOL-BASED PLANNING AND SHARED DECISION MAKING

In accordance with the Commissioner's Regulations, the Board of Education has developed and adopted a District plan for the participation by teachers and parents with administrators and School Board members in school-based planning and shared decision making. The District plan shall be developed in collaboration with a committee comprising:

a) The Superintendent of Schools;
b) Administrators and teachers selected by their respective bargaining units; and
c) Parents who are selected by school related parent organizations as defined by Commissioner's Regulations and who are not employed by the District or a collective bargaining unit;

The plan for participation in school-based planning and shared decision making shall specify:

a) The educational issues which will be subject to cooperative planning and shared decision making at the building level by teachers, parents, administrators, and, at the discretion of the Board of Education, other parties such as students, support staff, and community members;
b) The manner and extent of the expected involvement of all parties;
c) The means and standards by which all parties shall evaluate improvement in student achievement;
d) The means by which all parties will be held accountable for the decisions which they share in making;
e) The process whereby disputes presented by the participating parties about the educational issues being decided upon will be resolved at the local level; and
f) The manner in which all State and federal requirements for the involvement of parents in planning and decision making will be coordinated with and met by the overall plan.

Adoption of the District plan and submission of such plan to the Commissioner of Education shall be in accordance with the Regulations of the Commissioner.

(Continued)
SUBJECT: PARTICIPATION IN SCHOOL-BASED PLANNING AND SHARED DECISION MAKING (Cont'd.)

The Board of Education shall review the District plan every two years.

8 New York Code of Rules and Regulations (NYCRR) Section 100.11

NOTE: Refer also to Policy #6150 -- Staff Involvement In Shared Decision Making.

Revised: 10/16/95
SUBJECT: PUBLIC ACCESS TO RECORDS

Access by residents of the Panama Central School District to records of the District shall be consistent with the rules and regulations established by the State Committee on Open Government and shall comply with all the requirements of the New York State Public Officers Law Section 84 et seq.

Public Officers Law Section 84 et seq.
Education Law Section 2116
SUBJECT: CONFIDENTIALITY OF COMPUTERIZED INFORMATION

The development of centralized computer banks of educational data gives rise to the question of the maintenance of confidentiality of such data while still conforming to the New York State Freedom of Information Law. The safeguarding of confidential data from inappropriate use is essential to the success of the District's operation. Access to confidential computerized data shall be limited only to authorized personnel of the School District.

It shall be a violation of the District's policy to release confidential computerized data to any unauthorized person or agency. Any employee who releases or otherwise makes improper use of such computerized data shall be subject to disciplinary action.

However, if the computerized information sought is available under the Freedom of Information Law and can be retrieved by means of existing computer programs, the District is required to disclose such information.

Public Officers Law Sections 84 et seq.

Revised: 10/16/95
SUBJECT: SCHOOL DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING

General Criteria

The availability of Internet access in the School District provides an opportunity for staff and students to access information and contribute to the School District's presence on the World Wide Web. The District/school/classroom Websites must relate to curriculum or instructional matters, school authorized activities, or general information of interest to the public pertaining to the District or its schools. Staff and students are prohibited from publishing personal home pages or links to personal home pages as part of the District/school/classroom Web Page(s). Similarly, no individual or outside organization will be permitted to publish personal Web Pages as part of the District/school/classroom Web Page(s).

Internet access for the creation of Web Pages is provided by the District and all information must be reviewed by the Website Manager prior to publishing it on the Web. Personnel designing information for the Web Pages must familiarize themselves with and adhere to District standards and procedures. Failure to follow District standards or responsibilities may result in disciplinary sanctions in accordance with law and/or the applicable collective bargaining agreement.

The District shall provide general training on relevant legal considerations and compliance with applicable laws and regulations including copyright, intellectual property, and privacy of student records as well as relevant District procedures to those staff members and students who are allowed to develop or place material on the District/school/classroom Web Page(s).

Content Standards

a) Approval for posting a Web Page must be obtained from the Website Manager or his/her designee(s). If at any time, the Website Manager/designee(s) believes the proposed material does not meet the standards approved by the District, it will not be published on the Web. Decisions regarding access to active Web Pages for editing content or organization will be the responsibility of the Website Manager/designee(s).

b) A Web Page must be sponsored by a member of the District faculty, staff or administration who will be responsible for its content, design, currency and maintenance. The sponsor is responsible for ensuring that those constructing and maintaining the Web Page have the necessary technical training and that they fully understand and adhere to District policies and regulations. The Web Page must include the name of the sponsor.

c) Staff or student work should be published only as it relates to a school/classroom authorized project or other school-related activity.

d) The review of a Student Web Page (if considered a school-sponsored student publication) shall be subject to prior District review as would any other school-sponsored student publication.

e) An authorized teacher who is publishing the final Web Page(s) for himself/herself or for a student will edit and test the Page(s) for accuracy of links and check for conformance with District standards and practices.

f) A disclaimer statement about the content of Web Pages must be part of individual sites:

Example: "The District has made every reasonable attempt to ensure that our Web Pages are educationally sound and do not contain links to questionable material or material that can be deemed in violation of the School District's Standards and Guidelines for Web Page Publishing Policy."

(Continued)
SUBJECT: SCHOOL DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING (Cont'd.)

g) Commercial advertising or marketing on the District/school/classroom Web Page(s) (or the use of school-affiliated Web Pages for the pursuit of personal or financial gain) shall be prohibited unless otherwise authorized in accordance with law and/or regulation. Decisions regarding Website advertising must be consistent with existing District policies and practices on this matter. School-affiliated Web Pages may mention outside organizations only in the context of school programs that have a direct relationship to those organizations (e.g., sponsorship of an activity, student community service project).

h) Web Pages may include faculty or staff names; however, other personal information about employees including, but not limited to, home telephone numbers, addresses, e-mail addresses, or other identifying information such as names of family members may be published only with the employee's written permission.

i) All Web Pages must conform to the standards for appropriate use found in the District's Acceptable Use Policy(ies) and accompanying Regulations regarding standards of acceptable use; examples of inappropriate behavior; and compliance with applicable laws, privacy, and safety concerns.

j) All Web Pages must be approved through the designated process before being posted to the District/school/classroom Websites.

k) All staff and/or students authorized to publish material on the District/school/classroom Web Page(s) shall acknowledge receipt of the District's Web Page Standards and agree to comply with same prior to posting any material on the Web.

Release of Student Education Records/Directory Information

Release of Student Education Records

In accordance with the Family Educational Rights and Privacy Act (FERPA), unless otherwise exempted in accordance with law and regulation, the District may release personally identifiable information contained in student education records only if it has received a "signed and dated written consent" from a parent or eligible student. Signed and dated written consent may include a record and signature in electronic form provided that such signature:

a) Identifies and authenticates a particular person as the source of the electronic consent; and

b) Indicates such person's approval of the information contained in the electronic consent.

Student Directory Information

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

(Continued)
SUBJECT: SCHOOL DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING (Cont'd.)

Parental/Eligible Student Consent Required and Privacy Concerns

Written parental/eligible student consent shall be obtained by the District before education records or personally identifiable information contained therein is released to any party unless:

a) Such release is authorized by the Family Educational Rights and Privacy Act, or its implementing regulations;

b) The information released is "directory information" as designated by the District in accordance with FERPA. The District shall provide parents and eligible students with annual notification of their rights under FERPA and designation of directory information (i.e., disclosure of personally identifiable information contained in student records);

c) For anything not specifically designated as "directory information" by the District, the District must receive a "signed and dated written consent" from the parent/eligible student prior to releasing such information (unless otherwise authorized per FERPA);

d) However, even if student photographs are designated as directory information per FERPA, due to privacy and safety concerns, the District requires specific affirmative written parent/eligible student consent prior to posting student photographs on District/school/classroom Web Pages. Whenever possible, group photographs of students and/or the use of photographs where the student is not easily identifiable is preferable to the use of individual student photographs for safety reasons;

e) Web Pages shall not include a student's full name, telephone number, address, e-mail address or post such information of other family members or friends. Posting of student names will be limited to first name only. Permission forms from parents are strongly suggested;

f) Online posting of school bus schedules and/or other specific activity schedules detailing dates/times/locations (e.g., field trips) is prohibited on school-affiliated Websites as such information can pose risks of child abduction or other security concerns. Password protected Websites may be authorized by the Superintendent/designee.

Use of Copyrighted Materials and "Fair Use" Exceptions/Intellectual Property and Works Made for Hire

Copyrighted Materials

All employees and students are prohibited from copying materials not specifically allowed by the copyright law, "Fair Use" guidelines, licenses or contractual agreements, or the permission of the copyright proprietor. Web Page publications must include a statement of copyright when appropriate and indicate that permission has been secured when including copyrighted materials or notice that such publication is in accordance with the "Fair Use" provisions of the Copyright Law.

Fair Use of Copyrighted Materials

Pursuant to Section 107 of the Copyright Law ("Fair Use" provisions), the use of copyrighted material for criticism, comment, news reporting, teaching, scholarship, or research may be permitted under certain circumstances.
SUBJECT: SCHOOL DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING (Cont'd.)

However, any appropriation of someone else's work on the Internet is a potential copyright infringement. "Fair Use" provisions may not apply when a project created by a teacher or student is accessed by others over the Internet. If there is a possibility that school-affiliated Web Page(s), which incorporate copyrighted works under the "Fair Use" provisions, could later result in broader dissemination, it will be necessary to seek the permission of the copyright holder. The complex interplay between copyright law and the "Fair Use" provisions in educational multimedia projects should be considered in development of Web Page publishing standards and reviewed by school counsel prior to District implementation for compliance with applicable law and regulations.

a) Unless otherwise noted, always assume that work on the web is copyrighted. It is NOT necessary that the copyright symbol -- © -- be displayed for the work to be protected by copyright laws.

b) Proper attribution must always be given.

c) Obtaining permission(s) from the copyright holder(s) (whether text, graphics or music) should occur during the developmental process or project, rather than waiting to seek permission upon completion of the project.

d) Unauthorized electronic transmission of copyrighted materials is illegal.

Intellectual Property/Works Made for Hire

All works completed by employees as part of their employment shall be considered "works made for hire" as described in the United States Code Annotated, Title 17, Copyrights to the extent permitted by law. This determination includes, but is not limited to, the following activities:

a) Work prepared by an employee within the scope of his/her employment, whether tangible or intangible;

b) Work specifically ordered or commissioned for use as a contribution to a collective work, as enumerated in law.

Any work created within the scope of such a relationship will be considered a work made for hire when a regular employment relationship exists.

Work covered under this policy is the property of the School District, not the creator of such work. The District shall own any and all rights to such works, or derivatives thereof, unless there is a written agreement to the contrary.

Student Work

Students are the copyright holders of their own original work. The District must receive written permission from both the parent and the student prior to publishing students' original work on the District/school/classroom Websites.

Student Free Speech Issues (School-sponsored Publications)

In general, School Districts can exercise editorial control over the style and content of student expression in school-sponsored publications, theatrical productions, and other expressive activities that students, parents and members of the public might reasonably perceive to bear the imprimatur of the school.

However, the school's actions in such a case must be reasonably related to legitimate pedagogical concerns and may not amount to viewpoint discrimination.

(Continued)
SUBJECT: SCHOOL DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING (Cont'd.)

Consequences for Non-Compliance

Web Pages that do not comply with the above criteria are subject to revocation of approval and removal from the District/school/classroom Websites.

Staff

Faculty or staff posting non-approved or inappropriate material on a school-affiliated Website are subject to the imposition of discipline, including possible suspension or revocation of access to the District's computer network, in accordance with law and applicable collective bargaining agreements. In the case that a violation may constitute a criminal offense, it will be reported to the appropriate authorities.

Students

Students posting non-approved or inappropriate material on a school-affiliated Website are subject to the imposition of discipline, including possible suspension or revocation of access to the District's computer network, in accordance with applicable due process procedures and the District Code of Conduct. In the case that a violation may constitute a criminal offense, it will be reported to the appropriate authorities.

Oversight

The Superintendent of Schools or his/her designee shall have the authority to approve or deny the posting of any proposed Web Pages on school-affiliated Websites based upon compliance with the terms and conditions set forth in this policy as well as applicable District practices and procedures.
SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY

The District has developed and will amend, as appropriate, a written Code of Conduct for the Maintenance of Order on School Property, including school functions, which shall govern the conduct of students, teachers and other school personnel, as well as visitors and/or vendors. The Board of Education shall further provide for the enforcement of such Code of Conduct.

For purposes of this policy, and the implemented Code of Conduct, school property means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the District's elementary or secondary schools, or in or on a school bus; and a school function shall mean a school-sponsored extracurricular event or activity regardless of where such event or activity takes place, including those that take place in another state.

The District Code of Conduct has been developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

The Code of Conduct shall include, at a minimum, the following:

a) Provisions regarding conduct, dress and language deemed appropriate and acceptable on school property and at school functions, and conduct, dress and language deemed unacceptable and inappropriate on school property; provisions regarding acceptable civil and respectful treatment of teachers, school administrators, other school personnel, students and visitors on school property and at school functions; the appropriate range of disciplinary measures which may be imposed for violation of such Code; and the roles of teachers, administrators, other school personnel, the Board of Education and parents/persons in parental relation to the student;

b) Provisions prohibiting discrimination, bullying and/or harassment against any student, by employees or students on school property, at a school function, or off school property when the actions create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property, that creates a hostile environment by conduct, with or without physical contact, threats, intimidation or abuse (verbal or non-verbal), of such a severe nature that:
   1. Has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; or
   2. Reasonably causes or would reasonably be expected to cause a student to fear for his/her physical safety.

   When the term "bullying" is used, even if not explicitly stated, such term includes cyberbullying, meaning such harassment or bullying that occurs through any form of electronic communication.

   Such conduct shall include, but is not limited to, threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender as defined in Education Law Section 11(6), or sex; provided that nothing in this subdivision shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on a person's gender that would be permissible under Education Law Sections 3201-a or 2854(2) (a) and Title IX of the Education Amendments of 1972 (20 USC Section 1681, et seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under 504 of the Rehabilitation Act of 1973;

c) Standards and procedures to assure security and safety of students and school personnel;

d) Provisions for the removal from the classroom and from school property, including a school function, of students and other persons who violate the Code;

(Continued)
SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)

e) Provisions prescribing the period for which a disruptive student may be removed from the classroom for each incident, provided that no such student shall return to the classroom until the Principal (or his/her designated School District administrator) makes a final determination pursuant to Education Law Section 3214(3-a)1 or the period of removal expires, whichever is less;

f) Disciplinary measures to be taken for incidents on school property or at school functions involving the use of tobacco, the possession or use of illegal substances or weapons, the use of physical force, vandalism, violation of another student's civil rights, harassment and threats of violence;

g) Provisions for responding to acts of discrimination, bullying and/or harassment against students by employees or students on school property, at a school function, or off school property when the actions create or would foreseeable create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property, pursuant to clause (b) of this subparagraph;

h) Provisions for detention, suspension and removal from the classroom of students, consistent with Education Law Section 3214 and other applicable federal, state and local laws, including provisions for school authorities to establish procedures to ensure the provision of continued educational programming and activities for students removed from the classroom, placed in detention, or suspended from school, which shall include alternative educational programs appropriate to individual student needs;

i) Procedures by which violations are reported and determined, and the disciplinary measures imposed and carried out;

j) Provisions ensuring the Code of Conduct and its enforcement are in compliance with state and federal laws relating to students with disabilities;

k) Provisions setting forth the procedures by which local law enforcement agencies shall be notified of Code violations which constitute a crime;

l) Provisions setting forth the circumstances under and procedures by which parents/persons in parental relation to the student shall be notified of Code violations;

m) Provisions setting forth the circumstances under and procedures by which a complaint in criminal court, a juvenile delinquency petition or person in need of supervision ("PINS") petition as defined in Articles 3 and 7 of the Family Court Act will be filed;

n) Circumstances under and procedures by which referral to appropriate human service agencies shall be made;

o) A minimum suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom, provided that the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law. For purposes of this requirement, as defined in Commissioner's Regulations, "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom" shall mean engaging in conduct which results in the removal of the student from the classroom by teacher(s) pursuant to the provisions of Education Law Section 3214(3-a) and the provisions set forth in the Code of Conduct on four (4) or more occasions during a semester, or three (3) or more occasions during a trimester, as applicable;

p) A minimum suspension period for acts that would qualify the student to be defined as a violent student pursuant to Education Law Section 3214(2-a)(a). However, the suspending authority may reduce the suspension period on a case-by-case basis consistent with any other state and federal law;

(Continued)
SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY (Cont’d.)

q) A Bill of Rights and Responsibilities of Students which focuses upon positive student behavior and a safe and supportive school climate, which shall be written in plain-language, publicized and explained in an age-appropriate manner to all students on an annual basis; and

r) Guidelines and programs for in-service education programs for all District staff members to ensure effective implementation of school policy on school conduct and discipline, including but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, discrimination, bullying and/or harassment against students by students and/or school employees; and including safe and supportive school climate concepts in the curriculum and classroom management. The District’s Code of Conduct shall be adopted by the Board of Education only after at least one (1) public hearing that provided for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties.

The Code of Conduct shall be reviewed on an annual basis, and updated as necessary in accordance with law. The District may establish a committee pursuant to Education Law Section 2801(5)(a) to facilitate review of its Code of Conduct and the District’s response to Code of Conduct violations. The School Board shall reapprove any updated Code of Conduct or adopt revisions only after at least one (1) public hearing that provides for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties. The District shall file a copy of its Code of Conduct and any amendments with the commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.

The Board of Education shall ensure community awareness of its Code of Conduct by:

a) Posting the complete Code of Conduct on the Internet website, if any, including any annual updates and other amendments to the Code;

b) Providing copies of a summary of the Code of Conduct to all students in an age-appropriate version, written in plain language, at a school assembly to be held at the beginning of each school year;

c) Providing a plain language summary of the Code of Conduct to all parents or persons in parental relation to students before the beginning of each school year and making the summary available thereafter upon request;

d) Providing each existing teacher with a copy of the complete Code of Conduct and a copy of any amendments to the Code as soon as practicable following initial adoption or amendment of the Code. New teachers shall be provided a complete copy of the current Code upon their employment; and

e) Making complete copies available for review by students, parents or persons in parental relation to students, other school staff and other community members.

Privacy Rights

As part of any investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Education Law Sections 11(8), 801-a, 2801 and 3214
Family Court Act Articles 3 and 7
Vehicle and Traffic Law Section 142
8 NYCRR Section 100.2

NOTE: Refer also to District Code of Conduct
Board of Education Approval and Update: 8/6/12, 8/5/13
SUBJECT: UNLAWFUL POSSESSION OF A WEAPON UPON SCHOOL GROUNDS

It shall be unlawful for any person to knowingly possess any air-gun, spring-gun or other instrument or weapon in which the propelling force is a spring, air, piston, or CO₂ cartridge upon school grounds or in any District building.

Unlawful possession of a weapon upon school grounds may be a violation of the New York State Penal Law, and is a violation of School District policy and the Student Discipline Code of Conduct.

Penal Law Sections 265.05 and 265.06

NOTE: Refer also to Policies #7470 -- Weapons in School and #7471 -- Gun-Free Schools.

Adopted: 03/04/96
SUBJECT: THREATS OF VIOLENCE IN SCHOOL

The School District is committed to the prevention of violence against any individual or property in the schools or at school activities whether such acts and/or threats of violence are by students, staff, or others. Additionally, threats of violence against students, school personnel and/or school property, including bomb threats, will not be tolerated whether or not such threats occur on school grounds or during the school day.

While acknowledging an individual’s constitutional rights, including applicable due process rights, the District refuses to condone acts and/or threats of violence which threaten the safety and well being of staff, students and the school environment. Employees and students shall refrain from engaging in physical actions or threatening statements which create a safety hazard for others.

Any acts and/or threats of violence, whether such threats are made orally, in writing, or by e-mail, shall be subject to appropriate disciplinary action in accordance with applicable law, District policies and regulations, the Student Code of Conduct, and collective bargaining agreements, as may be necessary.

All staff who are made aware of physical acts and/or threats of violence directed to students, staff or the school building are to report such incidents to the building principal, who shall report these occurrences to the Superintendent. Additionally, the building principal will also report occurrences of violence, whether involving an actual confrontation or a threat of potential violence, to the student’s parents/guardians; the school psychologist and/or counselor; and the Director of Special Education, if applicable. Local law enforcement agencies may also be called as necessary upon the determination of the Superintendent/designee.

Students are to report all acts and/or threats of violence, including threats of suicide, of which they are aware by calling the school hotline, or notifying a faculty member or the building principal.

The District reserves the right to seek restitution, in accordance with law, from the parent/guardian and/or student for any costs or damages which had been incurred by the District as a result of the threats or acts of violence in the schools.

This policy will be disseminated, as appropriate, to students, staff, and parents and will be available to the general public upon request.

Regulations will be developed to address safety concerns in the schools, and appropriate sanctions for violations of this policy by students will be addressed in the Student Code of Conduct.
SUBJECT: STATEWIDE UNIFORM VIOLENT INCIDENT REPORTING SYSTEM (UVIRS)

In compliance with the Uniform Violent Incident Reporting System, the District will record each violent or disruptive incident that occurs on school property or at a school function. On or before September 30 of each year (commencing 2002), the District will submit an annual report of violent or disruptive incidents to the Commissioner in the manner prescribed.

The District will establish local procedures for the reporting of violent or disruptive incidents by each building and/or program under its jurisdiction. Copies of such incident reports will be retained for the time prescribed by the Commissioner in the applicable records retention schedule. These reports will be available for inspection by the State Education Department upon request.

All personally identifiable information included in a violent or disruptive incident report will be confidential and will not be disclosed to any person for any purpose other than that specified in Section 2802 of the Education Law, except as otherwise authorized by law.

Beginning with the 2002-2003 school year, the District will include a summary of the District's annual violent or disruptive incident report in its School District Report Card in the format prescribed by the Commissioner.

Education Law Section 2802
8 New York Code of Rules and Regulations (NYCRR) Section 100.2 (gg)

Board of Education Approval 9/17/01
SUBJECT: EMERGENCY CLOSINGS

In the event it is necessary to close school for the day due to inclement weather or other emergency reasons, announcement thereof shall be made over local radio and television stations, and through the Parent Broadcast System.

When school is closed, all related activities, including athletic events and student activities, will ordinarily be suspended for that day and evening.

The attendance of personnel shall be governed by their respective contract.
SUBJECT: SCHOOL ADMINISTRATION

The Board of Education shall provide an administrative staff sufficient to meet the needs of the District for instructional and supportive functions.
SUBJECT: ADMINISTRATIVE PERSONNEL

Administrative and supervisory personnel shall be considered to be those District employees officially designated by Board of Education action as responsible for the administrative and supervisory tasks required to carry out Board of Education policy, programs, decisions, and actions.

These employees shall meet all certification and/or Civil Service requirements as outlined in New York State Civil Service Law, and the Rules and Regulations promulgated by the Commissioner of Education of New York State. The administrative and supervisory staff must be eligible to meet these requirements at the time of employment.

The obligations, duties and responsibilities of all administrative and supervisory personnel shall be set forth in job descriptions to be kept on file in the Central Office.

8 New York Code of Rules and Regulations
(NYCRR) Section 80.4
Education Law Section 1709
SUBJECT: ADMINISTRATIVE ORGANIZATION AND OPERATION

The basic principles of Administrative Organization and Operation are:

a) The working relationships shall involve two types of officers: line and staff. Line organization involves a direct flow of authority upward and downward from chief school officer to building principal. A line officer has power and authority over subordinates. Staff officers do not stand in the direct line of authority; they serve as coordinators or consultants.

b) The Board of Education shall formulate and legislate educational policy.

c) Administrative regulations shall be developed by the chief school officer in cooperation with affected or interested staff members or lay persons.

d) The central office staff shall provide overall leadership and assistance in planning and research.

e) A reasonable limit shall be placed upon the number of persons with whom an administrator shall be expected to work effectively.

f) Areas of responsibility for each individual shall be clearly defined.

g) There shall be full opportunity for complete freedom of communication between all levels in the school staff.
SUBJECT: LINE RESPONSIBILITY

All employees of the District shall be under the general direction of the Superintendent. Teachers shall be immediately responsible to the principal of the building in which they work. Other employees shall be immediately responsible to the administrative personnel under whom they work directly.

The lines of responsibility/reporting shall be as depicted on the organizational chart.
SUBJECT: ABOLISHING A POSITION

Existing administrative positions shall not be abolished by the Board of Education without previous written notification of the impending abolition. Such written notification is to be served to the individual currently holding that position, and must be given thirty (30) days prior to the effective date of abolition. In all cases the individual currently holding the position should receive as much advance notice as possible, preferably sixty (60) or more days.

Education Law Section 1709
SUBJECT: ADMINISTRATIVE AUTHORITY DURING ABSENCE OF THE SUPERINTENDENT OF SCHOOLS

In the absence of the Superintendent of Schools, decision-making authority is delegated according to the following order:

Senior Building Principal
Director of Instruction

Emergency situations may necessitate decisions being made prior to reaching the superintendent if he/she is out of the District. Other appropriate staff members, such as the Head Custodian or Athletic Director may be consulted prior to a final decision being made.

If there is no emergency, consultations with the superintendent may be in order prior to making a decision. In all cases, the superintendent must be informed as soon as practical of any decisions that are made in his/her absence.

Adopted 1990
Updated 2/18/04
Revised and Board of Education Approval: 8/17/09
Revised and Board of Education Approval: 7/12/10
Revised and Board of Education Approval: 7/7/14
SUBJECT: ADMINISTRATIVE LATITUDE IN THE ABSENCE OF BOARD POLICY

From time to time problems and new questions arise for which no specific policy has been prepared. Members of the administrative staff shall act in a manner consistent with the existing policies of the School District and shall alert the Superintendent of Schools to the possible need for additional policy development.
SUBJECT: USE OF COMMITTEES

Standing and/or ad hoc committees may be appointed to study and to recommend courses of action in response to department, building or District needs. These committees may be appointed by the Board of Education, the Superintendent or other administrators, with the knowledge of the Superintendent, and in accordance with the range of responsibilities of the appointing body or administrator to whom the committee shall report. The composition of each committee shall reflect its purpose and each committee shall have a clear assignment.
SUBJECT: EVALUATION OF THE SUPERINTENDENT

In accordance with Section 100.2(o) of the Commissioner's Regulations, the Board of Education shall annually review the performance of the Superintendent of Schools according to procedures developed by the Board in consultation with the Superintendent. Such procedures shall be filed in the District Office, and available for review by any individual no later than August first of each year.

Through evaluation of the Superintendent, the Panama Central School Board of Education seeks to achieve the following:

a) To improve the performance and output of the Superintendent;

b) To improve the operation of the school system;

c) To improve the working relationship between the Superintendent and the Board of Education;

d) To assist the Board of Education in determining appropriate rewards based upon the Superintendent's performance;

e) To assist the Board in decisions concerning continued employment of the Superintendent;

f) To assist the Board in better understanding its function and responsibilities.

The evaluation shall be an objective written report based on an assessment tool developed by the Board and the Superintendent. A copy of the evaluation procedure shall be placed on file and available for inspection in the Panama Central School District administrative office no later than August first of each year.

8 New York Code of Rules and Regulations (NYCRR) Section 100.2(o)

Revised: 09/08/97
SUBJECT: EVALUATION OF MIDDLE MANAGERS

The Panama Central School Board of Education shall annually review the performance of the middle managers, (Director of Finance & Technology, Principals, Superintendent of Buildings & Grounds, Transportation Supervisor) according to procedures developed by the Superintendent in consultation with the middle managers. Such procedures shall be filed in the District's office, and available for review by any individual.

Through evaluation of the middle managers, the Panama Central School Board of Education seeks to achieve the following:

a) To improve the performance and output of the middle managers.

b) To improve the operation of the school system.

c) To improve the working relationship between the middle managers and the Superintendent and the Board of Education.

d) To assist the Board of Education in determining appropriate rewards based upon the middle managers' performances.

e) To assist the Board in decisions concerning continued employment of the middle managers.

f) To assist the Board in better understanding of the middle managers' responsibilities in the school system.

The evaluation shall be an objective written report based on an assessment tool developed by the Superintendent and the middle managers. A copy of the job description and evaluation procedure shall be placed on file and available for inspection in the Panama Central School District administrative office.

8 New York Code of Rules and Regulations (NYCRR) Section 100.2
SUBJECT: ADMINISTRATIVE INTERN PROGRAM

The District shall implement the following organizational structure to enable an administrative intern to participate in a continuous program of growth and development through several stages, each having a specific emphasis, and each successive level offering an opportunity for the district to place greater confidence in the individual intern.

Level I Technical Skills

Emphasis will be on development of technical skills needed to perform administrative or specialist functions. A variety of skills may be selected and activities planned by mutual consent of the intern and administrative supervisor.

Level II Human Relations Skills

Concentration will be on human relations skills, curriculum development and implementation (if appropriate), and on leadership training. Guidance will be provided by a suitable District resource person(s). Each resource person shall be a specialist in the particular administrative function.

Level III Practicum

Development and application of conceptual skills will be gained through assigned District service. Specific activities or assignments will be determined according to the needs of the District and the individual.
SUBJECT: SUPERINTENDENT OF SCHOOLS

a) As chief executive officer of the Board of Education, he/she shall attend all regular, special, and work meetings of the Board except that the Superintendent may be excluded when his/her employment contract or performance is discussed in executive session.

b) He/she shall administer all policies and enforce all rules and regulations of the Board.

c) He/she shall constantly review the local school situation and recommend to the Board areas in which new policies seem to be needed.

d) He/she shall be responsible for organizing, administering, evaluating, and supervising the programs and personnel of all school departments, instructional and non-instructional.

e) He/she shall recommend to the Board the appointment of all instructional and support personnel.

f) He/she shall be responsible for the preparation and recommendation to the Board of the annual School District budget in accordance with the format and development plan specified by the Board.

g) He/she shall acquaint the public with the activities and needs of the schools through his/her written and spoken statements, and shall be responsible for all news releases emanating from the local schools.

h) He/she shall be responsible for the construction of all salary scales and for the administration of the salary plan approved by the Board. Some of these salary scales will be developed within staff contracts negotiated under the provisions of the Taylor Law.

i) He/she shall determine the need and make plans for plant expansion and renovation.

j) He/she shall be responsible for evaluating, promoting, and dismissing all professional and non-professional staff personnel.

k) He/she shall prepare or supervise the preparation of the teacher's handbook, staff bulletins, and all other District-wide staff materials.

l) He/she shall plan and coordinate the recruitment of teachers and other staff to assure the District of the best available personnel.
SUBJECT: SUPERINTENDENT OF SCHOOLS (Cont'd.)

m) He/she shall plan and conduct a program of supervision of teaching staff which will have as its goal the improvement of instruction, and, at the same time, will assure that only the teachers found to be of a high degree of competence will be recommended for tenure.

n) He/she shall continually strive to distinguish for all concerned between the areas of policy decisions appropriate to the Board and management decisions appropriate to the District's administrative personnel.

o) He/she shall, when necessary and/or desirable, transfer such personnel as he/she anticipates will function more effectively in other positions. These transfers shall be made within the guidelines of state laws, District policies and negotiated contracts.

p) He/she shall submit the data from the Comprehensive Assessment Report, School Report Card, and/or other such reports of student/District performance as prescribed by and in accordance with requirements of the Commissioner of Education.

Education Law Sections 1711 and 3003
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(m)

Revised: 09/08/97
SUBJECT: SUPERINTENDENT - BOARD OF EDUCATION RELATIONS

The Board of Education is accountable for all pursuits, achievements and duties of the School District. The Board's specific role is to deliberate and to establish policies for the organization. The Board delegates the necessary authority to the Superintendent who, acting as chief executive officer, is held accountable to the Board for compliance with its policies.

a) With respect to School District goals and objectives, the Board will establish broad guidelines that must be observed in the development of further policy and action. The Board reserves the right to issue either restrictive or general policy statements.

b) Generally, the Superintendent will be empowered to assign and use resources; employ, promote, discipline and deploy staff; to translate policies of the Board into action; to speak as agent of the Board; to organize and delegate administrative responsibilities; and to exercise such other powers as are customary for chief executives.

c) The Superintendent may not perform, cause, or allow to be performed any act that is unlawful, in violation of commonly accepted business and professional ethics; in violation of any contract into which the Board has entered; or, in violation of policies adopted by the Board that limit the Superintendent's authority.

d) Should the Superintendent or his/her designee consider it unwise or impractical to comply with an explicit Board policy, the Superintendent will inform the Board of that determination. The Board will decide whether such judgment was warranted.

e) When law or other authority calls for Board approval of decisions that the Board has delegated to the Superintendent, Board approval will be routinely given if those decisions have been made within the limits of Board policies.
SUBJECT: ADMINISTRATIVE STAFF

Building Principals

The building principals are the educational executives of the school centers. They have the responsibility for executing Board of Education policies in the schools. They are directly responsible to the Superintendent of Schools.

School Business Manager

The School Business Manager shall be responsible for all phases of the District's business activity, as set forth in Section 5000 of the Policy Manual, and shall report directly to the Superintendent of Schools.

Subject Coordinators/Directors

Coordinators are staff officers who shall have various ranges of responsibilities as indicated by their respective titles and job descriptions.

8 New York Code of Rules and Regulations (NYCRR) Sections 100.3 and 80.4
SUBJECT: PROFESSIONAL DEVELOPMENT OPPORTUNITIES

The Board of Education shall encourage administrators to keep themselves informed of current educational theory and practice by study, by visiting other school systems, by attendance at educational conferences, and by such other means as are appropriate.

The approval of the Superintendent shall be required for any conference attendance or visitations requested by administrators.

Participation shall be limited by available resources and reimbursement guidelines.

General Municipal Law Section 77-b
SUBJECT: COMPENSATION AND RELATED BENEFITS

The salaries and related benefits of administrators shall be set annually by the Board of Education upon the recommendation of the Superintendent.
# NON-INSTRUCTIONAL/BUSINESS OPERATIONS

(Section 5000)

## BUDGET

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## TRANSPORTATION

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SUBJECT: BUDGET POLICY

Budget planning and development for the district will be an integral part of program planning so that the annual operating budget may effectively express and implement programs and activities of the school system. Budget planning is a year-round process and should allow for community input and contain numerous opportunities for public information and feedback.

The responsibility for budget formulation and presentation rests with the Board of Education (Education Law Sections 1716, 1805, 2516). The Superintendent and all members of both the professional and classified staffs are charged with the responsibility for assisting the Board of Education in the budget development process.

Principals will develop and submit budget requests in conjunction with the advice and suggestions of staff members and their own professional judgment. The principal's budget will be his recommendation as to the most effective way to use available resources in achieving progress toward the approved educational objectives of the school.

The Superintendent will evaluate requests in light of the district's educational philosophy, programs, and Five Year Plan. With the aid of the school business official and through consultation with principals and other staff members, he/she shall make necessary changes to achieve a budget, which will meet the needs of the district and is within the available financial resources of the district.

The Board of Education will hold the necessary number of work sessions to discuss the budget proposal. They will review allocations for appropriateness and for their consistency with the school system's educational priorities. The board-approved budget will be available for review by district residents in accordance with time frames as enumerated in law.

Authorization

Final approval of the tentative budget document rests with the Board. The Superintendent and such members of his/her staff as he/she shall deem necessary, shall be prepared to explain and justify the budget to the Board in sufficient detail to make clear the importance of each item in the educational program. Final authorization of the budget rests with the voters of the District. Upon approving a document, it becomes the responsibility of the Board to insure that the tentative budget is explained to the public through the Superintendent and his/her designee by formal and informal hearings; simple and detailed printed explanations, and the press.

(Refer also to Policy #5114 -- Budget Adoption.)

All budget documents for distribution to the public shall be in plain language and organized in a manner which best promotes public comprehension of the contents. Documents shall be complete and accurate and contain sufficient detail to adequately inform the public regarding such data as estimated revenues, proposed expenditures, transfers to other funds, fund balance information, and changes in such information from the prior year's submitted budget. The budget will be presented in three components, which are to be voted upon as one proposition:

a) A program component which shall include, but need not be limited to, all program expenditures of the School District, including the salaries and benefits of teachers and any school administrators or supervisors who spend a majority of their time performing teaching duties, and all transportation operating expenses;

(Continued)
SUBJECT: BUDGET POLICY (Cont’d.)

b) A capital component which shall include, but need not be limited to, all transportation capital, debt service, and lease expenditures; costs resulting from judgments and tax certiorari proceedings or the payment of awards from court judgments, administrative orders or settled or compromised claims; and all facilities costs of the School District, including facilities lease expenditures, the annual debt service and total debt for all facilities financed by bonds and notes of the School District, and the costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that such budget shall include a rental, operations and maintenance section that includes base rent costs, total rent costs, operation and maintenance charges, cost per square foot for each facility leased by the District, and any and all expenditures associated with custodial salaries and benefits, service contracts, supplies, utilities, and maintenance and repairs of school facilities; and

c) An administrative component which shall include, but need not be limited to, office and central administrative expenses, traveling expenses and salaries and benefits of all certified school administrators and supervisors who spend a majority of their time performing administrative or supervisory duties, any and all expenditures associated with the operation of the Office of the School Board, the Office of the Superintendent of Schools, General Administration, the School Business Office, consulting costs not directly related to direct student services and programs, planning and all other administrative activities.

Each component must be separately delineated in accordance with Commissioner's Regulations. Additionally, the Board of Education shall append to the proposed budget the following documents:

a) A detailed statement of the total compensation to be paid to the Superintendent of Schools, and any Assistant or Associate Superintendent of Schools in the ensuing school year, including a delineation of the salary, annualized cost of benefits and any in-kind or other form of remuneration;

b) A list of all other school administrators and supervisors, if any, whose annual salary for the coming school year will be at or above that designated in law for such reporting purposes, with the title of their positions and annual salary identified; and

c) A School District Report Card, prepared pursuant to Commissioner's Regulations, which includes measures of the academic performance of the School District, on a school-by-school basis, and measures of the fiscal performance of the District.

The proposed budget for the ensuing school year shall be reviewed by the Board of Education and publicly disseminated, in accordance with law, prior to its submission to District voters for approval.

District funds may be expended to inform the public regarding the annual budget and to present the annual budget to District voters; however, such funds shall not be utilized to promote either a favorable or negative opinion of the proposed budget.

Education Law Sections 1608(3)-(6), 1716(3)-(6), and 2601-a(3) and (7)
8 New York Code of Rules and Regulations (NYCRR)
Sections 170.8 and 170.9
General Municipal Law Section 36
State Education Department
Handbook No.3 on Budget

Revised & Board of Education Approved: 11/7/05
SUBJECT: SCHOOL DISTRICT REPORT CARDS

Each year the Board of Education shall prepare a School District Report Card, pursuant to the Regulations of the Commissioner of Education, and shall make it publicly available by transmitting it to local newspapers of general circulation, appending it to copies of the proposed budget made publicly available as required by law, making it available for distribution at the Annual Meeting and making it available to parents/guardians.

The School District Report Card shall include, at a minimum, the following information:

a) Measures of academic performance. The School District Report Card shall include, on a school-by-school basis, the student academic performance indicators applicable to each school as prescribed by the Commissioner for the school year. Such academic performance indicators shall include, but need not be limited to:

1. The performance of students in the schools of the District on the State performance evaluation tests in reading, writing, mathematics, science and vocational courses; and

2. The Regents examinations in English and languages other than English, mathematics, science and social studies, as designated by the Commissioner. The Report Card shall compare such measures of academic performance to statewide averages for all public schools and statewide averages for public school districts of comparable wealth and need, as developed and distributed by the Commissioner.

b) Measures of fiscal performance. The Report Card shall include expenditures per student on regular education and expenditures per student on special education. The Report Card shall compare such measures of fiscal performance to statewide averages for all public school districts and statewide averages for public school districts of comparable wealth and need, as developed and distributed by the Commissioner.

c) Special Education placements. Each year, the Report Card shall include the number and percentage of students in special education by placement, including both private and public school placements, and a comparison of such percentages to the statewide average in accordance with criteria as enumerated in Education Law and/or Commissioner's Regulations.

d) Other measures/information to be included in the Report:

1. The Report Card shall also include graduation and college-going rates; and attendance, suspension and dropout rates.

(Continued)
SUBJECT: SCHOOL DISTRICT REPORT CARDS (Cont'd.)

2. Any information regarding student performance and expenditure per student required to be included in the Annual Report by the Regents to the Governor and the Legislature in accordance with Education Law.

3. Any other information specified by the Commissioner.

Additional information may be added to the School District Report Card as determined by the Superintendent or his/her designee, and upon approval by the Board of Education, in order to provide a more comprehensive assessment of District achievements and the school population.

All budget documents for distribution to the public shall be in plain language and organized in a manner which best promotes public comprehension of the contents.

Education Law Sections 215-a, 1608, 1716, 2554(24), 2590-c(23), 2590-g(21), and 2601-a(7)
8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(bb), 170.8 and 170.9

Adopted: 12/15/97
SUBJECT: SCHOOL DISTRICT BUDGET HEARING

The Board of Education will hold an annual budget hearing, in accordance with law, so as to inform and present to District residents a detailed written statement regarding the District’s estimated expenditures and revenue for the upcoming school year prior to the budget vote which is taken at the Annual District Meeting and Election.

The budget hearing will be held not less than seven (7) nor more than fourteen (14) days prior to the Annual District Meeting and Election at which the budget vote will occur. The proposed budget will be completed at least seven (7) days prior to the budget hearing at which it is to be presented.

Copies of the proposed annual operating budget for the succeeding year may be obtained by any District resident, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen (14) days immediately preceding the Annual District Meeting and Election. The availability of this budget information shall be included in the legal notice of the Annual Meeting; and copies of the proposed budget will also be available to District residents at the time of the Annual Meeting. Additionally, the Board will include notice of the availability of copies of the budget at least once during the school year in any District-wide mailing.

Notice of the date, time and place of the annual budget hearing will be included in the notice of the Annual Meeting and Election as required by law.

All School District budgets which are submitted for voter approval shall be presented in three components: a program component, an administrative component, and a capital component; and each component will be separately delineated in accordance with law and/or regulation.

Additionally, the Board of Education will prepare and append to copies of the proposed budget a School District Report Card, pursuant to the Regulations of the Commissioner of Education, referencing measures of academic and fiscal performance. Additionally, the Board of Education shall also append to copies of the proposed budget a detailed statement of the total compensation to be paid to various administrators as enumerated in law and/or regulation.

(Continued)
SUBJECT: SCHOOL DISTRICT BUDGET HEARING (Cont'd.)

All budget documents for distribution to the public will be written in plain language and organized in a manner which best promotes public comprehension of the contents.

Notice of Budget Hearing/Availability of Budget Statement
Education Law Sections 1608(2), 1716(2), 2003(1), 2004(1), and 2601-a(2)

Election and Budget Vote
Education Law Sections 1804(4), 1906(1), 2002(1), 2017(5) and (6), 2022(1), and 2601-a(2)

Budget Development and Attachments
Education Law Sections 1608(3), (4), (5), and (6); 1716(3), (4), (5), and (6); and 2601-a(3)
8 New York Code of Rules and Regulations (NYCRR)
Sections 100.2(bb), 170.8 and 170.9

NOTE: Refer also to Policy #5110 -- Budget Policy.

Adopted: 03/02/98
SUBJECT: BUDGET ADOPTION

The Board of Education shall review the recommended budget of the Superintendent of Schools and shall seek public input and feedback regarding the recommended budget including, but not limited to, holding a public budget hearing not less than seven (7) nor more than fourteen (14) days prior to the Annual District Meeting and Election at which the budget vote is to occur. The Board may modify the recommended budget of the Superintendent prior to its submission to District voters. Final authorization of the proposed budget is dependent upon voter approval unless a contingency budget is adopted by the Board.

Copies of the proposed annual operating budget for the succeeding year to be voted upon at the Annual Meeting and Election shall be available to District residents, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen (14) days immediately preceding such Annual Meeting. The availability of this budget information shall also be included in a legal notice of the Annual Meeting; and such copies of the proposed budget will also be available to District residents at the time of the Annual Meeting and Election. Additionally, the Board will include notice of the availability of copies of the budget at least once during the school year in any District-wide mailing.

The School District budget will be presented in three separately delineated components which are to be voted upon as one proposition: a program component, an administrative component, and a capital component. Additionally, the Board shall attach to the proposed budget those documents mandated pursuant to law and/or Commissioner’s Regulations.

All budget documents for distribution to the public shall be written in plain language and organized in a manner which best promotes public comprehension of the contents.

In the event the original proposed budget is not approved at the Annual District Meeting and Election, the Board may resubmit the original proposed budget or a revised budget for voter approval, or individual propositions may be placed before District voters, at a special meeting held at a later date. In the alternative, if the initial proposed budget is defeated, the Board may adopt a contingency budget and levy taxes as necessary for implementation of the contingency budget expenditures. If the voters fail to approve the second budget submittal, or budget proposition(s), the Board shall adopt a contingency budget in accordance with law.

The School District budget for any school year, or any part of such budget, or any proposition(s) involving the expenditure of money for that school year, shall not be submitted for a vote of the qualified District voters more than twice.

(Continued)
SUBJECT: BUDGET ADOPTION (Cont'd.)

The School District budget, once adopted, becomes the basis for the establishing the tax levy on real property within the District.

Education Law Sections 1608, 1716, 1804(4), 1906(1), 2002(1), 2003(1), 2004(1), 2022, 2023, and 2601-a
8 New York Code of Rules and Regulations (NYCRR)
Sections 100.2(bb), 170.8 and 170.9

NOTE: Refer also to Policy #5110 -- Budget Policy.

Adopted: 03/02/98
SUBJECT: CONTINGENCY BUDGET

The School District budget for any school year or any part of such budget, or any proposition involving the expenditure of money for such school year, shall not be submitted for a vote of the qualified voters of the District more than twice in any school year.

If the original proposed budget is not approved by District voters at the Annual District Meeting and Election, the Board has the option of either resubmitting the original or revised budget for voter approval at a special meeting held at a later date; or the Board may, at that point, adopt a contingency budget and levy a tax for teachers’ salaries and ordinary contingent expenses as enumerated in law. If the Board decides to submit either the original or a revised budget to the voters for a second time, and the voters do not approve the second budget submittal, the Board shall adopt a contingency budget and levy a tax for those expenditures mandated pursuant to law and/or for those services necessary to maintain the educational program.

The contingency budget will include the sum necessary for teachers’ salaries (i.e., professional educator positions certificated by the State Education Department which include teachers, administrators, teaching assistants, and professional specialists in the various areas of pupil personnel services) and ordinary contingent expenses as determined by the Board in accordance with law including, but not limited to, the purchase of library books and other instructional materials associated with the school library; and expenses incurred for interscholastic athletics, field trips and other extracurricular activities. Ordinary contingent expenses include, but are not limited to, legal expenses incurred by the District; expenditures specifically authorized by statute; and other items necessary to maintain the educational program, preserve property, and assure the health and safety of students and staff. As deemed necessary, school counsel may be consulted for review as to those items considered to be ordinary contingent expenses prior to Board adoption of the contingency budget.

In accordance with law, the contingency budget will reflect the statutory expenditure limits imposed on the administrative component of the contingency budget as well as the total spending authorized in the overall contingency budget.

With regard to overall District spending, the contingency budget, as a whole, shall not result in a percentage increase in total spending over the District’s total spending under the school district budget for the prior year that exceeds the lesser of:

a) The result when one hundred twenty percent is multiplied by the percentage increase in the Consumer Price Index (CPI), with the result rounded to two decimal places; or

b) Four percent.

Additionally, the administrative component of the contingency budget shall not comprise a greater percentage of the contingency budget exclusive of the capital component than the lesser of:

a) The percentage the administrative component had comprised in the prior year’s budget exclusive of the capital component; or

(Continued)
SUBJECT: CONTINGENCY BUDGET (Cont’d.)

b) The percentage the administrative component had comprised in the last proposed defeated budget exclusive of the capital component.

The Consumer Price Index to be used refers to the percentage that represents the average of the national consumer price indexes determined by the U.S. Department of Labor for the twelve month period preceding January first of the current year.

In determining the increase in total expenses when computing the contingency budget percentage increase, the following expenditures shall be disregarded:

a) Expenditures resulting from a tax certiorari proceeding;

b) Expenditures resulting from a court order or judgment against the School District;

c) Emergency expenditures that are certified by the Commissioner of Education as necessary as a result of damage to, or destruction of, a school building or school equipment;

d) Capital expenditures resulting from the construction, acquisition, reconstruction, rehabilitation or improvement of school facilities, including debt service and lease expenditures, subject to voter approval;

e) Expenditures in the contingency budget attributable to projected increases in public school enrollment, which may include increases attributable to the enrollment of students attending a pre-kindergarten program established in accordance with Education Law Section 3602-e;

f) Non-recurring expenditures in the prior year’s School District budget; and

g) Expenditure of gifts and grants in aid and use of insurance proceeds.

Should the Board of Education adopt a contingency budget, it will officially pass a resolution reflecting such action; and that resolution shall incorporate by reference a statement specifying the projected percentage increase or decrease in total spending for the school year, and explain the reasons why the Board disregarded any portion of an increase in spending in formulating the contingency budget.

(Continued)
SUBJECT: CONTINGENCY BUDGET (Cont'd.)

Regulations will be developed enumerating a sample list of expenditures which have been determined, pursuant to law, to constitute ordinary contingent expenses. However, the Board reserves the right, in accordance with its legal responsibility, to designate other items as ordinary contingent expenses as deemed necessary to maintain the educational program of the District, preserve property, and assure the health and safety of students and staff.

Education Law Sections 2002, 2023, 2024, and 2601-a

NOTE: Refer also to Policy #5110 -- Budget Policy.

Adopted: 03/16/98
SUBJECT: REVENUES

The School District treasurer will have custody of all District funds in accordance with the provisions of state law. The treasurer will be authorized and directed by the Board to invest the balances available in various District funds in accordance with regulations set forth in state law.

Education Law Sections 1723(a) and 1604(a)
SUBJECT: DISTRICT INVESTMENTS

Whenever the District has funds (including operating funds, reserve funds and proceeds of obligations) that exceed those necessary to meet current expenses, the Board of Education shall authorize the Superintendent and/or Director of Finance and Technology to invest such funds in accordance with all applicable laws and regulations and in conformity with the guidelines established by this policy.

Objective

The objectives of this investment policy are four-fold:

a) Investments shall be made in a manner so as to safeguard the funds of the School District; and

b) Bank deposits shall be made in a manner so as to safeguard the funds of the School District.

c) Investments shall be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the School District.

d) Funds shall be invested in such a way as to earn the maximum yield possible given the first three investment objectives.

Authorization

The authority to deposit and invest funds is delegated to the Superintendent and/or Director of Finance and Technology. These functions shall be performed in accordance with the applicable sections of the General Municipal Law and the Local Finance Law of the State of New York.

The Superintendent and/or Director of Finance and Technology may invest funds in the following eligible investments:

a) Obligations of the State of New York.

b) Obligations of the United States Government, or any obligations for which principal and interest are fully guaranteed by the United States Government.

(Continued)
SUBJECT: DISTRICT INVESTMENTS (Cont'd.)

c) Time Deposit Accounts placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law. [Banking Law Section 237(2) prohibits a savings bank from accepting a deposit from a local government. This also applies to savings and loan associations.]

d) Transaction accounts (demand deposits) both interest bearing and non-interest bearing that do not require notice of withdrawal placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law.

e) Certificates of Deposits placed in a commercial bank authorized to do business in the State of New York providing the Certificates are collateralized as required by law.

f) Securities purchased pursuant to a Repurchase Agreement whereby one party purchases securities from a second party and the second party agrees to repurchase those same securities on a specific future date at an agreed rate of return (the interest rate).

Implementation

Using the policy as a framework, regulations and procedures shall be developed which reflect:

a) A list of authorized investments;

b) Procedures including a signed agreement to ensure the School District's financial interest in investments;

c) Standards for written agreements consistent with legal requirements;

d) Procedures for the monitoring, control, deposit and retention of investments and collateral which shall be done at least once a month;

e) Standards for security agreements and custodial agreements consistent with legal requirements;

f) Standards for diversification of investments including diversification as to type of investments, and firms and banks with whom the School District transacts business; and

g) Standards for qualification of investment agents which transact business with the School District including, at minimum, the Annual Report of the Trading Partner.

(Continued)
SUBJECT: DISTRICT INVESTMENTS (Cont'd.)

This policy shall be reviewed and re-adopted at least annually or whenever new investment legislation becomes law, as staff capabilities change, or whenever external or internal issues warrant modification.

General Municipal Law Section 39
Education Law Sections 1604-a and 1723(a)
Local Finance Law Section 165

Revised: 06/03/96
SUBJECT: PROPERTY TAX EXEMPTION FOR SENIOR CITIZENS

Unless specifically exempted by law, real property used exclusively for residential purposes and owned by one or more persons, each of whom is sixty-five years of age or over, or real property owned by husband and wife, one of whom is sixty-five years of age or over, shall be exempt from taxation to the extent of percentum of the assessed valuation determined by the Board if the owners meet the criteria established annually by the Board.

The real property tax exemption of real property owned by husband and wife, when one of them is sixty-five (65) years of age or over, once granted, shall not be rescinded solely because of the death of the older spouse so long as the surviving spouse is at least sixty-two (62) years of age.

New York State Real Property Tax Law
Section 467

Revised: 09/08/97
SUBJECT: ACCEPTANCE OF GIFTS, GRANTS AND BEQUESTS TO THE SCHOOL DISTRICT

The Board may accept gifts, grants and/or bequests of money, real or personal property, as well as other merchandise which, in view of the Board, add to the overall welfare of the School District, provided that such acceptance is in accordance with existing laws and regulations. However, the Board is not required to accept any gift, grant or bequest and does so at its discretion, basing its judgment on the best interests of the District. Furthermore, the Board will not accept any gift, grant or bequest which constitutes a conflict of interest and/or gives an appearance of impropriety.

At the same time, the Board will safeguard the District, the staff and students from commercial exploitation, from special interest groups, and the like.

The Board will not accept any gifts or grants which will place encumbrances on future Boards, or result in unreasonable additional or hidden costs to the District.

The Board of Education will not formerly consider the acceptance of gifts or grants until and unless it receives the offer in writing from the donor/grantor. Any such gifts or grants donated to the Board and accepted on behalf of the School District must be by official action and resolution passed by Board majority. The Board would prefer the gift or grant to be a general offer rather than a specific one. Consequently, the Board would suggest that the donor/grantor work first with the school administrators in determining the nature of the gift or grant prior to formal consideration for acceptance by the Board. However, the Board, in its discretion, may direct the Superintendent of Schools to apply such gift or grant for the benefit of a specific school or school program.

The Board is prohibited, in accordance with the New York State Constitution, from making gifts/charitable contributions with School District funds.

Gifts and/or grants of money to the District shall be annually accounted for under the trust and agency account in the bank designated by the Board of Education.

All gifts, grants and/or bequests shall become School District property. A letter of appreciation, signed by the President of the Board and the Superintendent, may be sent to a donor/grantor in recognition of his/her contribution to the School District.

New York State Constitution Article 8, Section 1
Education Law Sections 1709(12) and (12-a) and 1718(2)
General Municipal Law Section 805-a (1)

Revised: 02/09/98
SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION

A tax collection plan giving dates of warrant and other pertinent data shall be prepared annually and submitted for review and consideration by the School Business Manager to the Board of Education.

Real Property Tax Law Section 1302
Education Law Section 2130
SUBJECT: SALE AND DISPOSAL OF SCHOOL DISTRICT PROPERTY

Sale of School Property

No sale of school property shall be made without prior approval of the Board of Education. However, the responsibility for such sales may be delegated. The net proceeds from the sale of school property shall be deposited in the General Fund.

Disposal of School District Property

Equipment

School District equipment that is obsolete, surplus, or unusable by the District shall be disposed of in such a manner that is advantageous to the District.

In order to sell District equipment, a bona fide public sale must take place with adequate public notice of the sale. It cannot be sold ordinarily to any employee except at a public sale for a reasonable price.

Failure to produce monetary return to the School District after reasonable attempts to dispose of unnecessary equipment may result in disposal of equipment in any other appropriate manner, provided authorization is obtained from the Superintendent/designee. There is a general prohibition against giving School District equipment away to private citizens. Items can be given to other municipal corporations if the property has no resale value.

Textbooks

Textbooks may lose their value to the educational program because of changes in the curriculum or they contain outdated material and/or are in poor condition.

If textbooks are no longer useful or usable, the procedures for disposal shall adhere to the following order of preference:

a) Sale of textbooks. If reasonable attempts to dispose of surplus textbooks fail to produce monetary return to the School District; then

b) Donation to charitable organizations; or

c) Disposal as trash.

Comptroller's Opinions 58-120, 60-662
Education Law Section 1709(9)(11)
SUBJECT: EXPENDITURES OF SCHOOL DISTRICT FUNDS

The Board of Education authorizes the Purchasing Agent to expend school funds as appropriated by approved operational and capital budgets, and by the adoption of special resolutions. He/she will make expenditures in accordance with applicable law and in a manner that will achieve the maximum benefit from each dollar expended.

All claims shall be properly confirmed and verified before payment.

Complete records of all expenditures shall be maintained for future analysis and reporting within the time frame required by the Records Disposition Law or regulation.
SUBJECT: BONDING OF DISTRICT PERSONNEL

School District personnel to include the School Business Official, District Treasurer, Tax Collector, Claims Auditor, Deputy District Treasurer and Central Treasurer of Student Activities Funds will be bonded in accordance with Education Law. The district will carry an employee Blanket Bond to cover all other employees. The amount of such bond shall be determined by the Board of Education and approved annually.

Education Law Section 2130.5
Public Officers Law Section 11(2)

Adopted 1990
Revised and Board of Education Approval: 8/17/09
Revised and Board of Education Approval: 7/7/14
SUBJECT: BORROWING POLICY

Short Term Borrowing

The Local Finance Law Section 15.00 et seq. authorizes operating borrowing to cover cash-flow shortfalls including: Revenue Anticipation Notes, Tax Anticipation Notes or Budget Notes. These types of borrowing must be authorized by the Board of Education through the adoption of a formal Borrowing Resolution.

Capital Borrowing

Capital Borrowing may include Bond Anticipation Notes, Statutory Installment Bonds, and Serial Bonds. These borrowing are only authorized for items for which a Period of Probable Usefulness has been established by the New York Legislature through Section 11.00 of the Local Finance Law. These borrowing, generally, may only be undertaken after a positive public majority vote at the Annual or special election. The Board of Education must formalize the authority for the indebtedness by adopting a legally complete formal BOND RESOLUTION prior to any borrowing. The text of the Bond Resolution, vote and legal notices should be prepared by a recognized bond counsel. The Board of Education hereby delegates its authority to set the terms and conditions of any borrowing to the President of the Board of Education as Chief Fiscal Officer of the District.

Local Finance Law Sections 11 and 15 et seq.

Adopted: 06/03/96
SUBJECT: PURCHASING

The District's purchasing activities will be part of the responsibilities of the Business Office, under the general supervision of the Purchasing Agent designated by the Board of Education. The purchasing process should enhance school operations and educational programs through the procurement of goods and services deemed necessary to meet District needs.

Competitive Bids and Quotations

As required by law, the Superintendent will follow normal bidding procedures in all cases where needed quantities of like items will total the maximum level allowed by law during the fiscal year, (similarly for public works-construction, repair, etc.) and in such other cases that seem to be to the financial advantage of the School District.

A bid bond may be required if considered advisable.

No bid for supplies shall be accepted that does not conform to specifications furnished unless specifications are waived by Board action. Contracts shall be awarded to the lowest responsible bidder who meets specifications. However, the Board may choose to reject any bid.

Rules shall be developed by the administration for the competitive purchasing of goods and services.

The Superintendent may authorize purchases within the approved budget without bidding if required by emergencies and are legally permitted.

The Superintendent is authorized to enter into cooperative bidding for various needs of the School District.

Request for Proposal Process for the Independent Auditor

In accordance with law, no audit engagement shall be for a term longer than five (5) consecutive years. The District may, however, permit an independent auditor engaged under an existing contract for such services to submit a proposal for such services in response to a request for competitive proposals or be awarded a contract to provide such services under a request the proposal process.

Procurement of Goods and Services

The Board of Education recognizes its responsibility to ensure the development of procedures for the procurement of goods and services not required by law to be made pursuant to competitive bidding requirements. These goods and services must be procured in a manner so as to:

a) Assure the prudent and economical use of public moneys in the best interest of the taxpayer;

b) Facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and

c) Guard against favoritism, improvidence, extravagance, fraud and corruption.

(Continued)
SUBJECT: PURCHASING (Cont'd.)

These procedures shall contain, at a minimum, provisions which:

a) Prescribe a process for determining whether a procurement of goods and services is subject to competitive bidding and if it is not, documenting the basis for such determination;

b) With certain exceptions (purchases pursuant to General Municipal Law, Section 186; State Finance Law, Sections 175-a and 175-b; State Correction Law, Section 184; or those circumstances or types of procurements set forth in (f) of this section), provide the alternative proposals or quotations for goods and services shall be secured by use of written request for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of Section 104-b of General Municipal Law;

c) Set forth when each method of procurement will be utilized;

d) Require adequate documentation of actions taken with each method of procurement;

e) Require justification and documentation of any contract awarded to other than the lower responsible dollar offer, stating the reasons; and

f) Set forth any circumstances when, or the types of procurement for which, the solicitation of alternative proposals or quotations will not be in the best interest of the District.

Any unintentional failure to fully comply with these provisions shall not be grounds to void action taken or give rise to a cause of action against the District or any District employee.

The Board of Education shall solicit comments concerning the District's policies and procedures; from those employees involved in the procurement process. All policies and procedures regarding the procurement of goods and services shall be reviewed annually by the Board.

Alternative Formats for Instructional Materials

Preference in the purchase of instructional materials will be given to vendors who agree to provide materials in a usable alternative format (i.e., any medium or format, other than a traditional print textbook, for presentation of instructional materials that is needed as an accommodation for each student with a disability, including students requiring Section 504 Accommodation Plans, enrolled in the School District). Alternative formats include, but are not limited to, Braille, large print, open and closed captioned, audio, or an electronic file in an approved format as defined in Commissioner's Regulations.

District Plan

The District has developed a plan to ensure that all instructional materials to be used in the schools of the District are available in a usable alternative format for each student with a disability, including students requiring Section 504 Accommodation Plans, in accordance with his or her educational needs and course selection, at the same time as such instructional materials are available to non-disabled students. The District Plan shall include those provisions mandated by Education Law and Commissioner's Regulations.

(Continued)
SUBJECT: PURCHASING (Cont'd.)

Environmentally Sensitive Cleaning and Maintenance Products

In accordance with Commissioner's Regulations, State Finance Law and Education Law, effective with the 2006-2007 school year, the District shall follow guidelines, specifications and sample lists when purchasing cleaning and maintenance products for use in its facilities. Such facilities include any building or facility used for instructional purposes and the surrounding grounds or other sites used for playgrounds, athletics or other instruction.

Environmentally sensitive cleaning and maintenance products are those, which minimize adverse impacts on health and the environment. Such products reduce as much as possible exposures of children and school staff to potentially harmful chemicals and substances used in the cleaning and maintenance of school facilities. The District shall identify and procure environmentally sensitive cleaning and maintenance products, which are available in the form, function and utility generally used. Coordinated procurement of such products as specified by the Office of General Services (OGS) may be done through central state purchasing contracts to ensure that the District can procure these products on a competitive basis.

The District shall notify their personnel of the availability of such guidelines, specifications and sample product lists.

Apparel and Sports Equipment Purchases

Competitive Bidding Purchases

The Board of Education will only accept bids from "responsible bidders." A determination that a bidder on a contract for the purchase of apparel or sports equipment, is not a "responsible bidder" shall be based upon either or both of the following considerations:

a) The labor standards applicable to the manufacture of the apparel, or sports equipment, including but not limited to employee compensation, working conditions, employee rights to form unions, and the use of child labor; or

b) The bidder's failure to provide information sufficient for the Board of Education to determine the labor standards applicable to the manufacture of the apparel or sports equipment.

Non-Competitive Bidding Purchases

The Board's internal policies and procedures governing procurement of apparel or sports equipment, where such procurement is not required to be made pursuant to competitive bidding requirements, shall prohibit the purchase of apparel or sports equipment, from any vendor based upon either or both of the following considerations:

a) The labor standards applicable to the manufacture of the apparel or sports equipment, including but not limited to employee compensation, working conditions, employee rights to form unions, and the use of child labor; or

b) The bidder's failure to provide information sufficient for the Board of Education to determine the labor standards applicable to the manufacture of the apparel or sports equipment.

(Continued)
SUBJECT: PURCHASING (Cont'd.)

Contracts for Goods and Services

No contracts for goods and services shall be made by individuals or organizations in the school that involve expenditures without first securing approval for such contract from the Purchasing Agent.

No Board member or employee of the School District shall have an interest in any contract entered into by the Board or the School District.

Upon the adoption of a resolution by a vote of at least three-fifths of all Board members stating that for reasons of efficiency or economy there is need for standardization, purchase contracts for a particular type or kind of equipment, materials or supplies of more than ten thousand dollars may be awarded by the Board to the lowest responsible bidder furnishing the required security after advertisement for sealed bids in the manner provided in law.

Education Law Sections 305(14), 409-i, 1604, 1709, 1950, 2503, 2554 and 3602
General Municipal Law Articles 5-A and 18
State Finance Law Section 163-b
8 New York Code of Rules and Regulations (NYCRR)
Sections 170.2, 200.2(b)(10), 200.2(c)(2) and 200.2(i)
SUBJECT: ALTERNATIVE FORMATS FOR INSTRUCTIONAL MATERIALS

Preference in the purchase of instructional materials will be given to vendors who agree to provide materials in a usable alternative format (i.e., any medium or format, other than a traditional print textbook, for presentation of instructional materials that is needed as an accommodation for each student with a disability, including students requiring Section 504 Accommodation Plans, enrolled in the School District). Alternative formats include, but are not limited to, Braille, large print, open and closed captioned, audio, or an electronic file in an approved format as defined in Commissioner's Regulations.

The District has adopted the National Instructional Materials Accessibility Standard (NIMAS) to ensure that curriculum materials are available in a usable alternative format for students with disabilities. The District will be responsible to ensure that each student who requires instructional materials in an alternate format will receive it in a timely manner and in a format that meets NIMAS standards.

The District will establish a plan to ensure that instructional materials in a usable alternative format for each student with a disability (including students requiring Section 504 Accommodation Plans) are based upon the student's educational needs and course selections, and will be available at the same time as such instructional materials are available to non-disabled students.

Such Plan will:

a) Ensure that the District gives a preference in the purchase of instructional materials it has selected for its students to those vendors who agree to provide such instructional materials in alternative formats;

b) Specify when an electronic file is provided, how the format will be accessed by students and/or how the District will convert to an accessible format;

c) Specify the process to be used when ordering materials to identify the needs of students with disabilities residing in the District for alternative format materials;

d) Specify ordering timelines to ensure that alternative format materials are available at the same time as regular format materials are available; and

e) Include procedures so that when students with disabilities move into the School District during the school year, the process to obtain needed materials in alternative formats for such students is initiated without delay.

20 USC Section 1474(e)(3)(B)
8 NYCRR Sections 200.2(b)(10), 200.2(c)(2) and 200.2(i)

Board of Education Approval 12/17/18
SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS

The District will follow all applicable requirements in the Uniform Grant Guidance (2 CFR Part 200) whenever it procures goods or services using federal grant funds awarded through formula and/or discretionary grants, including funds awarded by the United States Department of Education as grants or funds awarded to a pass-through entity, such as the New York State Education Department, for subgrants.

Uniform Grant Guidance Requirements

Under the Uniform Grant Guidance, the District will, among other things:

a) Use its own documented procurement procedures which reflect applicable state, local and tribal laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in the Uniform Grant Guidance.

b) Establish and maintain effective internal controls that provide reasonable assurance that the District is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. Internal controls means a process, implemented by the District, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:

1. Effectiveness and efficiency of operations;
2. Reliability of reporting for internal and external use; and
3. Compliance with applicable laws and regulations.

c) Comply with federal statutes, regulations, and the terms and conditions of the federal awards.

d) Evaluate and monitor the District's compliance with statutes, regulations, and the terms and conditions of federal awards.

e) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

f) Take reasonable measures to safeguard protected personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive or the District considers sensitive consistent with applicable federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

g) Maintain oversight to ensure contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(Continued)
SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS
(Cont'd.)

h) Maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts.

i) Have procurement procedures in place to avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase.

j) Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to matters such as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

k) Maintain records that sufficiently detail the history of the procurement including, but not limited to:

   1. Rationale for the method of procurement;
   2. Selection of contract type;
   3. Contractor selection or rejection; and
   4. The basis for the contract price.

l) Use time and material contracts, only after a determination that no other contract is suitable and the contract includes a ceiling price that the contractor exceeds at its own risk.

m) Conduct all procurement transactions in a manner providing full and open competition consistent with the standards of the Uniform Grant Guidance.

n) Conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference.

o) Have written procedures for procurement to ensure that all solicitations:

   1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured; and
   2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids.

(Continued)
SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS (Cont'd.)

p) Ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition.

q) Use one of the following methods of procurement, which include:

1. Micro-purchases;
2. Small purchase procedures;
3. Sealed bids;
4. Competitive proposals; and
5. Noncompetitive proposals.

r) Have a written method for conducting technical evaluations of the proposals received and for selecting recipients.

s) Take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

t) Include in all contracts made by the District the applicable provisions contained in Appendix II of the Uniform Grant Guidance -- Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.

u) Perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications.

v) Negotiate profit as a separate element of the price for each contract in which there is not price competition and in all cases where an analysis is performed.

w) Comply with the non-procurement debarment and suspension standards which prohibit awarding contracts to parties listed on the government-wide exclusions in the System for Award Management (SAM).

2 CFR Part 200, App. II

(Continued)
SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS (Cont'd.)

NOTE: Refer also to Policies #5410 -- Purchasing
     #5411 -- Procurement of Goods and Services
     #5580 -- Financial Accountability
     #5670 -- Records Management
     #6110 -- Code of Ethics for All District Personnel
SUBJECT: CONTRACTS FOR SERVICES AND MATERIALS

No contracts for services or materials shall be made by individuals or organizations in the school that involve expenditures without first securing approval for such contract from the Purchasing Agent.
SUBJECT: CREDIT/PURCHASING CARDS

The district recognizes that credit/purchasing cards are an essential requirement for persons traveling/purchasing supplies or materials in the ordinary course of business. The District also recognizes that credit/purchasing cards must be carefully controlled to prevent the possibility of fraud and abuse.

Cardholders are limited to:
1. Superintendent;
2. Director of Finance and Technology;
3. Principals;
4. Board President;
5. Board Vice-president;
6. Secretary to the Superintendent; and
7. Account Clerk

Corporate credit/purchasing cards may be made available to persons if deemed appropriate by the Superintendent or Director of Finance.

Use of credit/purchasing cards shall be limited to expenses incurred in the performance of the job functions of the cardholders. Cardholders and those individuals receiving permission to use the cards (for example, to pay for expenses while attending a conference) incurring expenses through a credit/purchasing card shall be responsible for submitting all original documentation (cash register receipts, charge slip, shipping invoice, online print screen of order) as soon as possible after the purchase is made. It is the card user's responsibility to obtain tax-exempt certificates from the business office so that sales tax is not charged to the account. At no time is the cardholder or user permitted to use the district credit/purchasing card for a transaction that is strictly personal in nature.

Misuse of the credit/purchasing card will result in revocation of the credit/purchasing card and, if necessary, appropriate disciplinary action. Liability for misuse of these cards shall accrue directly to the cardholder or user and not to the district.

Board of Education Approved: 8/15/05
SUBJECT: MEALS AND REFRESHMENTS

The Board of Education recognizes that from time to time it may be appropriate to provide meals and/or refreshments at Panama Central School meetings and/or events, which are being held for an educational purpose. Any expenditure made on such meals and/or refreshments should be appropriately documented with an itemized receipt, and submitted to the business office for the purposes of audit and possible reimbursement.

Whenever meals and/or refreshments are ordered, the person making the request shall indicate the date, purpose of the meeting and identify the group in attendance. It is acknowledged that meal and/or refreshment expenditures may be incurred as an extension of the responsibilities of employees or to continue to enhance a specific activity or event that is being held for a business purpose. In such instances, documentation as noted above, as well as itemized receipts, shall be submitted to the business office for the purposes of audit and possible reimbursement.

Examples of authorized categories of expenditures include but are not limited to refreshments for staff on orientation day at the beginning of each year, refreshments for Superintendent’s Conference Day, community/Panama Central School meetings, staff meetings and workshops at which Panama Central School business is conducted.

Board of Education Adoption and Approval: 1/9/06
SUBJECT: ACCOUNTING OF FUNDS

Accounting and reporting procedures shall be developed to facilitate analysis and evaluation of the District's financial status and fixed assets. The District will use the Uniform System of Accounts for School Districts.

Books and records of the District shall be maintained in accordance with statutory requirements.

Provision shall be made for the adequate storage, security, and disposition of all financial and inventory records.

Online Banking

The Board has entered into a written agreement with designated banks and trust companies for online banking and electronic or wire transfers, which includes the implementation of a security procedure for all transactions. Online transactions must be authorized by the District's Business Executive. The District Treasurer, with a separate established user name and password, will have the authority to process online banking transactions. The Business Office Clerk or Deputy Treasurer, with a separate established user name and password, will be responsible for online banking transactions in the event the District Treasurer is not available, or as a job responsibility delegated to him/her by the District Treasurer. A monthly report of all online banking activity will be reviewed by staff independent of the online banking process and reconciled with the bank statement. Online banking will only take place on secure District computers located inside the Treasurer's or Business Office.

Electronic Transactions and Wire Transfers

Procedures will be implemented specifying who is authorized to initiate, approve, transmit, record, review and reconcile electronic transactions. At least two individuals will be involved in each transaction. Authorization and transmitting functions will be segregated and, whenever possible, the recording function will be delegated to a third individual.

The District will enter into written wire transfer security agreements for District bank accounts which will include established procedures for authenticating wire transfer orders.

All wire transfers must be authorized by the District’s Business Executive or his/her designee. Dual approval controls will be established for non-routine wire transfer orders.

The Internal Auditor will periodically confirm that wire transfers have appropriate signatures, verification and authorization of proper personnel.

Education Law Section 2116-a
General Municipal Law Article 2 Section 5, 5-a, 5-b, 99-b
N.Y. UCC Section 4-A-201

Board of Education Approval: 1990; Update Approval 11/5/12
SUBJECT: RETURNED CHECK ITEM POLICY

A check returned from the bank for "NOT SUFFICIENT FUNDS"

1) The amount of the check will be deducted from the activity treasury and the advisor notified.

2) The District Student Activity Treasurer will notify the maker of the check informing him/her that their check was returned to Panama Central School because of "Not Sufficient Funds". The Treasurer will notify the maker that the District is assessing a $20.00 service fee and they have ten (10) business days to make payment, in cash or money order only, to the Student Activity Treasurer.

   Additionally, after a check has been deposited and returned a second time, the District Student Activity Treasurer will send a certified letter informing the maker that all bank fees and the amount of the check is due in cash or money order only to the Student Activity Treasurer in ten (10) business days. A copy of this District policy will accompany the letter.

3) After the ten (10) business days, the check will be turned over to the Chautauqua County Sheriff's Department for legal processing.

4) Check fees reimbursed from the maker of the returned check will be deposited in the Student Council Account. The check amount, when paid by the maker, will go into the activity treasury.

A check returned from the bank for "ACCOUNT CLOSED"

1) Upon notice from the bank, the District Student Activity Treasurer will immediately send a certified letter to the maker of the check informing him/her that their check was returned to Panama Central School because of "Account Closed." The letter will explain to the maker that the District is assessing an additional $20.00 service fee to the amount of the check. The maker will also be informed that they have ten (10) business days to make payment, in cash or money order only, to the Student Activity Treasurer or legal action will be taken.

2) After the ten (10) business days with no response, the check will be turned over to the Chautauqua County Sheriff's Department for legal processing.

3) Check fees reimbursed from the maker of the returned check will be deposited in the Student Council Account. The check amount, when paid by the maker, will go into the activity treasury.
SUBJECT: MAINTENANCE OF FUND BALANCE

General Provisions

The Board of Education recognizes that the maintenance of a fund balance is essential to the financial integrity of the District insofar as it helps mitigate current and future risks and assists in ensuring stable tax rates. Consistent with this understanding, the Board adopts the following standards and practices.

Classification of Funds

The District will ensure that funds are classified consistent with Governmental Accounting Standards Board (GASB) Statement Number 54, Fund Balance Reporting and Governmental Fund Type Definitions. Consequently, fund balance amounts will be categorized as non-spendable, restricted, committed, assigned, or unassigned.

Unassigned Fund Balance

Minimum Unassigned Fund Balance

In order to maintain financial stability and protect against cash flow shortfalls, the Board of Education will strive to maintain an unassigned fund balance of at least *2% of the current year's budgeted expenses. In the event such balance falls below the *2% floor, the District will seek to replenish deficiencies through reducing expenses and/or increasing revenue.

Maximum Unassigned Fund Balance

In order to support normal operating costs and provide fiscal stability for the District, the Board of Education will also strive to ensure that the unassigned fund balance does not exceed 4% of the current year's budgeted expenditures.

Fund Balance and Budget Development

The District's ability to maintain its unassigned fund balance within the limits articulated above is contingent upon the development of a reasonable budget. Consequently, the District will develop and adopt budgets that, to the extent possible, reflect the anticipated revenues and expenditures.

Likewise, the District will ensure that appropriate reserve funds are established and utilized, consistent with applicable law and District policy, to ensure the fund balance is sufficient to meet District needs.

(Continued)
SUBJECT: MAINTENANCE OF FUND BALANCE (Cont'd.)

Compliance

The District will adhere to the reporting requirements of Article 3 of the General Municipal Law of the State of New York, and the practices set forth in GASB Statement Number 54.

NOTE: Refer also to Policies #5110 -- Budget Planning and Development
      #5512 -- Reserve Funds

Board of Education Approval and Update: 6/20/11, 7/13/15
SUBJECT: EXTRACLASSROOM ACTIVITIES FUND

An extraclassroom fund shall be established for the various organizations of the secondary school program. Only activities administered by student officers shall be included in an extraclassroom fund.

School, organizational, and class funds shall be kept according to standards of good financial management. Proper books will be kept and all moneys deposited in appropriate accounts as set up by the Board of Education. These accounts shall be subject to audit.

All moneys left in the Senior Class Fund after the graduation of the class shall be transferred to Student Council.

All transactions involving extraclassroom funds shall be on a cash basis and no accounts shall remain unpaid at the end of the school year. Receipts and payments from these funds shall be governed by regulations established by the building principal with the approval of the Superintendent of Schools.

8 New York Code of Rules and Regulations
(NYCRR) Section 172.2
SUBJECT: PETTY CASH FUND

A petty cash fund of one hundred dollars ($100) shall be maintained in each school building as approved by the Board of Education. At the time of reimbursement, an itemized statement of expenditures, together with substantiating receipts, shall be submitted. Such accounts shall be authorized by Board resolution at the Organizational Meeting.

Education Law Sections 1604, 1709
8 New York Code of Rules and Regulations (NYCRR)
Section 170.4
SUBJECT: CASH IN SCHOOL BUILDINGS

Not more than $1500, whether District or extra-classroom funds, shall be held in the vault in the main office of each District school building. Under no circumstances shall cash be left in classroom areas or desks. The District will not be responsible for funds left unprotected.

All funds, whether District or extra-classroom funds, shall be deposited prior to close of school each week. Only authorized personnel designated by the building administrator shall be allowed in the main office vault.
SUBJECT: USE OF FEDERAL FUNDS FOR POLITICAL EXPENDITURES

The Board of Education prohibits the use of any federal funds for partisan political purposes or expenditures of any kind by any person or organization involved in the administration of federally-assisted programs.

This policy refers generally, but is not limited to, lobbying activities, publications, or other materials intended for influencing legislation or other partisan political activities.

In recognition of this stricture, the Board of Education assigns the Purchasing Agent the responsibility of monitoring expenditures of federal funds so that said funds are not used for partisan political purposes by any person or organization involved in the administration of any federally-assisted programs.

Compliance Supplement for Single Audit of State and Local Governments
(revised September 1990) supplementing OMB Circular A-128

NOTE: Refer also to Policy #6430 -- Employee Activities.

Adopted: 09/23/96
SUBJECT: MAINTENANCE OF FISCAL EFFORT (TITLE I PROGRAMS)

A Local Educational Agency (LEA) may receive its full allocation of Title I funds if the combined fiscal effort per student or the aggregate expenditures of state and local funds with respect to the provision of free public education in the (LEA) for the preceding fiscal year was not less than ninety percent (90%) of the combined fiscal effort per student or the aggregate expenditures for the second preceding fiscal year.

In determining an LEA's compliance with the maintenance of effort requirement, the State Educational Agency (SEA) shall consider the LEA's expenditures from state and local funds for free public education. These include expenditures for administration, instruction, attendance, health services, student transportation services, plant operation and maintenance, fixed charges, and net expenditures to cover deficits for food services and student body activities.

The SEA shall not consider the following expenditures in determining an LEA's compliance with the maintenance of effort requirements:

a) Any expenditures for community services, capital outlay, and debt service;

b) Any expenditures made from funds provided by the federal government for which the LEA is required to account to the federal government directly or through the SEA.

The Board of Education assigns the School Business Official the responsibility of reviewing, as part of the budgeting process, combined fiscal effort so that expenditures of state and local funds with respect to the provision of free public education per student and in the aggregate for any fiscal year are not budgeted at less than ninety percent (90%) of the combined fiscal effort per student or the aggregate of expenditures for the preceding fiscal year.

Title I of the Elementary and Secondary Education Act of 1965, as amended by the Improving America's Schools Act of 1994
34 Code of Federal Regulations (CFR) Part 200

Adopted: 11/17/97
SUBJECT: AUDIT COMMITTEES

No later than January 1, 2006, an Audit Committee shall be established by Board resolution. The Audit Committee may consist of:

a) The Board of Education as a whole;

b) A subcommittee of the Board of Education; or

c) An Advisory Committee that may include, or be composed entirely of persons other than Board members if, in the opinion of the Board, such membership is advisable to provide accounting and auditing expertise.

The Audit Committee shall consist of at least three (3) members who shall serve without compensation, but shall be reimbursed for any actual and necessary expenditure incurred in relation to attendance at meetings. Employees of the District are prohibited from serving on the Audit Committee. Members of the Audit Committee shall be deemed School District Officers, but shall not be required to be residents of the School District.

The role of the Audit Committee shall be advisory unless the Audit Committee consists of at least a quorum of Board members, and any recommendations it provides to the Board shall not substitute for any required review and acceptance by the Board of Education.

The responsibilities of the Audit Committee include the following:

a) Provide recommendations regarding the appointment of the External (Independent) Auditor for the District;

b) Meet with the External (Independent) Auditor prior to commencement of the audit;

c) Review and discuss with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable;

d) Receive and review the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assist the Board of Education in interpreting such documents;

e) Make a recommendation to the Board on accepting the annual audit report; and

f) Review every corrective action plan developed by the School District and assist the Board in its implementation.

(Continued)
SUBJECT: AUDIT COMMITTEES (Cont'd.)

Additional responsibilities of the Audit Committee include: assisting in the oversight of the Internal Audit Function including, but not limited to, providing recommendations regarding the appointment of the Internal Auditor; reviewing significant findings and recommendations of the Internal Auditor; monitoring the School District's implementation of such recommendations; and evaluating the performance of the Internal Audit Function.

The Audit Committee may conduct an Executive Session pursuant to Public Officers Law Section 105 pertaining to the following matters:

a) To meet with the External (Independent) Auditor prior to commencement of the audit;

b) To review and discuss with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable; and

c) To receive and review the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assist the Board of Education in interpreting such documents.

Any Board member who is not a member of the Audit Committee may be allowed to attend an Audit Committee meeting if authorized by a Board resolution. However, if such Board member's attendance results in a meeting of a quorum of the full Board, any action taken by formal vote may constitute official Board action.

Education Law Sections 2116-c, and 3811-3813
Public Officers Law Sections 105(b), 105(c) and 105(d)
8 New York Code of Rules and Regulations (NYCRR)
Section 170.12(d)
SUBJECT: INTERNAL AUDIT FUNCTION

No later than July 1, 2006, the District shall establish an Internal Audit Function to be in operation no later than December 31, 2006. The Internal Audit Function shall include:

a) Development of a risk assessment of District operations including, but not limited to, a review of financial policies and procedures and the testing and evaluation of District internal controls;

b) An annual review and update of such risk assessment;

c) Preparation of reports, at least annually or more frequently as the Board may direct, which analyze significant risk assessment findings; and

d) Recommendation of changes for strengthening controls and reducing identified risks, and the specification of timeframes for implementation of such recommendations.

The District is permitted to utilize existing District personnel to fulfill the Internal Audit Function, but such persons shall not have any responsibility for other business operations of the District while performing Internal Audit Functions. The District shall also be permitted to use inter-municipal cooperative agreements, shared services to the extent authorized by Education Law Section 1950 or independent contractors to fulfill the Internal Audit Function as long as the personnel or entities performing this Function comply with any Regulations issued by the Commissioner of Education and meet professional auditing standards for independence between the auditor and the District.

Personnel or entities performing the Internal Audit Function shall report directly to the Board of Education. The Audit Committee shall assist in the oversight of the Internal Audit Function on behalf of the Board.

Education Law Sections 1950, 2116-b and 2116-c
8 New York Code of Rules and Regulations (NYCRR)
Section 170.12(d)
SUBJECT: FINANCIAL ACCOUNTABILITY

School districts must have internal controls in place to ensure that the goals and objectives of the District are accomplished; laws, regulations, policies, and good business practices are complied with; operations are efficient and effective; assets are safeguarded; and accurate, timely and reliable data are maintained.

The Panama Central School District's governance and control environment will include the following:

a) The District's code of ethics addresses conflict of interest transactions with Board members and employees. Transactions that are less-than-arm's length are prohibited. Less-than-arm's length is a relationship between the District and employees or vendors who are related to District officials or Board members.

b) The Board requires corrective action for issues reported in the Certified Public Accountant's (CPA's) management letter, audit reports, the Single Audit, and consultant reports.

c) The Board has established the required policies and procedures concerning District operations.

d) The Board routinely receives and discusses the necessary fiscal reports including the:
   1. Treasurer's cash reports,
   2. Budget status reports,
   3. Revenue status reports,
   4. Quarterly extra-classroom activity fund reports, and
   5. Fund balance projections (usually starting in January).

e) The District has a long-term (three to five years) financial plan for both capital projects and operating expenses.

f) The District requires attendance at training programs for Board members, business officials, treasurers, claims auditors, and others to ensure they understand their duties and responsibilities and the data provided to them.

g) The Board has an audit committee to assist in carrying out its fiscal oversight responsibilities.

h) The District's information systems are economical, efficient, current, and up-to-date.

i) All computer files are secured with passwords or other controls, backed up on a regular basis, and stored at an off site location.

j) The District periodically verifies that its controls are working efficiently.

k) The District requires all staff to take vacations during which time another staff member performs the duties of the staff on vacation.

8 New York Code of Rules and Regulations (NYCRR) Section 170.12
SUBJECT: PUBLICATION OF DISTRICT'S ANNUAL FINANCIAL STATEMENT

In compliance with Education Law, as a Central School District, the Board of Education is required to publish a financial statement, including a full, detailed account of moneys received and moneys expended, at least once a year, during either July or August. This annual financial report will be in the form prescribed in Commissioner's Regulations.

The law requires that the information be published in one public newspaper, which is published in the District. If no public newspaper is published in the District, then the District must use a newspaper having general circulation in the District. If no public newspaper is published in the District, and there is no newspaper having general circulation in the District, then the School District must provide the information to the taxpayers by posting copies in five public places in the District.

Education Law Sections 1610, 1721, 2117, 2528 and 2577
8 New York Code of Rules and Regulations (NYCRR) · Section 170

Board of Education Approval 5/5/03
Update and Approval 7/9/07
SUBJECT: ALLEGATIONS OF FRAUD

Reporting and Investigations of Allegations of Fraud

All Board members and officers, District employees and third party consultants are required to abide by the District's policies, administrative regulations and procedures in the conduct of their duties. Further, all applicable federal and/or state laws and regulations must be adhered to in the course of District operations and practices. Any individual who has reason to believe that financial improprieties or wrongful conduct is occurring within the School System is to disclose such information according to the reporting procedures established by the District. The reporting procedures will follow the chain of command as established within the department or school building or as enumerated in the District's Organizational Chart. In the event that the allegations of financial improprieties/fraud and/or wrongful conduct concern the investigating official, the report shall be made to the next level of supervisory authority. If the chain of supervisory command is not sufficient to ensure impartial, independent investigation, allegations of financial improprieties/fraud and/or wrongful conduct will be reported as applicable, to the Internal Auditor (if available), or the Independent (External) Auditor, or the School Attorney, or the Board of Education. The District's prohibition of wrongful conduct, including fraud, will be publicized within the District as deemed appropriate; and written notification will be provided to all employees with fiscal accounting/oversight and/or financial duties including the handling of money.

Upon receipt of an allegation of financial improprieties/fraud and/or wrongful conduct, the Board or designated employee(s) will conduct a thorough investigation of the charges. However, even in the absence of a report of suspected wrongful conduct, if the District has knowledge of, or reason to know of, any occurrence of financial improprieties/fraud and/or wrongful conduct, the District will investigate such conduct promptly and thoroughly. To the extent possible, within legal constraints, all reports will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a "need to know" basis. Written records of the allegation, and resulting investigation and outcome will be maintained in accordance with law.

Based upon the results of this investigation, if the District determines that a school employee, school official, or school officer has engaged in financial improprieties/fraudulent and/or wrongful actions, appropriate disciplinary measures will be applied, up to and including termination of employment, in accordance with legal guidelines, District policy and regulation, and any applicable collective bargaining agreement. Third parties who are found to have engaged in financial improprieties/fraud and/or wrongful conduct will be subject to appropriate sanctions as warranted and in compliance with law. The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted. Rather, when school officials receive a complaint or report of alleged financial improprieties/fraud and/or wrongful conduct that may be criminal in nature, law authorities should be immediately notified.

An appeal procedure will also be provided, as applicable, to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable investigating officer(s).

(Continued)
SUBJECT: ALLEGATIONS OF FRAUD (Cont'd.)

Protection of School Employees who Report Information Regarding Illegal or Inappropriate Financial Practices

Any employee of the School District who has reasonable cause to believe that the fiscal practices or actions of an employee or officer of the District violates any local, state, federal law or rule and regulation relating to the financial practices of the District, and who in good faith reports such information to an official of the District, or to the Office of the State Comptroller, the Commissioner of Education, or to law enforcement authorities, shall have immunity from any civil liability that may arise from the making of such report. Further, neither the School District, nor employee or officer thereof, shall take, request, or cause a retaliatory action against any such employee who makes such a report.

The Board also prohibits any retaliatory behavior directed against any witnesses and/or any other individuals who participate in the investigation of an allegation of illegal or inappropriate fiscal practices or actions. Follow-up inquiries shall be made to ensure that no reprisals or retaliatory behavior has occurred to those involved in the investigation. Any act of retaliation is prohibited and subject to appropriate disciplinary action by the District.

Knowingly Makes False Accusations

Any individual who knowingly makes false accusations against another individual as to allegations of financial improprieties/fraud may also face appropriate disciplinary action.

Education Law Section 3028-d
SUBJECT: INSURANCE

The objective of the Board of Education is to obtain the best possible insurance at the lowest possible cost, and to seek advice from an Insurance Appraisal Service to determine that adequate coverage is being provided regarding fire, boiler, general liability, bus and student accident insurance.

The Board shall carry insurance to protect the District's real and personal property against loss or damage. This property shall include school buildings, the contents of such buildings, school grounds and automobiles.

The Board may also purchase liability insurance to pay damages assessed against Board members and District employees acting in the discharge of their respective duties, within the scope of their employment and under the direction of the Board.

All insurance policies shall be kept in a secure location along with an inventory of the contents of the building. The Superintendent may review the District's insurance program annually and make recommendations to the Board if more suitable coverage is required.

General Municipal Law Section 6-n
Education Law Sections 1604(6),
1709(8) and 3023
SUBJECT: ACCOUNTING OF ASSETS

The School Business Official shall be responsible for accounting for general assets according to the procedures outlined by the Uniform System of Accounts for School Districts and GASB Statement 34 Regulations.

These accounts will serve to:
- Maintain a physical inventory of assets;
- Establish accountability;
- Determine replacement costs; and
- Provide appropriate insurance coverage.

The Superintendent or his/her designee shall be responsible for maintaining a continuous and accurate inventory of equipment owned by the District in accordance with "The Uniform System of Accounts for School Districts."

All supplies and equipment purchased and received by the School District shall be checked, logged, and stored through an established procedure.

Fixed assets with a minimum acquisition cost of $3,000, a useful life of two (2) years or more and physical characteristics not appreciably affected by use or consumption shall be inventoried and recorded on an annual basis for the purposes of GASB 34 accounting practices. Fixed assets shall include land, buildings, equipment, and materials.

Any item exceeding a cost of $300 shall be classified as an equipment purchase. These items are not capitalized, but should be properly tagged. The criteria for equipment items must meet all of the following conditions:

a) It retains its original shape and appearance with use.

b) It is non-expendable, that is, if the article is damaged or some of its parts are lost or worn out, it is usually more feasible to repair it rather than replace it with an entirely new unit.

c) It does not lose its identity through incorporation into a different or more complex unit or substance.

Assets shall be placed on a depreciation schedule according to its asset class and estimated useful life as stipulated by the NY State Comptroller's Office or the IRS. Assets shall be depreciated using the "straight-line" method over their estimated useful life. Estimated useful life is defined as follows:

<table>
<thead>
<tr>
<th>ASSETS</th>
<th>YEARS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings</td>
<td>40</td>
</tr>
<tr>
<td>Land Improvements</td>
<td>20</td>
</tr>
<tr>
<td>Maintenance Equipment</td>
<td>10</td>
</tr>
<tr>
<td>Buses</td>
<td>10</td>
</tr>
<tr>
<td>Musical Instruments</td>
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<td>Furniture</td>
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<td>Office Equipment</td>
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<td>Athletic Equipment</td>
<td>10</td>
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<tr>
<td>Vehicles</td>
<td>5</td>
</tr>
<tr>
<td>Computer Equipment</td>
<td>5</td>
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</tbody>
</table>

Continued
SUBJECT: ACCOUNTING OF ASSETS

Assets shall be recorded at initial cost, or if not available, at estimated initial cost; gifts of fixed assets shall be recorded at estimated fair value at the time of the gift. A record will be maintained for each asset and will contain, where possible the following information:

- Date of Acquisition
- Purchase Order Number
- Fund (General, Federal, etc.)
- Description
- Cost or value
- Location
- Asset Type
- Estimated Useful Life; and
- Date and method of disposition.

Business Office will maintain an inventory and shall arrange for an appraisal of school district property, equipment, and material every five (5) years.

Uniform System of Accounts for School Districts (Fiscal Section)
SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE

Operation and Maintenance

The Superintendent is charged with the responsibility for administering plant operations in the most efficient and economical manner possible, while placing high priority on health and safety of students and conservation of natural resources.

The Board, through the Superintendent and his/her staff, has the responsibility of protecting the District investment in plant and facilities through a systematic maintenance program.

It is expected that the program shall include periodic preventive maintenance activities, long-range maintenance schedules and emergency repair procedures. It is further expected that all maintenance work will be carried out in a manner that will cause the least interference with the educational program.

Construction and Remodeling of School Facilities

Plans and specifications for the erection, enlargement, repair or remodeling of facilities of the School District shall be submitted to the Commissioner when the contemplated construction costs of such work are $10,000.00 or more, and for all projects affecting the health and safety of pupils.

Plans and specifications submitted to the Commissioner shall bear the signature and seal of an architect or engineer licensed to practice in the State of New York. The architect or engineer who sealed the plans and specifications shall also certify that the plans and specifications conform to the standards set forth in the State Uniform Fire Prevention and Building Code (9 NYCRR Parts 600 through 1250) and the State Energy Conservation Construction Code (9 NYCRR Parts 7810 through 7816).

For remodeling or construction projects costing $5,000 or more, the District shall assure compliance with the requirements of the State Uniform Fire Prevention and Building Code (9 NYCRR 600 through 1250) and Part 155 of the Commissioner's Regulations, and shall retain the services of an architect or engineer licensed to practice in New York State.

For remodeling or construction projects costing less than $5,000, the District shall assure compliance with the requirements of the State Uniform Fire Prevention and Building Code (9 NYCRR Parts 600 through 1250) and Part 155 of the Commissioner's Regulations.

(Continued)
SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE (Cont'd.)

Inspections

The administration of the School System shall cooperate with officials conducting health, fire, asbestos, bus, and boiler inspections. The administration shall keep the Board of Education informed of the results of such inspections in a timely fashion.

Structural Safety Inspections

It shall be the duty of the Board of Education to ensure that each facility owned by the District which is used for instructional purposes shall be inspected annually for structural deficiencies.

Every annual structural safety inspection shall be a visual inspection which will examine the structural elements of each building, and may also include inspection of building systems such as heating, plumbing and electrical systems.

If a visual inspection results in a determination that a building may have a structural deficiency, then the building shall be inspected by a licensed architect or a licensed professional engineer.

The annual structural safety inspection shall be made prior to June thirtieth of every school year, and reports of the inspections shall be made available to the public.

NOTE: Refer also to Policy #5634 -- Evaluating Existing Buildings.

- Fire Inspection: Commissioner's Regulations
  Section 155.4
- Education Law Section 807-a
- Health Inspection: Education Law Section 906
- Asbestos Inspection: Education Law, Article 9-A
- 40 Code of Federal Regulations
  (CFR) Part 763, Subpart E
- Plans and Specifications: Education
  Law Sections 408, 408-a and 409
- 8 New York Code of Rules and Regulations (NYCRR)
  Sections 155.1 and 155.2
- Structural Safety Inspections:
  Education Law Sections 409-d and 3602(6)(d)

Revised: 10/16/95
SUBJECT: HAZARDOUS WASTE

The Board of Education recognizes the need to protect human health and the environment from damage resulting from the improper handling of hazardous wastes.

The management of hazardous waste from its point of generation to the ultimate disposal is regulated through specific federal and state laws.

The Board directs the Superintendent to adopt rules and regulations to insure District implementation of applicable federal and state laws pertaining to the identification, transportation, treatment, storage, and disposal of hazardous wastes.

Environmental Protection Agency
40 Code of Federal Regulations (CFR)
Sections 261 and 262
6 New York State Code of Rules and Regulations (NYCRR) Part 371
SUBJECT: HANDLING OF TOXIC SUBSTANCES BY EMPLOYEES

The Superintendent/designee shall maintain a current record of the social security numbers of every employee who handles toxic substances.

Environmental Protection Agency
40 Code of Federal Regulations (CFR)
Sections 261 and 262
6 New York Code of Rules and Regulations (NYCRR)
Part 371
SUBJECT: FACILITIES PLANNING

The Board of Education is responsible for maintaining a quality education at a reasonable cost. For this reason, the Board shall concern itself with both short-range and long-range planning as it relates to the properties of the District. The Board shall rely on a comprehensive long-range facilities plan developed by the Superintendent in accordance with the Commissioner's Regulations to serve as a guide for capital improvements.

Such plan shall be reevaluated and made current at least annually, and shall include appraisal of the following:

a) The educational philosophy of the District, with resulting administrative organization and program requirements;

b) Present and projected pupil enrollments;

c) Space use and State-rated pupil capacity of existing facilities;

d) Priority of need for maintenance, repair or modernization of existing facilities, including consideration of the obsolescence and retirement of certain facilities; and

e) The provision of additional facilities.

The Board's building program shall be designed to provide the highest quality education possible. The building program shall be based upon specific Board policies which have been and will continue to be modified to conform to changes in the curriculum, availability of construction funds, expansion of territory to be served and changes in enrollments. The Board also feels that, whenever possible, parents/legal guardians and other community representatives, as well as principals, teachers, and Central Office staff members should be involved in the planning process.

8 New York Code of Rules and Regulations (NYCRR) Section 155.1

Adopted: 05/06/96
SUBJECT: EVALUATING EXISTING BUILDINGS

All School District facilities will be evaluated annually to ensure that school buildings not only meet safety and building code requirements but also operate in such a manner as to achieve the desired educational programming and outcomes.

The Superintendent or his/her designee will solicit input from building principals regarding facility changes and remodeling plans. Building principals, in turn, will seek staff input as they develop their recommendations. The Superintendent shall present to the Board of Education, on an annual basis, an updated school facilities priority list reflecting major rehabilitation and remodeling requests.

Education Law Sections 408 and 409
8 New York Code of Rules and Regulations (NYCRR)
Section 155.1

NOTE: Refer also to Policy #5630 -- Facilities: Inspection, Operation and Maintenance.

Adopted: 05/06/96
SUBJECT: GENDER NEUTRAL SINGLE-OCCUPANCY BATHROOMS

The District is committed to creating and maintaining an inclusive educational and work-environment. The District will ensure that all single-occupancy bathroom facilities are designated as gender neutral for use by no more than one occupant at a time or for family or assisted use.

"Single-occupancy bathroom" means a bathroom intended for use by no more than one occupant at a time or for family or assisted use and which has a door for entry into and egress from the bathroom that may be locked by the occupant to ensure privacy and security.

All gender neutral bathroom facilities will be clearly designated by the posting of signage either on or near the entry door of each facility.

Education Law § 409-m
Public Buildings Law § 145
SUBJECT: SMOKING/TOBACCO USE

School Grounds

Tobacco use shall not be permitted and no person shall use tobacco on school grounds at any time. For purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds contained within the District's preschool, nursery school, elementary or secondary school's legally defined property boundaries as registered in the County Clerk's Office; as well as any vehicles used to transport children or school personnel.

For purposes of this policy, tobacco is defined to include any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, and any other smoking product, and spit tobacco (smokeless, dip, chew and/or snuff) in any form.

Posting/Notification of Policy

In compliance with the New York State Clean Indoor Air Act, the District will prominently post its Smoking/Toxic Use policy and signs prohibiting all forms of tobacco products in District buildings and other appropriate locations; and will supply a copy upon request to any current or prospective employee. The District will also designate a school official to tell individuals who smoke in a non-smoking area that they are in violation of Article 13-E of the New York State Public Health Law, the federal Pro-Children Act of 1994, and District policy.

The District shall also ensure that this policy is communicated to staff, students, parents/guardians, volunteers, and visitors as deemed appropriate in order to orient all persons to the District's "No Smoking" Policy and environment.

Prohibition of Tobacco Promotional Items/Tobacco Advertising

Tobacco promotional items (e.g., brand names, logos and other identifiers) are prohibited:

a) On school grounds;
b) In school vehicles;
c) At school-sponsored events;
d) In school publications;
e) On clothing, shoes, accessories, gear, and school supplies in accordance with the District Code of Conduct and applicable collective bargaining agreements.

*This prohibition of tobacco promotional items shall be implemented in accordance with the Code of Conduct and applicable collective bargaining agreements.

In addition, tobacco advertising is also prohibited in all school-sponsored publications and at all school sponsored events.

Safe and Drug-Free Schools and Communities Act
20 United States Code (U.S.C.) Section 7101 et seq.
Pro-Children Act of 2001
20 United States Code (U.S.C.) Sections 7181-7184
Public Health Law Article 13-E
Education Law Sections 409 and 3020-a

NOTE Refer also to Policies #3260 Community Use of School Facilities
#3410 Code of Conduct on School Property
#7410 School Conduct and Discipline
#7430 Alcohol, Tobacco, Drugs, and Other Substances (Students)
#8213 Prevention Instruction

District Code of Conduct on School Property

Board of Education Approval: 5/3/04
SUBJECT: ENERGY/WATER CONSERVATION AND RECYCLING OF SOLID WASTE

The Board of Education recognizes the importance of energy and water conservation and is committed to the analysis, development, and initiation of conservation measures throughout the District for the purpose of reducing energy consumption.

Recycling

The Superintendent will develop a program for the source separation and segregation of recyclable or reusable materials in the District. This Districtwide recycling plan shall include:

a) A conservation education program to teach students about their social responsibility for preserving our resources, and involvement of all students and personnel in a comprehensive effort to reduce, reuse and recycle waste materials;

b) A concerted effort to purchase recycled items and biodegradable rather than non-biodegradable products;

c) Separation of waste into appropriate categories for the purpose of recycling;

d) A cooperative effort with community recycling programs.

General Municipal Law Section 120-aa

Revised: 10/16/95
SUBJECT: WELLNESS

The District is committed to providing a school environment that promotes and protects children's health, well-being, and the ability to learn by fostering healthy eating and physical activity before, during, and after the school day.

The District has established a wellness committee that meets at least four times per year to establish goals for, and oversee the development of, the District's local wellness policy. The Committee will make policy recommendations for review and adoption by the Board. The District Wellness Committee includes, but is not limited to, representatives from each of the following groups:

a) Parents and caregivers;
b) Students;
c) Physical Education teachers;
d) School health professionals;
e) District food service program;
f) School Board;
g) School administrators;
h) General Education teachers; and
i) Members of the public.

The District Wellness Committee will also be responsible for assessing current activities, programs, and policies available in the District, and providing mechanisms for implementation, evaluation, and revision of this policy. In so doing, the Wellness Committee will evaluate and make recommendations which reflect the specific needs of the District and its students.

The Superintendent will designate a District Wellness Coordinator to convene the District Wellness Committee in order to facilitate the development of, and any proposed updates to, the District's wellness policy, and will also ensure the District's compliance with this policy.

Goals to Promote Student Wellness

The District seeks to ensure all of its students obtain the knowledge and skills necessary to make nutritious food selections and enjoy life-long physical activity. To this end, the District sets forth the following goals relating to nutrition promotion and education, physical activity, and other school-based activities.

(Continued)
SUBJECT: WELLNESS (Cont'd.)

Nutrition Promotion and Education

The District will model and encourage healthy eating by all students by engaging in nutrition education and promotion by:

a) Nutrition education will be integrated within the comprehensive health education curriculum and other instructional areas, as appropriate, and taught at every grade level, K through 12. Nutrition education will follow applicable New York State Standards and be designed to help students acquire:

1. Nutrition knowledge, including, but not limited to: the benefits of healthy eating; essential nutrients; nutritional deficiencies; principles of healthy weight management; the use and misuse of dietary supplements; and safe food storage, handling, and preparation.

2. Nutrition-related skills, including, but not limited to: planning healthy meals; understanding and using food labels; critically evaluating nutrition information, misinformation, and commercial food advertising; assessing personal eating habits; and setting and achieving goals related to these concepts.

b) Marketing and Promotion

1. The District will promote nutrition education activities that involve parents, students, and the community.

2. The District will promote healthy food and beverage choices for all students and encourage participation in school meal programs. This will occur by using Smarter Lunchroom techniques which guide students toward healthful choices and ensuring that 100% of foods and beverages promoted to students meet the Smart Snacks in School nutrition standards, which can be found on the United States Department of Agriculture's (USDA) official website.

3. The District will promote school and community awareness of this policy through various means, such as publication on the District website.

4. The District will encourage and promote wellness through social media, newsletters, and an annual family wellness event.

5. Marketing and advertising of foods and beverages on school campuses during the school day will be consistent with nutrition education and health promotion. As such, schools will restrict food and beverage marketing to the promotion of those foods and beverages that meet the nutrition standards set forth by the Healthy, Hunger-Free Kids Act's "Smart Snacks in Schools" Rule and that are consistent with this policy.

(Continued)
SUBJECT: WELLNESS (Cont'd.)

6. The District is cognizant of the fact that certain scoreboards, signs, and other durable equipment it employs may market foods and beverages in a way that is inconsistent with the aims of this policy. While the immediate replacement of this equipment is not required, the District will replace or update this equipment over time to ensure the message it delivers to students regarding nutrition, health, and well-being is consistent. As the District reviews existing contracts, or considers new contracts, resulting decisions should reflect the marketing guidelines established by this policy.

c) Additional provisions

1. Parents will be encouraged to send in healthy treats for classroom celebrations.

2. School personnel are strongly discouraged from using food as a reward or withholding food as punishment under any circumstance.

Physical Activity

a) The District will provide opportunities for every student to participate in physical education and, in an effort to comply with the recommendation that children and adolescents participate in at least 60 minutes of physical activity each day, is also committed to providing opportunities for physical activity before, during, and after school. In doing so, the District aims to promote among students, staff, and community members the development of knowledge and skills for specific physical activities, the maintenance of physical fitness, regular participation in physical activity, and an understanding of the short-term and long-term benefits from a physically active and healthy lifestyle. Physical activity opportunities will be in addition to, not in lieu of, physical education and will not be used as a punishment for students, but rather another means by which students may develop or maintain a healthy and active lifestyle.

b) The District will ensure that the following standards are met to achieve its goals relative to physical education and physical activity:

1. The District will have a Board-approved Physical Education Plan on file with the New York State Education Department that meets or exceeds the requirements set forth in Section 135.4 of the Commissioner's regulations.

2. The District recognizes the importance of physical education classes in providing students with meaningful opportunities for physical exercise and development. Consequently, the District will ensure:

   (a) All physical education classes are taught or supervised by a certified physical education teacher;

(Continued)
SUBJECT: WELLNESS (Cont'd.)

(b) All physical education staff receive professional development relevant to physical education on a yearly basis;

c) Interscholastic sports, intramural sports, and recess do not serve as substitutes for a quality physical education program;

d) Students are afforded the opportunity to participate in moderate to vigorous activity for at least 50% of physical education class time;

e) It provides adequate space and equipment for physical education and conforms to all applicable safety standards;

(f) An age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education is implemented, with a focus on students' development of motor skills, movement forms, and health-related fitness;

(g) A physical and social environment is provided that encourages safe and enjoyable activity for all students;

(h) Activities or equipment are adapted to meet the needs of students who are temporarily or permanently unable to participate in the regular program of physical education. In doing so, the District will abide by specific provisions in 504 Plans and/or individualized education programs (IEP). To that end, the Committee on Special Education (CSE) will ensure that a certified physical education teacher participates in the development of a student's IEP, if the student may be eligible for adapted physical education;

(i) All students, including students in need of adaptive physical education, will be encouraged to participate in physical fitness programs and competitions.

3. All students will be required to fulfill the physical education requirements set forth in the Commissioner's regulations as a condition of graduating from the District's schools.

c) All classroom teachers, and particularly those engaged in the instruction of K through 5 students, are strongly encouraged to incorporate into the school day short breaks for students that include physical activity, especially after long periods of inactivity. Teachers are encouraged to incorporate kinesthetic learning approaches into core learning subjects when possible so as to limit sedentary behavior during the school day. Additionally, all elementary students will be offered one daily period of recess for a minimum of 20 minutes. This requirement will not apply on days where students arrive late, leave early, or are otherwise on campus for less than a full day. Outdoor recess will be offered when weather permits. In the event that indoor recess is necessary, it will be offered in a place that accommodates moderate to vigorous physical activity.
SUBJECT: WELLNESS (Cont'd.)

d) Physical activity during the school day, including, but not limited to, recess or classroom activity breaks, will not be withheld for disciplinary action unless the student is a danger to him or herself or others. Classroom teachers will be provided with a list of ideas for alternative ways to discipline students. Recess, physical education, or other physical activity time will not be cancelled for instructional make up time.

Other School-Based Activities

The District is committed to establishing a school environment that is conducive to healthy eating and physical activity for all. The District will, therefore, adopt the following standards:

a) Federal School Meal Programs

1. The District will participate to the maximum extent practicable in available federal school meal programs (including the School Breakfast Program (SBP), National School Lunch Program (NSLP), and Summer Food Service Program). Food served through these programs will meet all applicable federal and state standards.

2. The District will ensure that food service directors, managers, and staff are provided with annual professional development in the areas of food and nutrition consistent with USDA Professional Standards for State and Local Nutrition Programs. District food service staff will meet with students in grades 4 through 12 twice annually to solicit feedback on the school breakfast and/or school lunch program(s).

b) Access to School Nutrition Programs

The District will utilize a system of student payment that ensures all eligible students have access to free/reduced meals in a non-stigmatizing manner.

c) Meal Environment

The District will ensure:

1. School dining areas have sufficient space for students to sit and consume meals;

2. School dining areas are clean, safe, and pleasant environments that reflect the social value of eating;

3. Enough serving areas are provided to ensure student access to school meals with a minimum of wait time;

4. All students have a scheduled lunch period;

5. Lunch times are scheduled near the middle of the school day;

(Continued)
SUBJECT: WELLNESS (Cont’d.)

6. Students are given adequate time to eat healthy meals;

7. Students and staff have access to free, safe, and fresh drinking water throughout the school day and where school meals are served.

d) Community Access to District Facilities for Physical Activities

School grounds and facilities will be available to students, staff, community members and organizations, and agencies offering physical activity and nutrition programs consistent with District policy, including provisions regarding conduct on school grounds and administrative approval of use by outside organizations.

e) Community Partnerships

The District will continue relationships with community partners in support of the implementation of this policy. Existing and new community partnerships will be evaluated to ensure they are consistent with this policy and its goals.

Nutrition Guidelines

In an effort to encourage healthy life-long eating habits by providing foods that are high in nutrients, low in saturated fat and added sugars, have zero grams’ trans-fat per serving, and are of moderate portion size, the District Wellness Committee recommends nutrition standards to be set for all foods and beverages available on school campus. For purposes of this policy, the school day is defined as the period from the midnight before, to 30 minutes after the end of the official school day.

School Meals

All schools within the District participate in the USDA child nutrition programs, including the NSLP and the SBP. School meals will, at a minimum, meet the program requirements and nutrition standards of these programs. The District is committed to ensuring that meals through the SBP and NSLP are accessible to all students, are served in sanitary settings, are appealing to children, and meet or exceed those nutrition requirements established by local, state, and federal law and regulation. The USDA nutrition standards are available at:


Fundraising

a) All foods and beverages sold as or during a fundraiser during the school day will meet, or exceed, the nutritional requirements listed in the USDA Healthy, Hunger-Free Kids Act “Smart Snacks in Schools” Rule; these foods and beverages sold as fundraisers will not be sold until the end of the last lunch period, so as not to compete with the NSLP.

(Continued)
SUBJECT: WELLNESS (Cont'd.)

b) School-sponsored fundraisers conducted outside of the school day will be encouraged to support the goals of this policy by promoting the sale of healthy food items (fresh fruit and produce) and/or non-food items, such as water bottles, plants, etc., and by promoting events involving physical activity.

c) All school-sponsored fundraisers must be approved by the appropriate building principal prior to being conducted.

Competitive Foods and Beverages Sold and Served to Students During the School Day

Competitive foods—which include all foods and beverages sold to students outside of the school meal programs, on the school campus in student accessible areas, and at any time during the school day -- will follow, at a minimum, the nutrition standards specified by the Healthy, Hunger-Free Kids Act. These standards will apply to all foods and beverages sold individually and outside of the reimbursable school meal, including vending machines, school stores, and cafeteria a la carte lines.

Competitive Foods and Beverages Served to Students During the School Day

The District will encourage staff and parents to provide students with healthy options at any event where foods and beverages are served to students (i.e., classroom and school-wide celebrations and rewards).

Foods and Beverages Sold or Served at Events Outside of the School Day

a) All foods and beverages sold or served at school-sponsored events will be in serving sizes which are in accordance with recommended dietary guidelines and/or nutrition standards.

b) At events where food and beverages are sold, 50% of items sold must meet the USDA Healthy, Hunger-Free Kids Act "Smart Snacks in Schools" Standards.

Professional Development

All school nutrition program directors, managers, and staff will meet or exceed hiring and annual continuing education and training requirements as specified in the USDA Professional Standards for School Nutrition Professionals. In order to locate the training that best fits their learning needs, school nutrition personnel will refer to the USDA's Professional Standards for School Nutrition Standards website.

Implementation and Evaluation of the Wellness Policy

a) The District will establish an implementation and evaluation plan for this policy in order to monitor its effectiveness and the possible need for modification over time. To this end, the District has designated the following individuals as District Wellness Coordinators to ensure that the District meets the goals and mandates of this policy: Wellness Committee

(Continued)
SUBJECT: WELLNESS (Cont'd.)

b) These designated staff members will also serve as liaisons with community agencies in providing outside resources to help in the development of nutritional education programs and promotion of physical activities.

c) The District will annually report on the progress each of its schools has made toward meeting the goals of this policy. This report will include:

1. The website address for the wellness policy and/or information on how the public can access a copy;
2. A description of each school's progress in meeting the wellness policy goals;
3. A summary of each school's local school wellness events or activities;
4. Contact information for the leader(s) of the Wellness Committee; and
5. Information on how individuals can get involved in the Wellness Committee's work.

d) Evaluation and feedback from interested parties, including an assessment of student, parent, teacher, and administration satisfaction with the wellness policy, are welcomed as an essential part of the District's evaluation program.

e) The District will document the financial impact, if any, to the school food service program, school stores, and vending machine revenues based on the implementation of the wellness policy.

f) Assessments of compliance with the District's wellness policy and implementation efforts will be repeated on a triennial basis. The assessment will include:

1. Compliance with the wellness policy;
2. How the wellness policy compares to model wellness policies; and
3. Progress made in attaining the goals of the wellness policy.

g) The District will, as necessary, revise and update this wellness policy, but at least every three years following the triennial assessment, and develop work plans to facilitate its implementation.

h) The annual progress report, triennial assessments, and policy updates will be provided to the Board, posted on the District's official website, and distributed to the District Wellness Committee, parent-teacher organizations, building principals, and school health services personnel within the District. Printed copies will also be made available to community residents upon request.

(Continued)
SUBJECT: WELLNESS (Cont'd.)

Annual Notification

The District will inform families and the general public each year, via the District website and/or District-wide communications, of information about this policy, including, but not limited to, its content as well as any updates. The District will endeavor to share as much information as possible about its schools' nutrition environment, including, a summary of school events or activities relative to this policy implementation. Each year, the District will also publicize the name and contact information of the District official leading and coordinating the wellness committee as well as how the community may get involved with the wellness committee.

Recordkeeping

The District will retain records relative to compliance with the requirements of this policy in the District Office and/or on the District's central computer network. Documentation maintained at this location includes, but is not limited to:

a) The written wellness policy;
b) Documentation demonstrating that this policy has been made available to the public;
c) Documentation of efforts to review and update this policy;
d) Documentation to demonstrate compliance with the annual public notification requirements;
e) The most recent assessment on the implementation of this policy;
f) Documentation demonstrating the most recent assessment on the implementation of this policy has been made available to the public.

National School Lunch Act, 42 USC § 1758(b)
National School Lunch Program and School Breakfast Program regulations, 7 CFR § 210.11
Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010; 79 FR 10693
Education Law § 915
8 NYCRR § 135.4

NOTE: Refer also to Policy # 5660 -- School Food Service Program (Lunch and Breakfast)

Board of Education Approval 3/20/17
SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING

It is the District's goal to provide students with access to nutritious no- or low-cost meals each school day and to ensure that a student whose parent/guardian has unpaid meal charges is not shamed or treated differently than a student whose parent/guardian does not have unpaid meal charges.

Unpaid meal charges place a large financial burden on the District. The purpose of this policy is to ensure compliance with federal requirements for the USDA Child Nutrition Program and to provide oversight and accountability for the collection of outstanding student meal balances to ensure that the student is not stigmatized, distressed, or embarrassed.

The intent of this policy is to establish procedures to address unpaid meal charges throughout the District in a way that does not stigmatize, distress, or embarrass students. The provisions of this policy pertain to regular priced reimbursable school breakfast, lunch and snack meals only. Charging of items outside of the reimbursable meals (a la carte items, adult meals, etc.) is expressly prohibited.

Access to Meals

a) Free meal benefit eligible students will be allowed to receive a free breakfast and lunch meal of their choice each day. A la carte items or other similar items must be paid/prepaid.

b) Reduced meal benefit eligible students will be allowed to receive a breakfast of their choice for $0.00 and lunch of their choice for $0.00 each day. A la carte items or other similar items must be paid/prepaid.

c) Full pay students will pay for meals at the District's published paid meal rate each day. The charge meals offered to students will be reimbursable meals available to all students, unless the student's parent or guardian has specifically provided written permission to the District to withhold a meal. A la carte items or other similar items must be paid/prepaid.

Ongoing Staff Training

a) Staff will be trained annually and throughout the year as needed on the procedures for managing meal charges using the State Education Department (SED) Webinar or the District's training program.

b) Staff training will include ongoing eligibility certification for free or reduced-price meals.

Parent Notification

Parents/guardians will be notified that a student's meal card or account balance is exhausted and has accrued unpaid meal charges within 7 days of the charge and then every 7 days thereafter.

(Continued)
SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING
(Cont'd.)

Parent Outreach

a) Staff will communicate with parents/guardians with five or more unpaid meal charges to determine eligibility for free or reduced-price meals.

b) Staff will make two documented attempts to reach out to parents/guardians to complete a meal application in addition to the application and instructions provided in the school enrollment packet.

c) Staff will contact the parent/guardian to offer assistance with completion of meal application to determine if there are other issues within the household causing the student to have insufficient funds, offering any other assistance that is appropriate.

Minimizing Student Distress

a) Staff will not publicly identify or stigmatize any student in line for a meal or discuss any outstanding meal debt in the presence of any other students.

b) Students with unpaid meal charges will not be required to wear a wristband or handstamp, or to do chores or other work to pay for meals.

c) Staff will not throw away a meal after it has been served because of the student's inability to pay for the meal or because of previous unpaid meal charges.

d) Staff will not take any action directed at a student to collect unpaid meal charges.

e) Staff will deal directly with parents/guardians regarding unpaid meal charges.

Ongoing Eligibility Certification

a) Staff will conduct direct certification through the New York Student Identification System (NYSSIS) or using SED Roster Upload to maximize free eligibility. NYSED provides updated direct certification data monthly.

b) Staff will provide parents/guardians with free and reduced-price application and instructions at the beginning of each school year in the school enrollment packet.

c) If the District uses an electronic meal application, it will provide an explanation of the process in the school enrollment packet and instructions on how to request a paper application at no cost.

d) The District will provide at least two additional free and reduced-price applications throughout the school year to families identified as owing meal charges.

(Continued)
SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING
(Cont'd.)

e) The District will use its administrative prerogative to complete an application on a student's behalf judiciously, and only after using exhaustive efforts to obtain a completed application from the student's parent/guardian. The District will complete the application using only available information on family size and income that falls within approvable guidelines.

f) The District will coordinate with the foster, homeless, migrant, and runaway coordinators to certify eligible students. School liaisons required for homeless, foster, and migrant students will coordinate with the nutrition department to make sure these students receive free school meals, in accordance with federal law.

Prepaid Accounts

Students/Parents/Guardians may pay for meals in advance with cash, or check payable to Panama Central School, or via MySchoolBucks.com. Further details are available on the District's webpage at Pancent.org. Funds should be maintained in accounts to minimize the possibility that a student may be without meal money on any given day. Any remaining funds for a particular student will be carried over to the next school year unless refund is requested.

To obtain a refund for a withdrawn or graduating student, a written or e-mailed request for a refund of any money remaining in the student's account must be submitted. Students who are graduating at the end of the year will be given the option to transfer any remaining money to a sibling's account through a written request.

Unclaimed funds must be requested within one school year. Unclaimed funds will then become the property of the District Food Service Program.

42 USC § 1758
7 CFR §§ 210.12 and 245.5
Education Law § 908
8 NYCRR § 114.5

Board Approval 7/9/18; 8/20/18, 9/16/19
SUBJECT: RESTRICTION OF SWEETS IN SCHOOL

The sale of sweetened foods will be prohibited from the beginning of the school day until the end of the last scheduled meal period.

Sweetened foods consist of sweetened soda water, chewing gum, candy, including hard candy, jellies, gum, marshmallow candies, fondant, licorice, spun candy, candy coated popcorn, and water ices except those which contain fruit or fruit juices.

Education Law Section 915
SUBJECT: RECORDS MANAGEMENT

A Records Management Officer shall be designated by the Superintendent, subject to the approval of and appointment by the Board of Education. The Records Management Officer shall coordinate the development of and oversee a program for the orderly and efficient management of records, including the legal disposition or destruction of obsolete records, and shall be given the authority and responsibility to work with other local officials at all levels in the development and maintenance of the records management program.

In addition, a Records Advisory Board may be created to assist in establishing and supporting the records management program. The District's legal counsel, the fiscal officer, and the Superintendent/designee may comprise the Advisory Board.

Retention and Disposition of Records

The Superintendent shall retain records for such a period and dispose of them in the manner described in Records Retention and Disposition Schedule ED-1, established pursuant to Part 185, Title VIII of the Official Compilation of Codes, Rules and Regulations of the State of New York and Article 57-A of the Arts and Cultural Affairs Law.

Special Approvals for Disposition of Records Not Included in Schedule/Records Damaged by Natural or Manmade Disasters

Records not listed on a records retention and disposition schedule shall not be disposed of without the approval of the Commissioner of Education.

Records that have been damaged by natural or manmade disaster and constitute a human health or safety risk also require the Commissioner's prior approval before disposition.

Replacing Original Records with Microforms or Electronic Images

Digital images of public records may be stored on electronic media, and such electronic records may replace paper originals or micrographic copies of these records. To ensure accessibility and intelligibility for the life of these records, the School District shall follow the procedures prescribed by the Commissioner of Education.

Retention and Preservation of Electronic Records

The District shall ensure that records retention requirements are incorporated into any plan and process for design, redesign, or substantial enhancement of an information system that stores electronic records.

Arts and Cultural Affairs Law Article 57-A
8 New York Code of Rules and Regulations (NYCRR) Part 185

Board of Education Approval 9/22/08
SUBJECT: EMPLOYEE PERSONAL IDENTIFYING INFORMATION

In accordance with Section 203-d of the New York State Labor Law, the District shall restrict the use and access to employee personal identifying information. As enumerated in law, "personal identifying information" shall include social security number, home address or telephone number, personal electronic mail address, Internet identification name or password, parent's surname prior to marriage, or driver's license number.

The District shall not unless otherwise required by law:

a) Publicly post or display an employee's social security number;

b) Visibly print a social security number on any identification badge or card, including any time card;

c) Place a social security number in files with unrestricted access; or

d) Communicate an employee's personal identifying information to the general public.

A social security number shall not be used as an identification number for purposes of any occupational licensing.

District staff shall have access to this policy, informing them of their rights and responsibilities in accordance with Labor Law Section 203-d. District procedures for safeguarding employee "personal identifying information" shall be evaluated; and employees who have access to such information as part of their job responsibilities shall be advised as to the restrictions on release of such information in accordance with law.

Labor Law Section 203-d
SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION

The School District values the protection of private information of individuals in accordance with applicable law and regulations. Further, the District is required to notify affected individuals when there has been or is reasonably believed to have been a compromise of the individual's private information in compliance with the Information Security Breach and Notification Act and Board policy.

a) "Private information" shall mean **personal information** in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:

1. Social security number;
2. Driver's license number or non-driver identification card number; or
3. Account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account.

"Private information" does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.

"Personal information" shall mean any information concerning a person which, because of name, number, symbol, mark or other identifier, can be used to identify that person.

b) "Breach of the security of the system," shall mean unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the District. Good faith acquisition of personal information by an employee or agent of the District for the purposes of the District is not a breach of the security of the system, provided that private information is not used or subject to unauthorized disclosure.

Examples of Determining Factors

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or person without valid authorization, the District may consider the following factors, among others:

a) Indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer or other device containing information; or

b) Indications that the information has been downloaded or copied; or

(Continued)
SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont’d.)

c) Indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported.

Notification Requirements

a) For any computerized data owned or licensed by the School District that includes private information, the District shall disclose any breach of the security of the system following discovery or notification of the breach to any New York State resident whose private information was, or is reasonably believed to have been, acquired by a person without valid authorization. The disclosure to affected individuals shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system. The District shall consult with the State Office of Cyber Security and Critical Infrastructure Coordination (CSCIC) to determine the scope of the breach and restoration measures.

b) For any computerized data maintained by the District that includes private information which the District does not own, the District shall notify the owner or licensee of the information of any breach of the security of the system immediately following discovery, if the private information was, or is reasonably believed to have been, acquired by a person without valid authorization.

The notification requirement may be delayed if a law enforcement agency determines that such notification impedes a criminal investigation. The required notification shall be made after the law enforcement agency determines that such notification does not compromise the investigation.

Methods of Notification

The required notice shall be directly provided to the affected persons by one of the following methods:

a) Written notice;

b) Electronic notice, provided that the person to whom notice is required has expressly consented to receiving the notice in electronic form; and a log of each such notification is kept by the District when notifying affected persons in electronic form. However, in no case shall the District require a person to consent to accepting such notice in electronic form as a condition of establishing any business relationship or engaging in any transaction;

c) Telephone notification, provided that a log of each such notification is kept by the District when notifying affected persons by phone; or

(Continued)
SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont’d.)

d) Substitute notice, if the District demonstrates to the State Attorney General that the cost of providing notice would exceed $250,000, or that the affected class of subject persons to be notified exceeds 500,000, or that the District does not have sufficient contact information. Substitute notice shall consist of all of the following:

1. E-mail notice when the District has an e-mail address for the subject persons;
2. Conspicuous posting of the notice on the District's website page, if the District maintains one; and
3. Notification to major statewide media.

Regardless of the method by which notice is provided, the notice shall include contact information for the notifying District and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.

In the event that any New York State residents are to be notified, the District shall notify the State Attorney General, the Consumer Protection Board, and the State Office of Cyber Security and Critical Infrastructure Coordination as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York State residents.

In the event that more than 5,000 New York State residents are to be notified at one time, the District shall also notify consumer reporting agencies, as defined pursuant to State Technology Law Section 208, as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York State residents. A list of consumer reporting agencies shall be compiled by the State Attorney General and furnished upon request to school districts required to make a notification in accordance with Section 208(2) of the State Technology Law, regarding notification of breach of security of the system for any computerized data owned or licensed by the District that includes private information.

State Technology Law Sections 202 and 208

Board of Education Approved: 5/8/06
SUBJECT: STUDENT GRADING INFORMATION SYSTEMS

Student performance is assessed in many ways, but primarily through assigned grades. The District will help ensure the integrity of student grades by controlling access to its grading information system and by approving modifications to grades where warranted.

The System

The District utilizes an electronic software system that contains a record of student performance, credit accumulation, report cards, and a transcript. More specifically, the system includes class rosters where teachers enter student grades and track their students' academic progress. The system is used to generate student report cards and transcripts, and to maintain all student grading records.

To protect student data in the system, the District will first establish who has the authority to grant, change, or terminate user access. The personnel with this authority will be very limited. Further, if the grading system has a feature that allows one user or account to assume the identity of another user or account, the District will restrict or disable that feature. These types of features could allow a user greater access than intended, including inheriting permissions of another user that are greater than the user's.

System Access

The District will create categories of system users and assign appropriate system permissions to each. Users' permissions will be compatible with and restricted by their roles and job duties; their access will be as restrictive as possible. Typically, teachers will have the ability to enter, update, and modify grades each marking period before a pre-determined lockout date. The lockout function will be consistently used throughout the school year to help prevent grade modifications without authorization after a marking period closes. Through increased system permissions, other individuals—such as non-classroom teachers, guidance counselors, information technology (IT) staff, clerical staff, and support staff—will be able to view or modify grades.

The District will work with its IT, human resources, and other appropriate departments to determine how best to timely establish access rights, add users, deactivate or modify user accounts, and monitor user accounts. The District will develop further IT controls to protect against improper access, if needed.

Grade Changes

Once the lockout period begins, only authorized users identified by the District may change grades, and only under certain circumstances. The system will recognize when grades change, and a log of modified grades may then be viewed and printed. Any grade mismatches will be reconciled before the next marking period closes or before the end of the school year, whichever is earlier.
SUBJECT: STUDENT GRADING INFORMATION SYSTEMS (Cont'd.)

The staff member seeking to change a grade will submit a grade-change form signed by the requesting party, the teacher who assigned the original grade, and the appropriate administrator. This form and all other documents supporting a grade modification will be electronically filed in the grading system or filed in a non-electronic system—if electronic filing is impossible or impractical—and maintained for six years. The personnel seeking the modification should specify one or more reasonable grounds for the grade change on the form. There must be reasonable grounds to alter a grade. The reasons may include:

a) Data entry error;
b) Computational error;
c) A modification based on work submitted or considered after the lockout date;
d) Changing an incomplete grade to a regular grade because a student completed course requirements;
e) Credit recovery coursework;
f) Administrative change; or
g) Other acceptable justifications.

Audit Log and Monitoring

The District's grading system will have an audit log or grade-change report function that records certain system activities, including modifications to grades. The District will periodically monitor audit logs or grade-change reports to confirm the integrity of the system, to ensure proper access by personnel, and to confirm that modifications within the system are appropriate and completed in a timely manner. The District will also periodically monitor user accounts and rights so that the permissions granted are proper and the minimum necessary for each user or user group. To the extent feasible, the District will make sure that user accounts are current and updated regularly. The District will be able to print user information, logs, reports, and other documents from the student grading information system, as needed.

Student Transcripts

Student transcripts may show all credit-bearing classes; final grades; test scores; grade-point average; class rank; diploma type; SAT, ACT, and other standardized test scores; and graduation date. The same controls, protections, and monitoring applicable to student grading information apply equally to student transcripts.

Board Approval 12/17/18
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA

The District is committed to maintaining the privacy and security of student data and teacher and principal data and will follow all applicable laws and regulations for the handling and storage of this data in the District and when disclosing or releasing it to others, including, but not limited to, third-party contractors. The District adopts this policy to implement the requirements of Education Law Section 2-d and its implementing regulations, as well as to align the District's data privacy and security practices with the National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (Version 1.1).

Definitions

As provided in Education Law Section 2-d and/or its implementing regulations, the following terms, as used in this policy, will mean:

a) "Breach" means the unauthorized acquisition, access, use, or disclosure of student data and/or teacher or principal data by or to a person not authorized to acquire, access, use, or receive the student data and/or teacher or principal data.

b) "Building principal" means a building principal subject to annual performance evaluation review under the provisions of Education Law Section 3012-c.

c) "Classroom teacher" means a teacher subject to annual performance evaluation review under the provisions of Education Law Section 3012-c.

d) "Commercial or marketing purpose" means the sale of student data; or its use or disclosure for purposes of receiving remuneration, whether directly or indirectly; the use of student data for advertising purposes, or to develop, improve, or market products or services to students.

e) "Contract or other written agreement" means a binding agreement between an educational agency and a third-party, which includes, but is not limited to, an agreement created in electronic form and signed with an electronic or digital signature or a click-wrap agreement that is used with software licenses, downloaded, and/or online applications and transactions for educational technologies and other technologies in which a user must agree to terms and conditions prior to using the product or service.

f) "Disclose" or "disclosure" means to permit access to, or the release, transfer, or other communication of personally identifiable information by any means, including oral, written, or electronic, whether intended or unintended.

g) "Education records" means an education record as defined in the Family Educational Rights and Privacy Act and its implementing regulations, 20 USC Section 1232g and 34 CFR Part 99, respectively.

(Continued)
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

h) "Educational agency" means a school district, board of cooperative educational services (BOCES), school, or the New York State Education Department (NYSED).

i) "Eligible student" means a student who is eighteen years or older.

j) "Encryption" means methods of rendering personally identifiable information unusable, unreadable, or indecipherable to unauthorized persons through the use of a technology or methodology specified or permitted by the Secretary of the United States Department of Health and Human Services in guidance issued under 42 USC Section 17932(h)(2).

k) "FERPA" means the Family Educational Rights and Privacy Act and its implementing regulations, 20 USC Section 1232g and 34 CFR Part 99, respectively.


m) "Parent" means a parent, legal guardian, or person in parental relation to a student.

n) "Personally identifiable information (PII)," as applied to student data, means personally identifiable information as defined in 34 CFR Section 99.3 implementing the Family Educational Rights and Privacy Act, 20 USC Section 1232g, and, as applied to teacher or principal data, means personally identifying information as this term is defined in Education Law Section 3012-c(10).

o) "Release" has the same meaning as disclosure or disclose.

p) "Student" means any person attending or seeking to enroll in an educational agency.

q) "Student data" means personally identifiable information from the student records of an educational agency.

r) "Teacher or principal data" means personally identifiable information from the records of an educational agency relating to the annual professional performance reviews of classroom teachers or principals that is confidential and not subject to release under the provisions of Education Law Sections 3012-c and 3012-d.

s) "Third-party contractor" means any person or entity, other than an educational agency, 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 the educational (Continued)
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont’d.)

agency, including but not limited to data management or storage services, conducting studies for or on behalf of the educational agency, or audit or evaluation of publicly funded programs. This term will include an educational partnership organization that receives student and/or teacher or principal data from a school district to carry out its responsibilities pursuant to Education Law Section 211-e and is not an educational agency, and a not-for-profit corporation or other nonprofit organization, other than an educational agency.

t) "Unauthorized disclosure" or "unauthorized release" means any disclosure or release not permitted by federal or state statute or regulation, any lawful contract or written agreement, or that does not respond to a lawful order of a court or tribunal or other lawful order.

Data Collection Transparency and Restrictions

As part of its commitment to maintaining the privacy and security of student data and teacher and principal data, the District will take steps to minimize its collection, processing, and transmission of PII. Additionally, the District will:

a) Not sell PII nor use or disclose it for any marketing or commercial purpose or facilitate its use or disclosure by any other party for any marketing or commercial purpose or permit another party to do so.

b) Ensure that it has provisions in its contracts with third-party contractors or in separate data sharing and confidentiality agreements that require the confidentiality of shared student data or teacher or principal data be maintained in accordance with law, regulation, and District policy.

Except as required by law or in the case of educational enrollment data, the District will not report to NYSED the following student data elements:

a) Juvenile delinquency records;

b) Criminal records;

c) Medical and health records; and

d) Student biometric information.

Nothing in Education Law Section 2-d or this policy should be construed as limiting the administrative use of student data or teacher or principal data by a person acting exclusively in the person's capacity as an employee of the District.
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont’d.)

Chief Privacy Officer

The Commissioner of Education has appointed a Chief Privacy Officer who will report to the Commissioner on matters affecting privacy and the security of student data and teacher and principal data. Among other functions, the Chief Privacy Officer is authorized to provide assistance to educational agencies within the state on minimum standards and best practices associated with privacy and the security of student data and teacher and principal data.

The District will comply with its obligation to report breaches or unauthorized releases of student data or teacher or principal data to the Chief Privacy Officer in accordance with Education Law Section 2-d, its implementing regulations, and this policy.

The Chief Privacy Officer has the power, among others, to:

a) Access all records, reports, audits, reviews, documents, papers, recommendations, and other materials maintained by the District that relate to student data or teacher or principal data, which includes, but is not limited to, records related to any technology product or service that will be utilized to store and/or process PII; and

b) Based upon a review of these records, require the District to act to ensure that PII is protected in accordance with laws and regulations, including but not limited to requiring the District to perform a privacy impact and security risk assessment.

Data Protection Officer

The District has designated a District employee to serve as the District's Data Protection Officer. The Data Protection Officer for the District is the Director of Technology.

The Data Protection Officer is responsible for the implementation and oversight of this policy and any related procedures including those required by Education Law Section 2-d and its implementing regulations, as well as serving as the main point of contact for data privacy and security for the District.

The District will ensure that the Data Protection Officer has the appropriate knowledge, training, and experience to administer these functions. The Data Protection Officer may perform these functions in addition to other job responsibilities. Additionally, some aspects of this role may be outsourced to a provider such as a BOCES, to the extent available.

(Continued)
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

District Data Privacy and Security Standards

The District will use the National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (Version 1.1) (Framework) as the standard for its data privacy and security program. The Framework is a risk-based approach to managing cybersecurity risk and is composed of three parts: the Framework Core, the Framework Implementation Tiers, and the Framework Profiles. The Framework provides a common taxonomy and mechanism for organizations to:

a) Describe their current cybersecurity posture;

b) Describe their target state for cybersecurity;

c) Identify and prioritize opportunities for improvement within the context of a continuous and repeatable process;

d) Assess progress toward the target state; and

e) Communicate among internal and external stakeholders about cybersecurity risk.

The District will protect the privacy of PII by:

a) Ensuring that every use and disclosure of PII by the District benefits students and the District by considering, among other criteria, whether the use and/or disclosure will:

1. Improve academic achievement;

2. Empower parents and students with information; and/or

3. Advance efficient and effective school operations.

b) Not including PII in public reports or other public documents.

The District affords all protections under FERPA and the Individuals with Disabilities Education Act and their implementing regulations to parents or eligible students, where applicable.

(Continued)
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

Third-Party Contractors

District Responsibilities

The District will ensure that whenever it enters into a contract or other written agreement with a third-party contractor under which the third-party contractor will receive student data or teacher or principal data from the District, the contract or written agreement will include provisions requiring that confidentiality of shared student data or teacher or principal data be maintained in accordance with law, regulation, and District policy.

In addition, the District will ensure that the contract or written agreement includes the third-party contractor's data privacy and security plan that has been accepted by the District.

The third-party contractor's data privacy and security plan must, at a minimum:

a) Outline how the third-party contractor will implement all state, federal, and local data privacy and security contract requirements over the life of the contract, consistent with District policy;

b) Specify the administrative, operational, and technical safeguards and practices the third-party contractor has in place to protect PII that it will receive under the contract;

c) Demonstrate that the third-party contractor complies with the requirements of 8 NYCRR Section 121.3(c);

d) Specify how officers or employees of the third-party contractor and its assignees who have access to student data or teacher or principal data receive or will receive training on the laws governing confidentiality of this data prior to receiving access;

e) Specify if the third-party contractor will utilize subcontractors and how it will manage those relationships and contracts to ensure PII is protected;

f) Specify how the third-party contractor will manage data privacy and security incidents that implicate PII including specifying any plans to identify breaches and unauthorized disclosures, and to promptly notify the District;

g) Describe whether, how, and when data will be returned to the District, transitioned to a successor contractor, at the District's option and direction, deleted or destroyed by the third-party contractor when the contract is terminated or expires; and

h) Include a signed copy of the Parents' Bill of Rights for Data Privacy and Security.

(Continued)
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont’d.)

Third-Party Contractor Responsibilities

Each third-party contractor, that enters into a contract or other written agreement with the District under which the third-party contractor will receive student data or teacher or principal data from the District, is required to:

a) Adopt technologies, safeguards, and practices that align with the NIST Cybersecurity Framework;

b) Comply with District policy and Education Law Section 2-d and its implementing regulations;

c) Limit internal access to PII to only those employees or subcontractors that have legitimate educational interests (i.e., they need access to provide the contracted services);

d) Not use the PII for any purpose not explicitly authorized in its contract;

e) Not disclose any PII to any other party without the prior written consent of the parent or eligible student:

1. Except for authorized representatives of the third-party contractor such as a subcontractor or assignee to the extent they are carrying out the contract and in compliance with law, regulation, and its contract with the District; or

2. Unless required by law or court order and the third-party contractor provides a notice of the disclosure to NYSED, the Board, or the institution that provided the information no later than the time the information is disclosed, unless providing notice of the disclosure is expressly prohibited by law or court order;

f) Maintain reasonable administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of PII in its custody;

g) Use encryption to protect PII in its custody while in motion or at rest; and

h) Not sell PII nor use or disclose it for any marketing or commercial purpose or facilitate its use or disclosure by any other party for any marketing or commercial purpose or permit another party to do so.

Where a third-party contractor engages a subcontractor to perform its contractual obligations, the data protection obligations imposed on the third-party contractor by law and contract apply to the subcontractor.

(Continued)
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

Cooperative Educational Services through a BOCES

The District may not be required to enter into a separate contract or data sharing and confidentiality agreement with a third-party contractor that will receive student data or teacher or principal data from the District under all circumstances.

For example, the District may not need its own contract or agreement where:

a) It has entered into a cooperative educational service agreement (CoSer) with a BOCES that includes use of a third-party contractor's product or service; and

b) That BOCES has entered into a contract or data sharing and confidentiality agreement with the third-party contractor, pursuant to Education Law Section 2-d and its implementing regulations, that is applicable to the District's use of the product or service under that CoSer.

To meet its obligations whenever student data or teacher or principal data from the District is received by a third-party contractor pursuant to a CoSer, the District will consult with the BOCES to, among other things:

a) Ensure there is a contract or data sharing and confidentiality agreement pursuant to Education Law Section 2-d and its implementing regulations in place that would specifically govern the District's use of a third-party contractor's product or service under a particular CoSer;

b) Determine procedures for including supplemental information about any applicable contracts or data sharing and confidentiality agreements that a BOCES has entered into with a third-party contractor in its Parents' Bill of Rights for Data Privacy and Security;

c) Ensure appropriate notification is provided to affected parents, eligible students, teachers, and/or principals about any breach or unauthorized release of PII that a third-party contractor has received from the District pursuant to a BOCES contract; and

d) Coordinate reporting to the Chief Privacy Officer to avoid duplication in the event the District receives information directly from a third-party contractor about a breach or unauthorized release of PII that the third-party contractor received from the District pursuant to a BOCES contract.

Click-Wrap Agreements

Periodically, District staff may wish to use software, applications, or other technologies in which the user must "click" a button or box to agree to certain online terms of service prior to using the software, application, or other technology. These are known as "click-wrap agreements" and are considered legally binding "contracts or other written agreements" under Education Law Section 2-d and its implementing regulations.

(Continued)
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

District staff are prohibited from using software, applications, or other technologies pursuant to a click-wrap agreement in which the third-party contractor receives student data or teacher or principal data from the District unless they have received prior approval from the District's Data Privacy Officer or designee.

The District will develop and implement procedures requiring prior review and approval for staff use of any software, applications, or other technologies pursuant to click-wrap agreements.

Parents' Bill of Rights for Data Privacy and Security

The District will publish its Parents' Bill of Rights for Data Privacy and Security (Bill of Rights) on its website. Additionally, the District will include the Bill of Rights with every contract or other written agreement it enters into with a third-party contractor under which the third-party contractor will receive student data or teacher or principal data from the District.

The District's Bill of Rights will state in clear and plain English terms that:

a) A student's PII cannot be sold or released for any commercial purposes;

b) Parents have the right to inspect and review the complete contents of their child's education record;

c) State and federal laws protect the confidentiality of PII, and 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;

d) A complete list of all student data elements collected by the state is available for public review at the following website http://www.nysed.gov/student-data-privacy/student-data-inventory or by writing to the Office of Information and Reporting Services, New York State Education Department, Room 865 EBA, 89 Washington Avenue, Albany, New York 12234; and

e) Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed in writing to Privacy Complaint, Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, New York 12234. Complaints may also be submitted using the form available at the following website http://www.nysed.gov/student-data-privacy/form/report-improper-disclosure.

The Bill of Rights will also include supplemental information for each contract the District enters into with a third-party contractor where the third-party contractor receives student data or teacher or principal data from the District. The supplemental information must be developed by the District and include the following information:

(Continued)
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

a) The exclusive purposes for which the student data or teacher or principal data will be used by the third-party contractor, as defined in the contract;

b) How the third-party contractor will ensure that the subcontractors, or other authorized persons or entities to whom the third-party contractor will disclose the student data or teacher or principal data, if any, will abide by all applicable data protection and security requirements, including but not limited to those outlined in applicable laws and regulations (e.g., FERPA; Education Law Section 2-d);

c) The duration of the contract, including the contract's expiration date, and a description of what will happen to the student data or teacher or principal data upon expiration of the contract or other written agreement (e.g., whether, when, and in what format it will be returned to the District, and/or whether, when, and how the data will be destroyed);

d) If and how a parent, student, eligible student, teacher, or principal may challenge the accuracy of the student data or teacher or principal data that is collected;

e) Where the student data or teacher or principal data will be stored, described in a manner as to protect data security, and the security protections taken to ensure the data will be protected and data privacy and security risks mitigated; and

f) Address how the data will be protected using encryption while in motion and at rest.

The District will publish on its website the supplement to the Bill of Rights (i.e., the supplemental information described above) for any contract or other written agreement it has entered into with a third-party contractor that will receive PII from the District. The Bill of Rights and supplemental information may be redacted to the extent necessary to safeguard the privacy and/or security of the District's data and/or technology infrastructure.

Right of Parents and Eligible Students to Inspect and Review Students' Education Records

Consistent with the obligations of the District under FERPA, parents and eligible students have the right to inspect and review a student's education record by making a request directly to the District in a manner prescribed by the District.

The District will ensure that only authorized individuals are able to inspect and review student data. To that end, the District will take steps to verify the identity of parents or eligible students who submit requests to inspect and review an education record and verify the individual's authority to do so.

Requests by a parent or eligible student for access to a student's education records must be directed to the District and not to a third-party contractor. The District may require that requests to inspect and review education records be made in writing.

(Continued)
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

The District will notify parents annually of their right to request to inspect and review their child's education record including any student data stored or maintained by the District through its annual FERPA notice. A notice separate from the District's annual FERPA notice is not required.

The District will comply with a request for access to records within a reasonable period, but not more than 45 calendar days after receipt of a request.

The District may provide the records to a parent or eligible student electronically, if the parent consents. The District must transmit the PII in a way that complies with laws and regulations. Safeguards associated with industry standards and best practices, including but not limited to encryption and password protection, must be in place when education records requested by a parent or eligible student are electronically transmitted.

Complaints of Breach or Unauthorized Release of Student Data and/or Teacher or Principal Data

The District will inform parents, through its Parents' Bill of Rights for Data Privacy and Security, that they have the right to submit complaints about possible breaches of student data to the Chief Privacy Officer at NYSED. In addition, the District has established the following procedures for parents, eligible students, teachers, principals, and other District staff to file complaints with the District about breaches or unauthorized releases of student data and/or teacher or principal data:

a) All complaints must be submitted to the District's Data Protection Officer in writing.

b) Upon receipt of a complaint, the District will promptly acknowledge receipt of the complaint, commence an investigation, and take the necessary precautions to protect PII.

c) Following the investigation of a submitted complaint, the District will provide the individual who filed the complaint with its findings. This will be completed within a reasonable period of time, but no more than 60 calendar days from the receipt of the complaint by the District.

d) If the District requires additional time, or where the response may compromise security or impede a law enforcement investigation, the District will provide the individual who filed the complaint with a written explanation that includes the approximate date when the District anticipates that it will respond to the complaint.

These procedures will be disseminated to parents, eligible students, teachers, principals, and other District staff.

The District will maintain a record of all complaints of breaches or unauthorized releases of student data and their disposition in accordance with applicable data retention policies, including the Records Retention and Disposition Schedule ED-1 (1988; rev. 2004).

(Continued)
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

Reporting a Breach or Unauthorized Release

The District will report every discovery or report of a breach or unauthorized release of student data or teacher or principal data within the District to the Chief Privacy Officer without unreasonable delay, but no more than ten calendar days after the discovery.

Each third-party contractor that receives student data or teacher or principal data pursuant to a contract or other written agreement entered into with the District will be required to promptly notify the District of any breach of security resulting in an unauthorized release of the data by the third-party contractor or its assignees in violation of applicable laws and regulations, the Parents' Bill of Rights for Student Data Privacy and Security, District policy, and/or binding contractual obligations relating to data privacy and security, in the most expedient way possible and without unreasonable delay, but no more than seven calendar days after the discovery of the breach.

In the event of notification from a third-party contractor, the District will in turn notify the Chief Privacy Officer of the breach or unauthorized release of student data or teacher or principal data no more than ten calendar days after it receives the third-party contractor's notification using a form or format prescribed by NYSED.

Investigation of Reports of Breach or Unauthorized Release by the Chief Privacy Officer

The Chief Privacy Officer is required to investigate reports of breaches or unauthorized releases of student data or teacher or principal data by third-party contractors. As part of an investigation, the Chief Privacy Officer may require that the parties submit documentation, provide testimony, and may visit, examine, and/or inspect the third-party contractor's facilities and records.

Upon the belief that a breach or unauthorized release constitutes criminal conduct, the Chief Privacy Officer is required to report the breach and unauthorized release to law enforcement in the most expedient way possible and without unreasonable delay.

Third-party contractors are required to cooperate with the District and law enforcement to protect the integrity of investigations into the breach or unauthorized release of PII.

Upon conclusion of an investigation, if the Chief Privacy Officer determines that a third-party contractor has through its actions or omissions caused student data or teacher or principal data to be breached or released to any person or entity not authorized by law to receive this data in violation of applicable laws and regulations, District policy, and/or any binding contractual obligations, the Chief Privacy Officer is required to notify the third-party contractor of the finding and give the third-party contractor no more than 30 days to submit a written response.

(Continued)
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

If after reviewing the third-party contractor's written response, the Chief Privacy Officer determines the incident to be a violation of Education Law Section 2-d, the Chief Privacy Officer will be authorized to:

a) Order the third-party contractor be precluded from accessing PII from the affected educational agency for a fixed period of up to five years;

b) Order that a third-party contractor or assignee who knowingly or recklessly allowed for the breach or unauthorized release of student data or teacher or principal data be precluded from accessing student data or teacher or principal data from any educational agency in the state for a fixed period of up to five years;

c) Order that a third-party contractor who knowingly or recklessly allowed for the breach or unauthorized release of student data or teacher or principal data will not be deemed a responsible bidder or offeror on any contract with an educational agency that involves the sharing of student data or teacher or principal data, as applicable for purposes of General Municipal Law Section 103 or State Finance Law Section 163(10)(c), as applicable, for a fixed period of up to five years; and/or

d) Require the third-party contractor to provide additional training governing confidentiality of student data and/or teacher or principal data to all its officers and employees with reasonable access to this data and certify that the training has been performed at the contractor's expense. This additional training is required to be performed immediately and include a review of laws, rules, and regulations, including Education Law Section 2-d and its implementing regulations.

If the Chief Privacy Officer determines that the breach or unauthorized release of student data or teacher or principal data on the part of the third-party contractor or assignee was inadvertent and done without intent, knowledge, recklessness, or gross negligence, the Chief Privacy Officer may make a recommendation to the Commissioner that no penalty be issued to the third-party contractor.

The Commissioner would then make a final determination as to whether the breach or unauthorized release was inadvertent and done without intent, knowledge, recklessness or gross negligence and whether or not a penalty should be issued.

Notification of a Breach or Unauthorized Release

The District will notify affected parents, eligible students, teachers, and/or principals in the most expedient way possible and without unreasonable delay, but no more than 60 calendar days after the discovery of a breach or unauthorized release of PII by the District or the receipt of a notification of a breach or unauthorized release of PII from a third-party contractor unless that notification would

(Continued)
SUBJECT: PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA (Cont'd.)

interfere with an ongoing investigation by law enforcement or cause further disclosure of PII by disclosing an unfixed security vulnerability. Where notification is delayed under these circumstances, the District will notify parents, eligible students, teachers, and/or principals within seven calendar days after the security vulnerability has been remedied or the risk of interference with the law enforcement investigation ends.

Notifications will be clear, concise, use language that is plain and easy to understand, and to the extent available, include:

   a) A brief description of the breach or unauthorized release, the dates of the incident and the date of discovery, if known;
   b) A description of the types of PII affected;
   c) An estimate of the number of records affected;
   d) A brief description of the District's investigation or plan to investigate; and
   e) Contact information for representatives who can assist parents or eligible students that have additional questions.

Notification will be directly provided to the affected parent, eligible student, teacher, or principal by first-class mail to their last known address, by email, or by telephone.

Where a breach or unauthorized release is attributed to a third-party contractor, the third-party contractor is required to pay for or promptly reimburse the District for the full cost of this notification.

Annual Data Privacy and Security Training

The District will annually provide data privacy and security awareness training to its officers and staff with access to PII. This training will include, but not be limited to, training on the applicable laws and regulations that protect PII and how staff can comply with these laws and regulations. The District may deliver this training using online training tools. Additionally, this training may be included as part of the training that the District already offers to its workforce.

Notification of Policy

The District will publish this policy on its website and provide notice of the policy to all its officers and staff.

Education Law § 2-d
8 NYCRR Part 121

Board of Education Approval 7/13/20
SUBJECT: SCHOOL SAFETY PLANS

The District considers the safety of its students and staff to be of the utmost importance and is keenly aware of the evolving nature of threats to schools. As such, it will address those threats accordingly through appropriate emergency response planning. The District-wide school safety plan and the building-level emergency response plan will be designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the coordination of schools and the District with local and county resources in the event of these incidents or emergencies.

These plans will be reviewed by the appropriate team on at least an annual basis and updated as needed by September 1. Specifically, the Board will make each District-wide school safety plan available for public comment at least 30 days prior to its adoption. The District-wide school safety plans may only be adopted by the Board after at least one public hearing that provides for the participation of school personnel, parents, students, and any other interested parties. Additionally, the District-wide school safety plan will designate the Superintendent or designee as the chief emergency officer responsible for coordinating communication between school staff and law enforcement and first responders, and for ensuring staff understanding of this plan. Similarly, the Superintendent will be responsible for ensuring the completion and yearly updating of building-level emergency response plans.

The District has a single school building, in accordance with relevant law and regulation, it will develop one district-wide and building-level plan as described above, after appealing to the Commissioner of Education in order to develop a single comprehensive plan.

District-Wide School Safety Plan

District-wide school safety plan means a comprehensive, multi-hazard school safety plan that covers all school buildings of the District, addresses crisis intervention, emergency response and management at the District level, and has the contents as prescribed in Education Law and Commissioner's regulations.

The District-wide school safety plan will be developed by the District-wide school safety team appointed by the Board. The District-wide team will include, but not be limited to, representatives of the Board, teacher, administrator, and parent organizations, school safety personnel, and other school personnel.

The plan will further address, among other items as set forth in Education Law and Commissioner's regulations, how the District will respond to implied or direct threats of violence by students, teachers, other school personnel as well as visitors to the school, including threats by students against themselves (e.g. suicide).

(Continued)
SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)

Building-Level Emergency Response Plan

Building-level emergency response plan means a plan that addresses crisis intervention, emergency response and management at the building level and has the contents as prescribed in Education Law and Commissioner's regulations. As part of this plan, the District will define the chain of command in a manner consistent with the National Incident Management System (NIMS)/Incident Command System (ICS).

The building-level emergency response plan will be developed by the building-level emergency response team. The building-level emergency response team is a building-specific team appointed by the building principal, in accordance with regulations or guidelines prescribed by the Board. The building-level team will include, but not be limited to, representatives of teacher, administrator, and parent organizations, school safety personnel and other school personnel, community members, law enforcement officials, fire officials, or other emergency response agencies, and any other representatives the Board deems appropriate.

Training Requirement

The District will submit certification to the New York State Education Department that all District and school staff have received annual training on the emergency response plan, and that this training included components on violence prevention and mental health. New employees hired after the start of the school year will receive training within 30 days of hire, or as part of the District's existing new hire training program, whichever is sooner.

Filing/Disclosure Requirements

The District will file a copy of its District-wide school safety plan and any amendments with the Commissioner of Education no later than 30 days after its adoption. A copy of each building-level emergency response plan and any amendments will be filed with the appropriate local law enforcement agency and with the state police within 30 days of its adoption. Building-level emergency response plans will be kept confidential and are not subject to disclosure under the Freedom of Information Law (FOIL) or any other provision of law.

Homeland Security Presidential Directives - HSPD-5, HSPD-8
Homeland Security Act of 2002, 6 USC § 101
Education Law §§ 807, 2801-a
Public Officers Law Article 6
8 NYCRR § 155.17

Board Approval 8/20/01; Revised & Approved 5/21/18
SUBJECT: FIRE AND EMERGENCY DRILLS, BOMB THREATS, AND BUS EMERGENCY DRILLS

Fire and Emergency Drills

The administration of each school building will instruct and train students on appropriate emergency responses, through fire and emergency drills, in the event of a sudden emergency.

Fire and emergency drills will be held at least 12 times in each school year; eight of these will be evacuation drills and will be completed by December 31. Four of these eight required drills will be through use of the fire escapes on buildings where fire escapes are provided or identified secondary exits, and the other four drills will be lock-down drills. Drills will be conducted at different times of the school day. Students will also be instructed in the procedures to be followed in the event that a fire occurs during the regular school lunch period or assembly, however, this additional instruction may be waived if a drill is held during the regular lunch period or assembly.

Summer School

At least two additional drills will be held during summer school in buildings where summer school is held, and one of these drills will be held during the first week of summer school.

After-School Programs, Events, or Performances

The building principal or designee will require those in charge of after-school programs, events, or performances attended by any individuals unfamiliar with that school building, to announce at the beginning of these programs the procedures to be followed in the event of an emergency.

Bomb Threats

School Bomb Threats

A bomb threat, even if later determined to be a hoax, is a criminal act. No bomb threat should be treated as a hoax when it is first received. Upon receiving any bomb threat, the school has an obligation and responsibility to ensure the safety and protection of the students and other occupants of the school. This obligation takes precedence over a search for a suspect object. Prudent action is dependent upon known information about the bomb threat-location, if any; time of detonation; etc. Specific procedures as to appropriate responses as a result of a bomb threat can be located in the building-level emergency response plan, as required by relevant law and regulation.

Police Notification and Investigation

Appropriate law enforcement agencies must be notified by the building administrator or designee of any bomb threat as soon as possible after receiving the threat. Law enforcement officials will contact, as the situation requires, fire and/or county emergency coordinators according to the county emergency plan.

(Continued)
SUBJECT: FIRE AND EMERGENCY DRILLS, BOMB THREATS, AND BUS EMERGENCY DRILLS (Cont’d.)

Implementation

The Superintendent or designee will develop written procedures to implement the terms of this policy. Additionally, these procedures will be incorporated in the District-wide school safety plan and the building-level emergency response plan, with provisions to provide written information to all staff and students regarding emergency procedures by October 1 of each school year, an annual drill to test the emergency response procedures under each of its building-level emergency response plans; and the annual review of the District-wide and building-level emergency response plans, along with updates as necessary, by September 1, as mandated by law or regulation.

Bus Emergency Drills

The administration will conduct a minimum of three emergency drills to be held on each school bus during the school year. The first drill will be conducted during the first seven days of school, the second drill between November 1 and December 31, and the third drill between March 1 and April 30. No drills will be conducted when buses are on routes.

Students who ordinarily walk to school will also be included in the drills. Students attending public and nonpublic schools who do not participate in regularly scheduled drills will also be provided drills on school buses, or as an alternative, will be provided classroom instruction covering the content of these drills.

Each drill will include practice and instruction in the location, use, and operation of the emergency door, fire extinguishers, first-aid equipment, and windows as a means of escape in the event of fire or accident. Similarly, students will be instructed on all topics mandated by relevant sections of the Education Law and Commissioner’s regulations, including, but not limited to, the following:

a) Safe boarding and exiting procedures with specific emphasis on when and how to approach, board, disembark, and move away from the bus after disembarking;

b) Advancing at least ten feet in front of the bus before crossing the highway after disembarking; and

c) Orderly conduct as bus passengers.

Instruction on Use of Seat Belts

When students are transported on school buses equipped with seat safety belts, the District will ensure that all students who are transported on any school bus owned, leased, or contracted for by the District will receive instruction on the use of seat safety belts. This instruction will be provided at least three times each year to both public and nonpublic school students who are so transported and will include, but not be limited to:

(Continued)
SUBJECT: FIRE AND EMERGENCY DRILLS, BOMB THREATS, AND BUS EMERGENCY DRILLS (Cont'd.)

a) Proper fastening and release of seat safety belts;

b) Acceptable placement of seat safety belts on students;

c) Times at which the seat safety belts should be fastened and released; and

d) Acceptable placement of the seat safety belts when not in use.

Education Law §§ 807, 2801-a and 3623
Penal Law §§ 240.55, 240.60 and 240.62
8 NYCRR §§ 155.17, 156.3(f), 156.3(g), and 156.3(h)(2)

Board Approval 5/21/18
SUBJECT: SAFETY

The Board of Education of the Panama Central School District hereby declares that it is the policy of this School District to provide a safe and secure environment to all those persons; students, staff and visitors, who lawfully enter upon District property or who travel in District vehicles for the purposes of the District.

It shall be the responsibility of the Superintendent to establish and carry out written regulations which will:

a) Identify an administrator to serve the function of Safety and Risk Management Coordinator, who will be responsible for insuring compliance with health and safety;

b) Provide staff time and other necessary resources for the effective administration of the regulations;

c) Establish periodic written review of the activities of the staff to insure compliance with applicable laws and regulations;

d) Provide an on-going mechanism for the effective review for safety and security concerns of the staff, students and affected public.

Labor Law Section 27-a

Student Safety

All staff who are made aware of physical and/or verbal threats to students must immediately report these threats against students to the next level of supervisory authority for prompt action. The immediate supervisor must then inform the Superintendent/designee, including any action taken, after learning of such threats to students.

The District shall disseminate this policy to all employees in order to ensure staff awareness.

Revised: 10/16/95
SUBJECT: DRUG-FREE WORKPLACE

It shall be the general policy of the Board of Education to affirm that all programs in the District that receive Federal funds shall guarantee that their workplaces are free of controlled substances. "Controlled substance" means a controlled substance in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined in regulation at 21 Code of Federal Regulations (CFR) 1308.11-1308.15. An acknowledgment form shall be signed by the Superintendent indicating that the District is in full compliance with the Drug-Free Workplace Act. This policy shall guarantee that not only Federally funded programs, but the entire District is free of controlled substances.

The Board of Education directs the administration to develop regulations to comply with this policy, and further supports such actions and activities of the administration as shall be required to maintain a drug-free workplace.

In addition to complying with Federal legislation regarding the use of drugs, the Board of Education prohibits any employee to be under the influence, to use, to have in his or her possession or to distribute in any way alcohol on school property or at school sponsored activities off school property.

Drug-Free Workplace Act of 1988
(DFWA P.L. 100-690)

Revised: 10/16/95
SUBJECT: HAZARD COMMUNICATION STANDARD

The Board of Education recognizes the rights of all personnel to work in a healthy and safe environment which is as free as practicable from recognized hazards and risks to their safety.

Therefore, all personnel shall be provided with applicable training to comply with the New York State "Right-to-Know" Law and the Hazard Communication Standard.

The Board directs the Superintendent to adopt rules and regulations to insure District implementation of this policy which shall include awareness information, employee training and record keeping.

NYS Labor Law
12 NYCRR Part 820
Article 28
OSHA 29 CFR 1910.1200
SUBJECT: CRISIS RESPONSE

No school system is immune to an emergency or disaster having an immediate negative physical or mental effect on its students, staff and the local community. When a crisis arises, immediate, effective and responsible management and communication can address the crisis and maintain a District's integrity and credibility. Therefore, the District shall develop and maintain a unified position by:

a) Identifying a crisis response team to develop a plan and maintain a strong, ongoing communications program in each school. This is the foundation for long range success.

b) Identifying a Crisis Consultant who will be briefed on all details. This spokesperson may be the Superintendent or his/her designee. Only this spokesperson and/or the Superintendent shall talk to and maintain a timely flow of information to the media.

The Superintendent and/or the Crisis Consultant shall be responsible for informing staff of the crisis plan which is to be developed by both administration and the crisis response team.
SUBJECT: DISTRICT EMERGENCY MANAGEMENT PLAN

To be prepared for an emergency or crisis in the District and to insure a prompt, thoughtful response, the Superintendent will prepare guidelines for the development of a District Emergency Management Plan. The plan shall make provision for:

a) Shelter;
b) Evacuation;
c) Early dismissal;
d) Annual written notification to students and staff;
e) An annual drill;
f) Coordination with local emergency preparedness coordinators.

An Emergency Planning Committee may be established to supervise the plan, and an Emergency Management Plan Coordinator may be appointed with responsibility for overall coordination and decision-making should an emergency occur.

The Board of Education may create and sustain a control center in anticipation of an emergency. Further, a survey shall indicate the location of potential emergency sites on School District property as well as within the community itself.

8 New York Code of Rules and Regulations (NYCRR) Section 155.13
SUBJECT: POOL SAFETY PLAN

The Panama Central School District Board of Education directs the administration to develop, implement and update a written pool safety plan. This plan shall consist of, but not be limited to, the following:

a) Bather supervision;
b) Provision of first aid;
c) Emergency, injury incident procedures;
d) Summons for assistance;
e) Injury prevention.

Public Health Law
New York State Sanitary Code
Section 6-1.23(c) and 6-2.17(a)(4)
SUBJECT: OCCUPATIONAL EXPOSURE TO HAZARDOUS LABORATORY CHEMICALS

The Board of Education recognizes its responsibility to protect students and employees from the hazards associated with laboratory work.

The Board directs the Superintendent to appoint a Chemical Hygiene Officer who is qualified by training or experience to provide technical guidance in the development and implementation of a Chemical Hygiene Plan (CHP). The CHP shall set forth the necessary work practices and procedures that are capable of protecting students and employees from potentially hazardous chemicals used in school laboratory facilities.

The Chemical Hygiene Plan shall be reviewed annually by the Board of Education.

29 CFR 1910.1450
Occupational Exposure to Hazardous Laboratory Chemicals

Adopted: 05/06/96
SUBJECT: EXPOSURE CONTROL PROGRAM

The District shall establish an exposure control program designed to prevent and control exposure to infectious disease. According to the New York State Department of Labor's Division of Safety and Health and OSHA standards, the program shall consist of:

a) Guidelines for maintaining a safe, healthy school environment to be followed by staff and students alike.

b) Written standard operating procedures for blood/body fluid clean-up.

c) Appropriate staff education/training.

d) Evaluation of training objectives.

e) Documentation of training and any incident of exposure to blood/body fluids.

f) A program of medical management to prevent or reduce the risk of pathogens, specifically hepatitis B and HIV.

g) Written procedures for the disposal of medical waste.

h) Provision of protective materials and equipment for all employees who perform job-related tasks involving exposure or potential exposure to blood, body fluids or tissues.

U.S. Department of Labor
OSHA Instructional CPL2-244B

Adopted: 03/04/96
SUBJECT: COMMUNICABLE DISEASES

The Board of Education directs the Superintendent or his/her designee to establish regulations and procedures for dealing with communicable diseases in ways that protect the health of both students and staff while minimizing the disruption of the education process.

Adopted: 03/04/96
SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES

The Board of Education contends that a student shall not be denied the right to attend school or continue his/her education nor shall an employee be denied the right to continue his/her employment who has been diagnosed or identified as having a positive blood test for the antibodies to the Human Immunodeficiency Virus (HIV). The Board further contends that under current law and regulations, the disclosure of confidential HIV-related information shall be strictly limited.

Administrative regulations and procedures shall be developed and implemented by the administration based on recommendations from the New York State Education Department and from consultation with appropriate professional and medical staff in the District.

The Superintendent shall also establish protocols for routine sanitary procedures for dealing with the cleaning and handling of body fluids in school, with special emphasis placed on staff awareness.

This policy should be reviewed on an annual basis and revised as legislation warrants.

Confidentiality: Public Health Law, Article 27-F

Revised: 03/04/96
SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN PUBLIC SCHOOL FACILITIES

The School District shall provide and maintain on-site in each instructional school facility functional cardiac automated external defibrillator (AED) equipment as defined in Public Health Law Section 3000-b for use during emergencies. Each such facility shall have sufficient automated external defibrillator equipment available to ensure ready and appropriate access for use during emergencies in quantities and types as deemed by the Commissioner of Education, in consultation with the Commissioner of Health. Determination of the quantity and placement of AEDs must be made with consideration of at least the factors enumerated in Commissioner’s Regulations. An instructional school facility means a building or other facility maintained by the School District where instruction is provided to students pursuant to its curriculum.

Whenever an instructional School District facility is used for a school-sponsored or school-approved curricular or extracurricular event or activity and whenever a school-sponsored athletic contest is held at any location, the public school officials and administrators responsible for such school facility or athletic contest shall ensure that AED equipment is provided on-site and that there is present during such event, activity or contest at least one staff person who is trained in accordance with Public Health Law in the operation and use of an AED. School-sponsored or school-approved curricular or extracurricular events or activities means events or activities of the School District that are, respectively, associated with its instructional curriculum or otherwise offered to its students. A school-sponsored athletic contest means an extraclass intramural athletic activity of instruction, practice and competition for students in grades 4 through 12 consistent with Commissioner’s Regulations Section 135.4.

Where a school-sponsored competitive athletic event is held at a site other than a School District facility, School District officials shall assure that AED equipment is provided on-site by the sponsoring or host district and that at least one staff person who is trained, in accordance with Public Health Law, in the operation and use of the AED is present during such athletic event. A school-sponsored competitive athletic event means an extraclass interscholastic athletic activity of instruction, practice and competition for students in grades 7 through 12 consistent with Commissioner’s Regulations Section 135.4.

School District facilities and District staff responsible for carrying out the duties enumerated in Education Law Section 917 are deemed a "public access defibrillation provider" as defined pursuant to Public Health Law Section 3000-b and subject to the Public Health Law requirements and limitations.

Therefore, it is the policy of our School District to provide proper training requirements for District AED users, to ensure the immediate calling of 911 and/or the community equivalent ambulance dispatch entity whenever the AED is used, to ensure ready identification of the location of the AED units as enumerated in the District’s Public Access Defibrillation Collaborative Agreement.

(Continued)
SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN PUBLIC SCHOOL FACILITIES

The District will provide for regular maintenance and checkout procedures of the AED unit(s) which meet or exceed manufacturer's recommendations. Appropriate documentation will be maintained in accordance with law and/or regulation. Further, the District will participate in the required Quality Improvement Program as determined by the Regional Emergency Medical Services Council.

Pursuant to Public Health Law Sections 3000–a and 3000–b, the School District (as a public access defibrillation provider), or any employee or other agent of the School District who, in accordance with the provisions of law, voluntarily and without expectation of monetary compensation renders emergency medical or first aid treatment using an AED to a person who is unconscious, ill or injured, shall not be liable for damages for injury or death unless caused by gross negligence.

Education Law Section 917
Public Health Law Sections 3000–a and 3000–b
8 New York Code of Rules and Regulations (NYCRR) Section 136.4

Board of Education Approval 10/21/02
SUBJECT: CODE OF PROFESSIONAL ETHICS FOR SCHOOL BUSINESS OFFICIALS

An employee, while acting in the capacity as the School Business Official shall:

a) Make no promises or statements without appropriate authority which may appear to be binding on his/her public office.

b) Dispense no special favors or privileges to any person or group, either for remuneration or reciprocal favors, and to accept no benefits or favors of any kind which might be construed as influencing the judicious performance of his/her public duties.

c) Maintain the highest levels of personal and professional integrity, and to set the best possible example for colleagues, the community and the younger generation.

No employee, while acting in his/her capacity as the School Business Official, shall:

a) Have any direct or indirect interest whatsoever in any contract or business or professional dealings with this School District, except by operation of law.

b) Act as attorney, agent, broker, representative or employee in business or professional dealings with this School District for any person or corporation in which he/she has a direct or indirect interest.

c) Engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict or impairs the proper discharge of his/her official duties.

d) Invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction, which creates a conflict with his/her official duties.

e) Directly or indirectly solicit any gift for personal gain or use.

f) Accept or receive any gift which would violate the provisions of the laws of New York State.

The School Business Official shall not disclose confidential information acquired in the course of his/her official duties, concerning the affairs of the District or any other confidential information of an official character except when required by law, nor shall he/she use such information to further the financial or other private interests of him/herself or others.

NOTE: Refer also to Policy #6110 -- Code of Ethics For all District Personnel.

Adopted: 05/06/96
SUBJECT: TRANSPORTATION PROGRAM

It is the intent of the Board of Education to comply with the letter and spirit of the New York State Education Law; with the regulations of the Public Service Commission and of the Department of Transportation and with the Commissioner of Education's regulations and decisions pertinent to student transportation, and these shall govern any questions not covered by specific declaration of policy herein.

The purposes of the transportation program are to transport students to and from school, to transport them for extracurricular activities, to transport them on field trips, and to transport those requiring special services.

The Board of Education recognizes and assumes the responsibility for all aspects of the transportation of children wherein the health and safety of students are involved, for the Board of Education has a legal obligation to safeguard the welfare of bus-riding children. This implies that the Board is responsible for the safety of children transported and further implies that in no way shall education suffer as a result of transportation or lack of it.

Education Law Section 3635
SUBJECT: SCHEDULING AND ROUTING

Bus routes are authorized by the Board of Education and any requests for a change must be submitted to the Superintendent or his/her designee.

Transportation services shall be provided to meet the needs of the students of the District within specified limits and areas established by the Board of Education.

Education Law Sections 3621, 3635
SUBJECT: SCHOOL BUS IDLING

The Board of Education recognizes the need to promote the health and safety of District students and staff and to protect the environment from harmful emissions found in bus exhaust, in particular diesel exhaust, by eliminating the unnecessary idling of all school buses on school property including all schools within the District or at any school or school related activities to which District students are transported. For purposes of this policy, an "idling school bus" shall mean a school bus that is parked or stopped at a school or other location and has its engine running. This policy applies to the operation of every District-owned and/or contracted school bus. The District shall strive to eliminate all unnecessary idling of school buses such that idling time is minimized in all aspects of school bus operation.

In accordance with the Rules and Regulations of the New York State Department of Environmental Conservation (DEC), excessive idling of certain vehicles is illegal in New York State. State regulations provide in part that buses exceeding 8,500 pounds and designed primarily for transporting persons or properties (i.e., a "heavy duty vehicle") shall not idle for more than five (5) consecutive minutes when not in motion unless otherwise authorized by the regulations. Significantly, the state regulations apply to a heavy-duty vehicle whether or not powered by a diesel or non-diesel fueled engine.

Further, the five (5) consecutive minute limitation on idling applies to buses whether owned, operated or leased; or to one who owns, leases or occupies land and has the actual or apparent dominion or control over the operation of the bus present on such land.

Exceptions

Exceptions to the five (5) consecutive minute limitation on idling of school buses will be as enumerated in state regulations and include, but are not limited to, the following:

a) The bus is forced to remain motionless because of the traffic conditions over which the driver has no control; and

b) Idling to maintain an interior temperature of fifty (50) degrees Fahrenheit when the outside temperature is less than fifty (50) degrees or an interior temperature of seventy (70) degrees Fahrenheit when the temperature outside is more than eighty (80) degrees.

c) Auxiliary function such as wheelchair lifts IF the operation requires the engine to continue running.

d) When operation of the vehicle is required for maintenance, including necessary pre-trip safety inspections.

Publication of District Policy/Bus Driver Training

This policy shall be posted at the Transportation Department and bus garage; and the Director of Transportation shall provide training to District bus drivers/transportation personnel on the District's idling reduction program and other practices for environmentally friendly bus operations to reduce school bus emissions and minimize exposure to bus exhaust. Appropriate signage shall be posted at each school to remind drivers and school staff of the policy.

Also, as may be applicable, the District shall ensure that each vendor/contract bus company receives a copy of the District policy regarding idling of school buses and shall provide any educational materials, regulations and/or procedures developed by the District with regard to meeting training requirements of the District's idling reduction program. The vendor/contract bus company shall sign for receipt of all of the above documents at the beginning of each school year and shall provide training for all currently employed bus drivers/transportation personnel. The vendor/contract bus company must also ensure that newly hired bus drivers, upon employment, are informed of the District policy and provided appropriate training regarding the idling of school buses.

(Continued)
SUBJECT: SCHOOL BUS IDLING (Cont'd.)

The provisions of this policy shall be incorporated by reference in all transportation contracts and agreements.

The District shall otherwise publish its School Bus Idling Policy at its discretion, which may include publication in the local newspaper and/or annual District calendar.

Sanctions for Violation of District Policy

District employed bus drivers as well as other District employees who are known to have engaged in prohibited behavior with regard to excessive idling of school buses are subject to disciplinary action pursuant to the applicable collective bargaining agreement, as well as the sanctions provided for in law and/or regulations.

Any significant violations by vendors/contract bus companies of District policy and/or regulations regarding excessive idling of school buses shall result in revocation of their contract for the transportation of District students; and they may be subject to sanctions provided for in law and/or regulations.

The District will monitor and enforce compliance with this policy; and any person may report incidents of noncompliance by contacting the Director of Transportation.


NYC Regulations: New York City Administrative Code Section 24-163

Board of Education Approval 9/22/08
SUBJECT: TRANSPORTATION OF STUDENTS

Request For Transportation To and From Non-Public Schools

The parent or guardian of a parochial or private school child residing in the School District who desires that the child be transported to a parochial or private school outside of the School District during the next school year should submit a written request to the Board of Education no later than April 1 of the preceding year, or within thirty (30) days of moving into the District. No late request of a parent or guardian shall be denied where a reasonable explanation is provided for the delay.

Transportation of Students With Disabilities

Students with disabilities in the District shall be transported up to fifty (50) miles (one way) from their home to the appropriate special service or program, unless the Commissioner certifies that no appropriate nonresidential special service or program is available within fifty (50) miles. The Commissioner may then establish transportation arrangements.

Transportation To School Sponsored Events

Extracurricular activities often require transportation to other communities. Groups doing the most traveling are athletic teams, chorus, marching band and class picnics.

We will confine these request to Western New York with Buffalo on the northern limits, Olean on the east, Meadville on the west, and a similar distance on the south. These are the approximate limits for the unusual trip with each group allowed one of these long trips a season or year.

It is requested of all groups to set up a schedule of activities and submit it to the office so that these activities receive approval and transportation arrangements can be made well in advance.

It is requested that on the long trips that there is a minimum ratio of one adult to every twenty students to allow adequate supervision. Teachers and parents may be asked to assist.

It may be necessary to take lunches but none will be eaten on the bus. Glass bottles or breakable jars are not permitted. Plans should be made for eating before leaving.

Where the District has provided transportation to students enrolled in the District to a school sponsored field trip, extracurricular activity or any other similar event, it shall provide transportation back to either the point of departure or to the appropriate school in the District unless the parent or legal guardian of a student participating in such event has provided the District with written notice, consistent with District policy, authorizing an alternative form of return transportation for such student or unless intervening circumstances make such transportation impractical. In cases where intervening circumstances make transportation of continued
SUBJECT: TRANSPORTATION OF STUDENTS (CONT'D.)

Transportation To School Sponsored Events (continued)

a student back to the point of departure or to the appropriate school in the District impractical, a representative of the School District shall remain with the student until such student's parent or legal guardian has been contacted and informed of the intervening circumstances which make such transportation impractical; and the student has been delivered to his or her parent or legal guardian.

Athletic Events

a) Buses may be provided for transporting players (and cheerleaders when participating) from school to school for all interscholastic sports.

b) There will be no buses provided for transporting any students from their home to Panama School for any athletic event.

c) The number of spectator buses to be provided will be at the discretion of the administration.

Education Law Sections 1604, 1709, 1804, 1903, 1950, 2503, 2554, 2590-e, 3635, 4401(4), 4404, and 4405

Revised 4/8/02
SUBJECT: RIDERS ON SCHOOL BUSES

The Board of Education shall not permit any employees' children (unless that child is a regular student on that bus or is going to the event as any other child would be entitled), spouses, or any other relatives to ride school buses to field trips, sporting events, etc.

Bus drivers shall not allow their spouse, grandchildren, etc. to ride the buses just for the sake of riding the bus or for personal convenience.

If any staff member has a unique case, it must be approved by the administration prior to the event.

Revised: 09/08/97
SUBJECT: TRANSPORTATION IN CHILD SAFETY ZONES

In accordance with Education Law, the Board of Education is authorized to adopt a resolution providing for student transportation in child safety zones. Transportation in a child safety zone shall be available to resident students for the particular school year designated in the resolution. Such resolution shall continue in effect for subsequent school years until the Board adopts a resolution providing otherwise.

Transportation in child safety zones may be provided upon the determination by the Board that a hazardous zone exists which, in the opinion of the Board, would be reasonably alleviated by the establishment of a child safety zone. "Child safety zone" means a designated area of the School District, including at least one personal residence, within which children who reside at a lesser distance from the school they legally attend than the minimum transportation limit of the District will be provided transportation on the basis that their most direct walking route to school will traverse a hazardous zone. Transportation in child safety zones may be provided without regard to like circumstances, notwithstanding the provisions of Education Law Section 3635(1).

The Commissioner of Transportation has established regulations for determination of a hazardous zone. Such regulations shall be used by the Board of Education in determining whether a hazardous zone exists.

Designation of Child Safety Zones

Submission of Petitions/Requests

The Board of Education shall, upon written petition of a parent/person in parental relation of a child residing in the District, or of any representative authorized by such parent/person in parental relation, (signed by 25 qualified voters of the District or 5% of the number of voters who voted in the previous annual election of Board members, whichever is greater) make an investigation to determine whether a hazardous zone exists requiring the establishment of a child safety zone.

Petitions and/or additional written requests from individual parents/persons in parental relation requesting designation of an area as a child safety zone shall be in accordance with the procedures and time frames enumerated in Education Law Section 3635-b.

Determination by the Board as to the designation of a child safety zone shall be in accordance with law and/or regulations.

Investigation by Board of Education

The Board may directly, or by appointment of an advisory committee, make an investigation to determine if a hazardous zone exists within the District. Such investigation shall be made pursuant to the Regulations of the Commissioner of Transportation and shall include consultation with state or local transportation authorities and the investigation of other, less costly, reasonable alternatives to the creation of a child safety zone.

(Continued)
SUBJECT: TRANSPORTATION IN CHILD SAFETY ZONES (Cont’d.)

In accordance with the State Education Department (SED), without having been petitioned, the Board may also conduct an investigation on its own initiative to determine whether a hazardous zone exists requiring the designation of a child safety zone.

Determination by the Board as to the designation of a child safety zone shall be in accordance with law and/or regulations.

Cost of Providing Transportation

The cost of providing transportation in child safety zones shall be an ordinary contingent expense and shall be included as an item of expense for purposes of determining the transportation quota of the District.

District Immunity from Liability

Education Law Section 3635-b does not impose a duty upon the School Board to provide transportation services pursuant to this Section of law; nor is the Board to be held liable for failure to provide such transportation.

A Board member, school officer or employee shall have immunity from any civil or criminal liability that might otherwise be incurred or imposed as a result of the provisions of Section 3635, provided that such person shall have acted in good faith. For the purpose of any proceeding, civil or criminal, the good faith of any such person shall be presumed.

Education Law Sections 3635 and 3635-b
Transportation Law Section 14(30)
17 New York Code of Rules and Regulations (NYCRR) Part 191

Revised & Board of Education Approved: 7/24/06
SUBJECT: USE OF BUSES BY COMMUNITY GROUPS

Upon formal application to and approval by the Board of Education buses may be rented to a municipal corporation; to any senior citizen center recognized and funded by the office for the aging; to any not-for-profit organization serving those with disabilities; or, to any not-for-profit organization which provides recreational youth services or neighborhood recreation centers. Such rentals can be made only for times when vehicles are not needed for student transport and must be made for a consideration acceptable to the Board. Panama Central School Bus Drivers will be utilized in conjunction with all rental or loan agreements with outside agencies.

Education Law Section 1501-b

Revised: 10/16/95
SUBJECT: SCHOOL BUS SAFETY PROGRAM

The safe transportation of students to and from school is of primary concern in the administration of the school bus program. All state laws and regulations pertaining to the safe use of school buses shall be observed by drivers, students and school personnel.

To assure the safety and security of students boarding or exiting school buses on school property, it shall be unlawful for a driver of a vehicle to pass a stopped school bus when the red bus signal is in operation.

Use of Cell Phones and Portable Electronic Devices Prohibited

Use of portable electronic devices by a school bus driver at times the vehicle is in operation on the roadway poses a potential safety risk. All school bus drivers are prohibited from using portable electronic devices while the bus is in operation and students are on the bus.

Personal cell phones are to be placed in the "off" position when in the possession of the school bus driver while the bus is in operation. Cell phones may be used in case of emergency.

The following terms are defined as:

a) "Portable electronic device" shall mean any mobile telephone (hand held or "hands free"), personal digital assistant (PDA), portable device with mobile data access, laptop computer, pager, broadband personal communication device, two-way messaging device, electronic game, or portable computing device.

b) "Using" shall mean holding a portable electronic device while viewing, taking or transmitting images, playing games, or composing, sending, reading, viewing, accessing, browsing, transmitting, saving or retrieving e-mail, text messages, or other electronic data.

c) "In operation" shall mean that the bus engine is running, whether in motion or not.

The Transportation Supervisor, in cooperation with the Principals, has the responsibility of developing and publishing safety rules to be followed by drivers and passengers, including rules of student conduct. In order to ensure maximum safety to those riding school buses, it is necessary that students and drivers cooperate in this effort. There is no substitute for training to develop safe habits in pedestrian and vehicular traffic.

All buses and other vehicles owned and operated by the School District will have frequent safety inspections, and will be serviced regularly. The Transportation Supervisor will maintain a comprehensive record of all maintenance performed on each vehicle.

(Continued)
SUBJECT: SCHOOL BUS SAFETY PROGRAM (Cont'd.)

Every bus driver is required to report promptly any school bus accident involving death, injury, or property damage. All accidents, regardless of damage involved, must be reported at once to the Transportation Supervisor.

Education Law Section 3623
Vehicle and Traffic Law Sections 509-a(7), 509-l(1-b), 1174(a) and 1174(b)
8 New York Code of Rules and Regulations (NYCRR) Section 156.3

NOTE: Refer also to Policies #8212 -- Fire Drills, Bomb Threats and Bus Emergency Drills
#5761 -- Drug and Alcohol Testing for School Bus Drivers and Other Safety-Sensitive Employees
SUBJECT: QUALIFICATIONS OF BUS DRIVERS

A person shall be qualified to operate a bus only if such person:

a) Is at least twenty-one years of age;

b) Has been issued a currently valid driver’s license or permit which is valid for the operation of a bus in New York State;

c) Has passed the annual bus driver physical examination administered pursuant to Regulations of the Commissioner of Education and the Commissioner of Motor Vehicles. In no case shall the interval between physical examinations exceed a 12-month period;

d) Is not disqualified to drive a motor vehicle under Sections 509-c and 509-cc and any other provisions of Article 19-A of the Vehicle and Traffic Law;

e) Has on file at least three statements from three different persons who are not related to the driver/applicant pertaining to the moral character and to the reliability of such driver/applicant;

f) Has completed, or is scheduled to complete, State Education Department safety programs as required by law;

g) Is in compliance with federal law and regulations, as well as District policy and/or regulations, as it pertains to meeting the standards governing alcohol and control substance testing of bus drivers if and when applicable.

*h) Has taken and passed a physical performance test at least once every two (2) years and/or following an absence from service of sixty (60) or more consecutive days from his/her scheduled work duties;

i) Is in compliance with all other laws and regulations for operating a school bus, including licensing and training requirements.

(Continued)

*Drivers hired as of September 1, 1997 have until July 1, 2000 to take and pass the physical performance test.
SUBJECT: QUALIFICATIONS OF BUS DRIVERS (Cont'd.)

Special Requirements For New BusDrivers

Before employing a new bus driver, the Superintendent or his/her designee shall:

a) Require such person to pass a physical examination within four (4) weeks prior to the beginning of service;

b) Obtain a driving record from the appropriate agency in every state in which the person resided, worked, and/or held a driver's license or learner's permit during the preceding three years;

c) Investigate the person's employment record during the preceding three years;

*d) Require such person to submit to the mandated fingerprinting procedures;

*e) Request the Department of Motor Vehicles to initiate a criminal history check;

f) Require that bus drivers hired after September 1, 1997 take and pass the physical performance test, as mandated by Commissioner's Regulations, before they transport students.

(Continued)

*Both “d” and “e” are requirements for all current bus drivers hired on or before September 14, 1985; and also applies to drivers hired on or after September 15, 1985.
SUBJECT: QUALIFICATIONS OF BUS DRIVERS (Cont’d.)

Implementation

Administrative regulations will be developed to implement the provisions of drug and alcohol testing for school bus drivers, as well as to address bus driver physical performance test guidelines.

Sections 509-c, 509-cc, and Article 19-A of the Vehicle and Traffic Law Education Law
Section 3624
15 New York Code of Rules and Regulations (NYCRR) Part 6
8 New York Code of Rules and Regulations (NYCRR) Section 156.3
Omnibus Transportation Employee Testing Act of 1991 (P.L. 102-143)
49 United States Code (U.S.C.) Section 521(b)

NOTE: Refer also to Policy #5761 -- Drug and Alcohol Testing For School Bus Drivers and Other Safety-Sensitive Employees.

Revised: 11/17/97
SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES

In accordance with federal regulations, employees in safety-sensitive positions as defined in regulations, including school bus drivers who are required to have and use a commercial drivers license (CDL), are now subject to random testing for alcohol, marijuana, cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP). The District shall adhere to federal law and regulations requiring the implementation of a drug and alcohol testing program for such employees in safety-sensitive positions.

The District shall either establish and manage its own program, by contract, or through a consortium for the provisions of alcohol and drug testing of employees in safety-sensitive positions. Safety-sensitive employees (SSE), including school bus drivers who drive a vehicle which is designed to transport 16 or more passengers (including the driver), shall be subject to this requirement.

Federal regulations require that the District test school bus drivers and other SSEs for alcohol and drugs at the following times:

a) Drug testing will be conducted after an offer to hire, but before actually performing safety-sensitive functions for the first time. Such pre-employment testing will also be required when employees transfer to a safety-sensitive position.

b) Safety-sensitive employees are also subject to a random drug and/or alcohol test on an unannounced basis just before, during or just after performance of safety-sensitive functions.

c) In addition, testing will be ordered if a trained supervisor has a "reasonable suspicion" that an employee has engaged in prohibited use of drug and/or alcohol.

d) There will also be post accident testing conducted after accidents in specified circumstances on employees whose performance could have contributed to the accidents.

e) Finally, return-to-duty and follow-up testing will be conducted if an individual who has violated the prohibited alcohol and/or drug conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced and at least 6 tests must be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return-to-duty.

Drivers and other SSEs who engage in prohibited behavior with regard to alcohol misuse or use of controlled substances are subject to disciplinary action and penalties pursuant to District policy and collective bargaining agreements, up to and including dismissal, as well as the sanctions provided for in federal law. SSEs who have engaged in such prohibited behavior shall not be allowed to perform safety-sensitive functions until they are:

(Continued)
SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd.)

a) Evaluated by a substance abuse professional (SAP).

b) Complete any requirements for rehabilitations as set by the District and the SAP.

c) Pass a return-to-duty test with the result below 0.02 if the conduct involved alcohol, or a controlled substance test with a verified negative result if the conduct involved controlled substance use.

d) The SSE shall also be subject to unannounced follow-up alcohol and controlled substance testing. The number and frequency of such follow-up testing shall be as directed by the SAP, and consist of at least 6 tests in the first 12 months.

The Superintendent of Schools shall ensure that each SSE receives a copy of District policy, educational materials that explain the requirements of the alcohol and drug testing regulations, and any regulations and/or procedures developed by the District with respect to meeting those requirements. The Superintendent or his/her designee shall ensure that a copy of these materials is distributed to each SSE, who shall sign for receipt of all of the above documents, as well as other appropriate personnel, prior to the start of the District alcohol and controlled substance testing program as well as at the beginning of each school year or at the time of hire for any safety-sensitive employees. Representatives of applicable collective bargaining units shall be notified of the availability of this information.

The Superintendent or his/her designee shall arrange for training of all supervisors who may be utilized to determine whether "reasonable suspicion" exists to test a driver for prohibited conduct involving alcohol or controlled substance use/abuse.

All employee drug and alcohol testing will be kept confidential and shall only be revealed without the driver's consent to the employer, a substance abuse professional, drug testing laboratory, medical review officer and any other individual designated by law.

The following alcohol and controlled substance-related activities are prohibited by the Federal Highway Administration's drug use and alcohol misuse rules for drivers of commercial motor vehicles and other SSEs:

a) Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES (Cont’d.)

b) Being on duty or operating a commercial motor vehicle (CMV) while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.

c) Using alcohol while performing safety-sensitive functions.

d) Using alcohol 4 hours or less before duty.

e) When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.

f) Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion or follow-up testing requirements.

g) Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the SSE uses any controlled substance. This prohibition does not apply when instructed by a physician who has advised the SSE that the substance does not adversely affect the SSE’s ability to safely operate a CMV, and the SSE presents documentation of the physician’s instruction prior to performing safety-sensitive functions.

h) Reporting for duty, remaining on duty or performing a safety-sensitive function, if the SSE tests positive for controlled substances.

i) Performing or continuing to perform safety-sensitive functions less than 24 hours after testing if an alcohol concentration is found that is greater than 0.02 but less than 0.04.

Any violation of this policy, administration regulations and/or procedures and applicable federal and state laws by a covered employee shall be grounds for disciplinary action including, but not limited to, fines, suspension, and/or discharge in a manner consistent with District policy, collective bargaining agreements and applicable law.

The Superintendent or his/her designee shall establish regulations necessary to implement this policy.

Omnibus Transportation Employees Testing Act of 1991 (P.L.102-143)
49 United States Code (U.S.C.) Section 521(b)

Adopted: 12/04/95
SUBJECT: ASSIGNMENT OF SUBSTITUTE DRIVERS

a) Substitute drivers are not covered by the terms and conditions of the Non-Instructional Contract.

b) The assignment of substitute bus drivers will be made by the head bus driver.

c) Following a three (3) month probationary period, an approved substitute driver will be placed on a rotating basis along side the regular drivers for substitute assignments on regular morning and afternoon runs.

NOTE: The first substitute sign up list for these runs will be in August or September of each year. However, if during the course of the year a driver who has not signed up for substitute driving feels he would like to sign up for these runs may do so if he/she has good cause such as improved health or change in occupation.
SUBJECT: SAFETY OF STUDENTS (FINGERPRINTING CLEARANCE OF NEW HIRES)

Unless otherwise authorized in accordance with law and regulation, the District shall not employ or utilize a prospective school employee, as defined below, unless such prospective school employee has been granted a "full" clearance for employment by the State Education Department (SED). The School District shall require a prospective school employee who is not in the SED criminal history file to be fingerprinted for purposes of a criminal history record check by authorized personnel of the designated fingerprinting entity. For purposes of this provision of law, the term "criminal history record" shall mean a record of all convictions of crimes and any pending criminal charges maintained on an individual by the Division of Criminal Justice Services (DCJS) and the Federal Bureau of Investigation (FBI).

The District shall utilize SED's Web-based application known as TEACH for instantaneous access to important information about certification and fingerprinting. Through TEACH, SED provides an individual with the ability to apply for fingerprint clearance for certification and/or employment and view the status of his/her fingerprint clearance request. Through TEACH, the School District is able, among other applications, to submit an online request for fingerprint clearance for a prospective employee, view the status of a fingerprint clearance request, and determine whether a subsequent arrest letter has been issued.

Safety of Students

The District will develop internal building and/or program procedures to help ensure the safety of students who have contact with an employee holding conditional appointment or emergency conditional appointment. Such procedures will address the safety of students in the classroom, students attending off-campus activities under the supervision of the School District, and students participating in extracurricular and/or co-curricular activities (including sports and athletic activities).

Safety procedures to be addressed include, but are not limited to, the following: supervision of the employee holding conditional appointment/emergency conditional appointment as determined appropriate by the applicable building/program administrator; and periodic visitations by the building/program administrator to the classroom, program and/or activity assigned to the employee holding conditional appointment/emergency conditional appointment.

"Sunset" Provision for Conditional Appointments/Emergency Conditional Appointments

The provisions in law which permit the conditional appointment and/or emergency conditional appointment of employees pending full clearance from SED shall terminate, in accordance with legislation, on July 1, 2010; and shall be rescinded as Board policy and procedure as of that date (unless subsequent revisions to applicable law provide otherwise).

Access to TEACH

Information regarding fingerprinting of new hires, including relevant laws and regulations, frequently asked questions (FAQs), an up-to-date chart for "Who Must be Fingerprinted", and instructions on the fingerprinting process are found on www.highered.nysed.gov/tcert/ospra. To request access to TEACH, e-mail TEACHHELP@mail.nysed.gov.

Correction Law Article 23-A
Education Law Sections 305(30), 305(33), 1604, 1709, 1804, 1950, 2503, 2554, 2590-h, 2854, 3004-b, 3004-c and 3035
Executive Law Section 296(16)
Social Services Law Article 5, Title 9-B
8 New York Code of Rules and Regulations (NYCRR) Sections 80-1.11 and Part 87

Board of Education Update and Approval: 11/16/09
Board of Education Approval: 6/20/01
SUBJECT: FINGERPRINTING OF SPORTS OFFICIALS

Project SAVE requires that all "prospective school district employees," as that term is defined in the law, be fingerprinted and receive clearance from the State Education Department to work in the Panama Central School District. Project SAVE further provides that certain individuals are not considered "prospective employees" who would need to be fingerprinted; e.g., those who are "grandfathered" because they provided services to the district in the previous school year, or, those who will provide services for no more than five days during the school year.

However, with respect to sports officials, the Panama Central School District has determined that it is too cumbersome to ascertain whether the "grandfather" provision indicated in the legislation applies to each individual sports official, prior to him/her providing services on-site. The District also cannot provide in-person supervision for sports officials when they are officiating sports contests, and, therefore, the "5-day rule" included in the legislation does not apply in our school district.

It is the responsibility of this school district to comply fully with the provisions of the Project SAVE legislation. The Panama Central School District will not hire any sports official who refuses to comply with this policy by being fingerprinted and receiving clearance.

Education Law Sections 305(30), 1604, 1709, 1804, 2503, 2554, 2854
8 New York Code of Rules and Regulations (NYCRR)
Part 87

Board of Education Approval 9/8/03
SUBJECT: CONDITIONAL APPOINTMENT & EMERGENCY CONDITIONAL APPOINTMENT

The Board of Education recognizes that there may be instances in which it is necessary, upon recommendation of the Superintendent of Schools, for the Board to make a conditional appointment or an emergency conditional appointment of a prospective employee. To provide for the safety of students who have contact with an employee holding a conditional appointment or an emergency conditional appointment, the Board adopts the following policy.

No district employee who holds a conditional or emergency conditional appointment shall be in contact with students other than to provide the specific instruction or other services for which the employee was hired, except as deemed appropriate by the Building Principal.

No district employee who holds a conditional or emergency conditional appointment shall teach a class or provide services to students with his/her classroom or office door closed unless the Building Principal has provided express prior permission to do otherwise. Such permission may be appropriate, for example, during music class, band practice or testing procedures.

The Building Principal or his/her designee shall provide heightened administrative supervision of such employees while on school district property during the period of their conditional or emergency conditional appointment including, for example, unannounced visits to classrooms, walking the hallways, and/or any other activities the Principal determines to be appropriate.

In addition, the district will ensure that all conditional and emergency conditional appointed employees become aware of and receive training regarding the prohibition against child abuse in an educational setting and of their responsibility for reporting any such abuse at the commencement of their conditional or emergency conditional appointment.

For purposes of this policy, the terms "conditional appointment" and "emergency conditional appointment" shall refer to any employee holding conditional or emergency conditional appointment, as defined in Section 1709 of the Education Law.

Education Law §§1125-1133, 1709
8 NYCRR §§100.2 (hh); Part 87

Board of Education Approval 11/5/01
SUBJECT: EMPLOYMENT OF RETIRED PERSONS

A retired person may be employed and earn compensation in a position in the School District, without any effect on his/her status as retired and without suspension or diminution of his/her retirement allowance subject to the conditions enumerated in Retirement and Social Security Law Section 211(1). However, there shall be no earning limitations on or after the calendar year in which any retired person attains age sixty-five (65).

No retired person may be employed in the District except upon approval of the Civil Service Commission or the Commissioner of Education unless otherwise authorized in accordance with law.

Such approval may be granted only on the written request of the District giving detailed reasons related to the standards forth in Section 211; and on a finding of satisfactory evidence by the Civil Service Commission or the Commissioner of Education that the retired person is duly qualified, competent and physically fit for the performance of the duties of the position in which he/she is to be employed and is properly certified where such certification is required.

The District will prepare a detailed recruitment plan to fill such vacancy on a permanent basis when the need arises and will undertake extensive recruitment efforts to fill the vacancy prior to making a determination that there are no available non-retired persons qualified to perform the duties of such position.

Approvals to hire retired individuals may be granted for periods not exceeding two (2) years each, provided that a person may not return to work in the same or similar position for a period of one (1) year following retirement.

Reporting Requirements and Disclosure

a) The School District shall report all money earned by a retired person in its employ in excess of the earnings limitation outlined in Retirement and Social Security Law Section 212 to the retirement system administered by the State or any of its political subdivisions from which the retired person is collecting his/her retirement allowance.

b) The School District, when employing a retired person who is eligible to collect or is already collecting a retirement allowance from a retirement system administered by the State or any of its political subdivisions, shall report on an annual basis to the retirement system paying such retirement allowance and to the State Comptroller. This report shall consist of the re-employed retiree’s name, date of birth, place of employment, current position, and all earnings.

Public Record

Any request for approval of the employment of a retired person, including the reasons stated, and the findings and determination of such request shall be a public record open for inspection in the Office of the Civil Service Commission, the Commissioner of Education, or the Board of Education making such findings and determination as specified in Retirement and Social Security Law Section 211.

Education Law Section 523
Retirement and Social Security Law Sections 111, 211, 212, 217, and 411

Board of Education Approval: 8/17/09
SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL

General Provisions

Pursuant to the provisions of General Municipal Law Section 806, the Board of Education of the Panama Central School District recognizes that there are rules of ethical conduct for members of the Board and employees of the District that must be observed if a high degree of moral conduct is to be obtained in our unit of local government. It is the purpose of this resolution to promulgate these rules of ethical conduct for the Board members and employees of the District. These rules shall serve as a guide for official conduct of the Board members and employees of the District. The rules of ethical conduct of this resolution, as adopted, shall not conflict with, but shall be in addition to any prohibition of General Municipal Law Article 18 or any other general or special law relating to ethical conduct and interest in contracts of Board members and employees.

Standards of Conduct

Every Board member or employee of the Panama Central School District shall be subject to and abide by the following standards of conduct:

Gifts

Pursuant to General Municipal Law Section 805-a, he/she shall not, directly or indirectly, solicit any gift or accept or receive any gift having a value of seventy-five dollars ($75) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended or expected to influence him/her in the performance of official duties or was intended as a reward for any official action on his/her part.

Confidential Information

He/she shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.

Disclosure of Interest in Contracts

Any District officer or employee, as well as his/her spouse, who has, will have, or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the District shall publicly disclose the nature and extent of such interest in writing to his/her immediate supervisor and to the Board of Education as soon as he/she has knowledge of such actual or prospective interest. Such written disclosure shall be made part of and set forth in the Board minutes.

Representation before one's own agency

He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he/she is an officer, member or employee or of any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.

(Continued)
SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL (Cont'd.)

Representation before any agency for a contingent fee

He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his/her municipality, whereby his/her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of services rendered.

Disclosure of interest in resolution

To the extent that he/she knows thereof, a member of the Board of Education or employee of the Panama Central School District, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Education on any resolution before the Board of Education shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such resolution.

Investments in conflict with official duties

He/she shall not invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, that creates a conflict with his/her official duties.

Private employment

He/she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his/her official duties.

Future employment

He/she shall not, after the termination of service or employment with the School District, appear before any board or agency of the Panama Central School District in relation to any case, proceeding, or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

Legal Remedies

District Officers

In accordance with the Penal Law Section 60.27(5), if a District officer is convicted of a violation against the District under Penal Law Article 155 relating to larceny, the courts may require an amount of restitution up to the full amount of the offense or reparation up to the full amount of the actual out-of-pocket loss suffered by the District.

Board Members and Employees

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former Board member or employee of any claim, account, demand or suit against the Panama Central School District, or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

(Continued)
SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL (Cont'd.)

Distribution/Posting of Code of Ethics

The Superintendent of the Panama Central School District shall cause a copy of this code of ethics to be distributed to every Board member and employee of the School District within thirty (30) days after the effective date of this resolution. Each Board member and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his/her office or employment. The Superintendent shall also cause a copy of General Municipal Law Article 18 to be kept posted in each building in the District in a place conspicuous to its Board members and employees. Failure to distribute any such copy of this code of ethics or failure of any Board member or employee to receive such copy, as well as failure to post any such copy of General Municipal Law Article 18, shall have no effect on the duty of compliance with such code of ethics or General Municipal Law Article 18, nor with the enforcement of provisions thereof.

Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Effective Date

This resolution shall take effect immediately.

Education Law Section 410
General Municipal Law Article 18 and Section 803
Labor Law Section 201-d
Penal Law Article 155 and Section 60.27(5)

Board of Education Approval 7/9/07
SUBJECT: TESTING MISCONDUCT AND MANDATORY REPORTING REQUIREMENTS

School District employees are expressly prohibited from: engaging in testing misconduct, as that term is described in the Regulations of the Commissioner of Education; assisting in the engagement of, or soliciting another to engage in testing misconduct; and/or the knowing failure to report testing misconduct. When committed by an employee of the School District in a position for which a teaching or school leader certificate is required, such actions or inactions will be deemed to raise a reasonable question of moral character under Part 83 of the Commissioner's Regulations. A School District employee in a position for which a teaching or school leader certificate is not required who commits an unlawful act in respect to examination and records will be subject to disciplinary action by the Board of Education in a manner consistent with New York State law and regulation.

School District employees will report to the State Education Department any known incident of testing misconduct by a certified educator or any known conduct by a non-certified individual involved in the handling, administration or scoring of state assessments in violation of New York State law. Such report will be made in accordance with directions and procedures established by the Commissioner for the purpose of maintaining the security and confidential integrity of State assessments.

The School District will not dismiss or take other disciplinary or adverse action against an employee because he/she submitted a report regarding testing misconduct to the State Education Department. Any such adverse action by an individual holding a teaching or school leader certificate will be deemed to raise a reasonable question of moral character under Part 83 of the Commissioner's Regulations and may be referred to the Office of School Personnel Review and Accountability at the State Education Department.

8 NYCRR Section 102.4
SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

The Panama Central School District is an equal opportunity employer and does not discriminate against any employee or applicant for employment in its programs and activities on the basis of race, color, national origin, sex, disability, or age. Further, the District does not discriminate on the basis of religion or creed, sexual orientation, military status, genetic status, marital status, domestic violence victim status, criminal arrest or conviction record, or any other basis prohibited by state or federal non-discrimination laws.

Investigation of Complaints and Grievances

The School District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of discrimination, and will promptly take appropriate action to protect individuals from further discrimination. All such complaints will be handled in a manner consistent with the District's policies, procedures, and/or regulations regarding the investigation of discrimination and harassment complaints, including Policy #3221 -- Non-Discrimination and Anti-Harassment in the School District; Policy #6121 -- Sexual Harassment of District Personnel; Policy #6122 -- Employee Grievances; and Administrative Regulation #3221R -- Non-Discrimination and Anti-Harassment in the School District.

Additional information regarding the District's discrimination and harassment complaint and grievance procedures, including but not limited to the designation of the Civil Rights Compliance Officer, knowingly making false accusations, and possible corrective actions, can be found in Policy #3221 -- Non-Discrimination and Anti-Harassment in the School District and Administrative Regulation #3221R -- Non-Discrimination and Anti-Harassment in the School District.

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Complaints of retaliation may be directed to the Civil Rights Compliance Officer. In the event the Civil Rights Compliance Officer is the alleged offender, the report will be directed to another Civil Rights Compliance Officer, if the District has designated another individual to serve in such a capacity, or to the Superintendent.

Where appropriate, follow-up inquiries will be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination have not suffered retaliation.

(Continued)
SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY (Cont'd.)

Age Discrimination in Employment Act, 29 USC Section 621
Americans With Disabilities Act, 42 USC Section 12101 et seq.
Genetic Information Non-Discrimination Act of 2008 (GINA) Public Law 110-233
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
Title VI of the Civil Rights Act of 1964, 42 USC Section 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e et seq.
Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.
Civil Rights Law Section 40-c
Civil Service Law Section 75-B
Executive Law Section 290 et seq.
Military Law Sections 242 and 243
SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE

The District is committed to maintaining a discrimination-free work environment. Sexual harassment is one form of workplace discrimination. This policy addresses sexual harassment in the workplace and is one component of the District’s commitment to a discrimination-free work environment. The District will provide this policy to all employees in writing. The District will post this policy prominently throughout the District to the extent practicable.

Sexual harassment is a form of employee misconduct, a violation of District policy, and unlawful. Employees of every level who engage in sexual harassment, including supervisory personnel who engage in sexual harassment, who knowingly allow such behavior to continue, or fail to report suspected sexual harassment will be subject to remedial and/or disciplinary action by the District. Sexual harassment may also subject the District to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability.

This policy applies to all instances of sexual harassment perpetrated against a "covered person," regardless of immigration status, by anyone in the workplace, including a co-worker, supervisor, or third-party such as a non-employee, paid or unpaid intern, vendor, building security, visitor, volunteer, parent, or student. For purposes of this policy, a "covered person" includes:

a) Employees;

b) Applicants for employment;

c) Paid or unpaid interns; and

d) Non-employees, which include anyone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or other person providing services pursuant to a contract in the workplace.

Sexual harassment in the workplace can occur between any individuals, regardless of their sex or gender. Unlawful sexual harassment is not limited to the physical workplace itself. Sexual harassment can occur on school grounds, school buses or District vehicles, and at school-sponsored events, programs, or activities, including those that take place at locations off school premises. It can also occur while employees are traveling for District business. Calls, texts, emails, and social media usage can constitute unlawful workplace harassment, even if they occur away from school grounds, on personal devices, or during non-work hours.

What Constitutes Sexual Harassment

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity, and the status of being transgender.

(Continued)
SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

a) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;

b) Such conduct is made either explicitly or implicitly a term or condition of employment; or

c) Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any covered person who feels harassed should report the conduct so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of Sexual Harassment

The following describes some actions that may constitute unlawful sexual harassment and that are strictly prohibited:

a) Physical acts of a sexual nature, such as:

1. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another person's body or poking another person's body; and

2. Rape, sexual battery, molestation or attempts to commit these assaults.

b) Unwanted sexual advances or propositions, such as:

(Continued)
SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

1. Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments; and

2. Subtle or obvious pressure for unwelcome sexual activities.

c) Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.

d) Sex stereotyping, which occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.

e) Sexual or discriminatory displays or publications anywhere in the workplace, such as pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.

f) Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, and the status of being transgender, such as:

1. Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;

2. Sabotaging an individual's work; and

3. Bullying, yelling, or name-calling.

Prohibition of Retaliatory Behavior (Whistle-Blower Protection)

Unlawful retaliation can be any action that could discourage a covered person from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

The District prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of a complaint of sexual harassment. Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

(Continued)
SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

a) Made a complaint of sexual harassment, either internally or with any anti-discrimination agency;

b) Testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;

c) Opposed sexual harassment by making a verbal or informal complaint of harassment to a supervisor, building principal, other administrator, or the Civil Rights Compliance Officer (CRCO);

d) Reported that another employee has been sexually harassed; or

e) Encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Preventing sexual harassment is everyone's responsibility. The District cannot prevent or remedy sexual harassment unless it knows about it. Any covered person who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, building principal, other administrator, or the CRCO. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is posted on the District website, and all covered persons are encouraged to use this complaint form. Persons who are reporting sexual harassment on behalf of another person should use the complaint form and note that it is being submitted on another person's behalf.

Any person who believes they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors, building principals, and other administrators who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the CRCO. In the event the CRCO is the alleged harasser, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity, or to the Superintendent.

(Continued)
SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors, building principals, and other administrators will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors, building principals, and other administrators will also be subject to discipline for engaging in any retaliation.

Investigating Complaints

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. Disclosure may, however, be necessary to complete a thorough investigation of the charges and/or notify law enforcement officials. All persons involved, including complainants, witnesses, and alleged harassers will be accorded due process, as outlined below, and in accordance with any applicable collective bargaining agreements to protect their rights to a fair and impartial investigation.

The District will not tolerate retaliation against anyone who files complaints, supports another's complaint, or participates in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

a) Upon receipt of a complaint, the CRCO will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. In the event that the CRCO is the alleged harasser, the complaint will be directed to another CRCO or District designee for investigation.

b) If a complaint is verbal, encourage the individual to complete the complaint form, which is available on the District website, in writing. If he or she refuses, prepare a complaint form based on the verbal reporting.

c) If documents, emails, or phone records are relevant to the investigation, take steps to obtain and preserve them.

d) Request and review all relevant documents, including all electronic communications.

(Continued)
SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

e) Interview all parties involved, including any relevant witnesses. If a student is involved, the District will follow all applicable District policies and procedures regarding questioning students.

f) Create written documentation of the investigation (such as a letter, memo or email), which contains the following:

1. A list of all documents reviewed, along with a detailed summary of relevant documents;
2. A list of names of those interviewed, along with a detailed summary of their statements;
3. A timeline of events;
4. A summary of prior relevant incidents, reported or unreported; and
5. The basis for the decision and final resolution of the complaint, together with any corrective action(s).

g) Keep the written documentation and associated documents in a secure and confidential location.

h) Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.

i) Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

If an investigation reveals that discrimination or harassment has occurred, the District will take immediate corrective action as warranted. This action will be taken in accordance with applicable laws and regulations, as well as any and all relevant codes of conduct, District policies and administrative regulations, collective bargaining agreements, and/or third-party contracts.

Annual Training

The District will provide a sexual harassment prevention training program to all employees on an annual basis. The training will be interactive and will include:

a) An explanation of sexual harassment consistent with guidance issued by the Department of Labor in consultation with the Division of Human Rights;

(Continued)
SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

b) Examples of conduct that would constitute unlawful sexual harassment;

c) Information concerning the federal and state statutory provisions concerning sexual harassment and remedies available to victims of sexual harassment;

d) Information concerning employees’ rights of redress and all available forums for adjudicating complaints; and

e) Information addressing conduct by supervisors and any additional responsibilities for such supervisors.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the District but is also prohibited by state, federal, and, where applicable, local law.

Aside from the District’s internal process, individuals may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, an individual may seek the legal advice of an attorney.

In addition to those outlined below, individuals may have additional legal protections.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects covered persons, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file with DHR, they can sue directly in state court under the HRL, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the District does not extend your time to file with DHR or in court. The one year or three years is counted from the date of the most recent incident of harassment.

Individuals do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an

(Continued)
SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. Individuals may call (718) 741-8400 or visit: www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 USC § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An individual alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Title IX

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in any federally funded education program or activity. The U.S. Department of Education’s Office for
SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)

Civil Rights (OCR) enforces Title IX of the Education Amendments of 1972.

For more information about how to file a complaint, contact OCR at 800-421-3481 (TDD 800-877-8339) or visit: https://www2.ed.gov/about/offices/list/ocr/docs/howto.html. The website contains information about filing the complaint online, by mail, or by email.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Title VII of the Civil Rights Act of 1964, 42 USC § 2000e et seq.
Title IX of the Education Amendments of 1972, 20 USC § 1681 et seq.
29 CFR § 1604.11(a)
34 CFR Subtitle B, Chapter I
Civil Service Law § 75-B
Executive Law Article 15
Labor Law § 201-g

NOTE: Refer also to Policies #3221 -- Non-Discrimination and Anti-Harassment in the District
#6122 -- Employee Grievances
#7631 -- Sexual Harassment of Students
SUBJECT:  EMPLOYEE GRIEVANCES

In accordance with Article 15-C of the General Municipal Law, all District employees shall have the opportunity to present grievances free from interference, coercion, restraint, discrimination or reprisal. The District shall provide at least two (2) procedural stages and an appellate stage for the settlement of any such grievance.

General Municipal Law Sections 681-685
SUBJECT: PROFESSIONAL CERTIFICATION: 175 HOURS OF PROFESSIONAL DEVELOPMENT REQUIREMENT

All District employees who hold professional teaching certificates for classroom teaching are required to complete professional development hours to maintain the validity of their certificates. Professional certificate holders must complete 175 hours every five (5) years. The five-year professional development period commences on July 1 after the effective date of the triggering certificate, and each subsequent five-year period thereafter. Each professional development year of the five-year cycle of professional development begins on July 1 and ends the following June 30. The professional development requirement may be completed at any time during the five-year professional development period.

Decisions regarding content, delivery and providers of such professional development are within the purview of the School District and shall be made within the context of the District Professional Development Plan. The Professional Development Plan shall describe how the School District will provide teachers it employs holding a professional certificate with opportunities to maintain such certificates in good standing based upon successfully completing 175 hours of professional development every five (5) years in accordance with Commissioner’s Regulations.

If the professional certificate holder wishes to maintain the validity of his/her New York State professional certificate, he/she must satisfy the professional development requirement. If the certificate holder teaches less than ninety (90) days in a given school year for any reason, including an approved leave, the required hours are reduced by ten percent (10%) for each school year during which this is the case.

District Recordkeeping Responsibilities

If the School District provides professional development to teachers in its schools, or professional development is provided by other entities on behalf of the District, the District must maintain a record of professional development completed by its teachers who are required to complete this requirement. Such records shall include those items enumerated in Commissioner’s Regulations Section 100.2(dd)(5):

- a) The name of the professional certificate holder;
- b) His/her teacher certification identification number;
- c) The title of the program;
- d) The number of hours completed; and
- e) The date and location of the program.

These records shall be retained by the District for at least seven (7) years from the date of completion of the professional development by the professional certificate holder and shall be available for review by the State Education Department (SED).

(Continued)
SUBJECT: PROFESSIONAL CERTIFICATION: 175 HOURS OF PROFESSIONAL DEVELOPMENT REQUIREMENT (Cont'd.)

District Reporting Responsibilities

Annually, the School District must report to the New York State Education Department (SED) Office of Higher Education's Office of Teaching Initiatives (OTI) the number of all approved professional development hours completed by each teacher who is employed by the District and subject to the professional development requirement, regardless of the professional development provider.

All hours of completed professional development reported by Districts will become part of the certificate holder’s certification record maintained by OTI. Teachers with professional certificates must complete the required number of hours of professional development every five (5) years for their certificates to remain valid.

The School District is required to report professional development hours for its employees online directly via the Web-based computer system TEACH (Teacher Education and Certification Help).

Certificate Holder Responsibilities

All professional certificate holders must keep records of all of their approved professional development activities/programs/coursework, regardless of the provider, for at least seven (7) years from the date of completion of the program and shall be available for review by SED. Such records shall include those items enumerated in Commissioner’s Regulations Section 80-3.6(f):

a) The title of the program;
b) The number of hours completed;
c) The sponsor’s name and any identifying number;
d) Attendance verification; and
e) The date and location of the program.

While it is the responsibility of the District to report hours, it is in the interest of every professional certificate holder to verify that their professional development hours are reported and that their individual record is complete. It is recommended that professional certificate holders develop their personal professional development plan in consultation with the District, and obtain District approval before commencing any professional development activities.

8 New York Code of Rules and Regulations (NYCRR) Subpart 80-3 and Section 100.2(dd)

Board of Education Approval: 1/7/08
SUBJECT: HEALTH EXAMINATIONS

All appointed instructional and non-instructional employees may be required to obtain a physical examination. When such examination is made by the school physician the cost of such examination shall be borne by the District. All appointed instructional and noninstructional employees, however, may elect to have a health examination at his/her own expense by a physician of his/her own choice.

The Board reserves the right to request a health examination at any time during employment, at School District expense, in order to determine the physical and mental capacity of an employee to perform his/her duties.

Cafeteria workers and cafeteria monitors must have a physical examination by the school physician or their own family physician every year.

All bus drivers and substitute bus drivers shall have yearly physical examinations. Each bus driver initially employed by the School District shall have a physical examination within the four (4) weeks prior to the beginning of service. In no case shall the interval between physical examinations exceed a twelve (12) month period.

Annual or more frequent examinations of any employee may be required, when, in the judgment of the school physician and the Superintendent, such procedure is deemed necessary.

The final acceptance or rejection of a medical report with reference to the health of an employee lies within the discretion of the Board. The decision of the physician designated by the Board as the determining physician shall take precedence over all other medical advice.

Education Law Section 913  
Bus Drivers: Commissioner's Regulations Section 156.3(2)  
Commissioner's Regulations of Motor Vehicles Section 5.09-b  
Cafeteria Workers: State Sanitary Code

Revised: 11/20/95
SUBJECT: STAFF INVOLVEMENT IN SHARED DECISION MAKING

The process of decision making in the School District is enhanced by opinions and suggestions from District employees. While it is recognized that the Board of Education is the final decision making authority, the Board will endeavor to respect the judgment of District employees and consider employee recommendation prior to reaching decisions.

The Board of Education believes that District employees should meaningfully participate in the decision making process regarding the overall operation of schools.

NOTE: Refer also to Policy #3280 -- Participation In School-Based Planning and Shared Decision Making.
SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (SCHOOL PERSONNEL)

The Board of Education, recognizing that students are often influenced by teachers and other members of a school's staff, impresses upon staff members the importance of maintaining a high level of professionalism appropriate to their position, which, in turn, shall set a positive example for students.

The Board, therefore, prohibits the consumption, sharing and/or selling, use and/or possession of illegal drugs, counterfeit and designer drugs or alcoholic beverages in the workplace, or when the effects of such drugs may impair an employee's job performance. The inappropriate use of prescriptive and over-the-counter drugs shall also be prohibited.

Information about any drug and alcohol counseling and/or rehabilitation programs shall be made available to employees. Data will also include the range of penalties, (consistent with local, state and federal law), up to and including termination of employment and referral for prosecution that will be imposed on employees who have transgressed the terms of this policy.

Additionally, confidentiality shall be insured as required by state and federal law.

Education Law Sections 913, 1711(5)(e), and 3020-a
Civil Service Law Section 75
Drug-Free Schools and Communities Act Amendment of 1989
(Public Law 101-226)

Revised: 09/08/97
SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION)

The Board of Education requires that all School District employees maintain a professional, ethical relationship with District students that is conducive to an effective, safe learning environment; and that staff members act as role models for students at all times, whether on or off school property and both during and outside of school hours. Staff must establish appropriate personal boundaries with students and not engage in any behavior that could reasonably lead to even the appearance of impropriety.

Staff members are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age and/or regardless of whether the student may have "consented" to such conduct. Further, employees shall not entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists. Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of District policy, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the District up to and including termination of employment.

Inappropriate employee behavior includes, but is not limited to, flirting; making suggestive comments; dating; requests for sexual activity; physical displays of affection; giving inappropriate personal gifts; frequent personal communication with a student unrelated to course work or official school matters; providing alcohol or drugs to students; inappropriate touching; and engaging in sexual contact and/or sexual relations. ("Frequent personal communication with a student unrelated to course work or official school matters" means any form in which that personal communication may occur including, but not limited to, voice or text-based communication via phone, e-mail, instant messaging, text messaging or through social networking Web sites.)

Even if the student participated "willingly" in the activity (regardless of the student's age), inappropriate fraternization of staff with students is against District policy and may be in violation of professional standards of conduct and New York State Law. However, inappropriate employee conduct does not need to rise to the level of criminal activity for such conduct to be in violation of District rules and subject to appropriate disciplinary sanctions.

Any student who believes that he/she has been subjected to inappropriate staff behavior as enumerated in this policy, as well as students, school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member or either the employee's supervisor, the student's Principal or the District's designated Complaint Officer. In all events such reports shall be forwarded to the designated Complaint Officer for further investigation. Anonymous complaints of inappropriate fraternization of staff members with students shall also be investigated by the District. Investigations of allegations of inappropriate staff-student relations shall follow the procedures utilized for complaints of harassment within the School District. Allegations of inappropriate staff-student behavior shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

Any employee having knowledge of or reasonable suspicion that another employee may have engaged in inappropriate conduct with a student that may constitute child abuse (specifically, child abuse in an educational setting) must also follow the District's reporting procedures for such allegations; and such information will be reported by the designated administrator as required by state law to law enforcement officials, the State Education Department and/or Child Protective Services as may be applicable.
SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION) (Cont'd.)

If a student initiates inappropriate behavior toward a staff member, that employee shall document the incident and report it to his/her Building Principal or Supervisor.

The District shall promptly investigate all complaints of inappropriate staff-student relations, and take prompt corrective action to stop such conduct if it occurs.

Prohibition of Retaliation

The Board of Education prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of inappropriate staff-student relations. Follow-up inquiries and/or appropriate monitoring shall be made to ensure that the alleged conduct has not resumed and that all those involved in the investigation have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the District.

District Responsibility/Training

The Principal of each school and/or program supervisor shall be responsible for informing students, staff and volunteers of the requirements of this policy, including the duty to report and the procedures established for investigation and resolution of complaints. Further, staff training shall be provided to facilitate staff identification of possible behavior that may constitute inappropriate staff-student relationships. Students shall be provided such training in an age appropriate manner.

The District's policy (or a summary thereof) shall be disseminated as appropriate to staff, students and parents. Further, this topic shall be addressed in the District Code of Conduct.

Disciplinary Sanctions

Any staff member who engages in inappropriate conduct with a student, prohibited by the terms of this policy, shall be subject to appropriate disciplinary measures up to and including termination of employment in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement. A violation of this policy may also subject the employee to criminal and/or civil sanctions as well as disciplinary action by the State Education Department.

Title IX of the Education Amendments of 1972,
20 United States Code (USC) Section 1681 et seq.
Education Law Article 23-B
Social Services Law Sections 411-428
8 New York Code of Rules and Regulations (NYCRR) Part 83

Board of Education Approval 2/8/10
SUBJECT: CERTIFIED PERSONNEL

The Board of Education shall, upon the recommendation of the Superintendent, create, abolish, maintain and/or consolidate positions involving certified persons as necessary for the proper and efficient achievement of its goals.

All assignments and transfers shall be made in accordance with the provisions of law, Board of Education policies, and the employee's negotiated agreements.

8 New York Code of Rules and Regulations (NYCRR) Part 30
Education Law Sections 2510 and 3013
SUBJECT: RECRUITMENT

The District will attempt to employ the best qualified personnel for any position.

Professional personnel shall be recruited and selected by, or at the direction of, the Superintendent of Schools, who shall recommend appointment to the Board of Education.

The District shall provide equal opportunity in employment for all qualified persons in accordance with Federal and State legislation.

Education Law Section 3012

Revised: 11/20/95
SUBJECT: CERTIFICATION

a) In accordance with applicable statutes, Rules of the Board of Regents, and Regulations of the Commissioner of Education, each employee whose employment requires certification or other licensure shall inform the Superintendent of School immediately of any change in the status of his/her certification or licensure. The changes shall include, but not be limited to, the granting, revocation, upgrading, expiration, conversion and/or extension of these documents as to their periods of validity or their titles.

b) The original certificates and/or licenses must be presented for examination and copying in the office of the Superintendent of Schools as soon as they are available to the employee. The copies will be maintained in the Superintendent's files in support of the legitimate employment of each affected employee. The failure of any such employee to possess the required certification or other licensure may result in the discharge of that employee.

c) Whether or not the District verifies an individual's certification or licensure does not waive the responsibility of the employee to maintain what is required for his/her assignment.

Education Law Sections 3001, 3001-a, 3004, 3006, and 3008
8 New York Code of Rules and Regulations (NYCRR) Part 80
SUBJECT: INCIDENTAL TEACHING

The Superintendent may assign a teacher to teach a subject not covered by his/her certification for up to five classroom hours per week, pursuant to the following regulations:

a) The Superintendent shall make a finding that the teacher being assigned to teach a subject on an incidental basis has sufficient teaching experience and knowledge of the subject matter to teach such subject in a competent manner.

b) By October 1 of each year the Superintendent shall submit to the Board of Education at a public meeting a list of all teachers assigned to teach on an incidental basis, including the courses they have been assigned to teach and their certification area. In the event an incidental teaching assignment is made after October 1, the Superintendent shall report the assignment to the Board at the next regularly scheduled public Board meeting. The list of incidental teaching assignments for the current school year shall be submitted to the State Education Department as part of the District's annual Comprehensive Assessment Report.

Parents/legal guardians shall be informed by letter, issued by the building principal, if their child is affected by an incidental teaching assignment. The notice will include information regarding a process through which parents/legal guardians may appeal such assignment.

8 New York Code of Rules and Regulations (NYCRR) Section 80.2(c)(7)

Adopted: 03/04/96
SUBJECT: PROBATION AND TENURE

Probation

Certified staff members shall be appointed to a probationary period by a majority vote of the Board of Education upon recommendation of the Superintendent of Schools.

Full-time certified staff members shall be appointed to a probationary period of three (3) years. However, the probationary period shall not exceed two (2) years for a member previously appointed to tenure in this or another school district or BOCES within the state, provided the member was not dismissed from the former district. Additionally, up to two (2) years of service as a regular substitute teacher may be applied towards probationary service. This is sometimes referred to as Jarema Credit.

During the probationary period, a member shall be given assistance in adjusting to the new position, but the essential qualifications for acceptable performance shall be assumed because of the possession by the member of the required certification or license.

Tenure

Certified staff members successfully completing a probationary period in the Panama Central School District may be recommended (by the Superintendent of Schools) to the Board of Education for tenure appointment.

The Board will follow all applicable statutes regarding tenure.

Education Law Sections 3012 and 3031

Revised: 11/20/95
SUBJECT: DISCIPLINING OF A TENURED TEACHER OR CERTIFIED PERSONNEL

Tenured teachers and certain certified personnel may be subject to disciplinary charges that are set forth in Section 3012 of the Education Law.

It is the policy of the Board of Education that disciplinary charges against teachers and certified personnel will be initiated to determine the fitness of the employee to continue to carry on his/her professional responsibilities.

Regulations concerning the disciplining of tenured teachers and certified personnel shall follow those set forth by Section 3012 of the Education Law.

Procedures for a hearing regarding these disciplinary measures will be in accordance with Section 3020(a) of the Education Law.

Revised: 09/08/97
SUBJECT: STAFF: SEPARATION

A teacher may be dismissed upon provision of at least sixty (60) days' notice and pay during the probationary period only upon the recommendation of the Superintendent and majority vote of the Board in accordance with the Education Law.

The Board shall expect any teacher desiring to terminate his/her services to provide the Board with a minimum of thirty (30) days' notice before the effective termination date.

When possible, a teacher shall make every effort to terminate employment at the end of the school year. Resignations must be in writing and include the effective date.

Education Law Sections
3012, 3019-a and 3031

Revised: 11/20/95; 10/20/97
SUBJECT: EMPLOYMENT OF RELATIVES OF BOARD OF EDUCATION MEMBERS

A probationary or permanent appointment of a teacher who is related by bloodline or legal process (including marriage) to any member of the Board of Education shall be subject to the consent of two-thirds of the members of the Board of Education to be determined at a Board meeting and to be entered upon the proceedings of the Board.

The Board shall take the same stance in the hiring of professional staff other than teachers.

Education Law Section 3016
General Municipal Law Sections 800-809

Revised: 11/20/95
SUBJECT: PROFESSIONAL STAFF CONSULTING ACTIVITIES

A professional staff member who wishes to utilize “school time” to act as an outside consultant, hearing officer, workshop presenter, etc. is required to request vacation and/or personal leave time for such purpose in accordance with the terms of the collective bargaining agreement (C.B.A.), providing all necessary information as may be required per the C.B.A.

If any professional staff member engages in such consulting activities, use of the District’s resources including, but not limited to, school buildings, school-owned equipment and supplies, is prohibited. As much as possible, in accordance with the terms of the C.B.A., the Superintendent must ascertain that the consulting activity does not constitute a conflict of interest in violation of law and/or the District’s Code of Ethics.

While the District does not require that all outside employment of its professional staff have prior approval of the Board of Education, staff members are expected to fulfill their job duties and responsibilities with the District in accordance with law and the applicable C.B.A. and the Code of Ethics.

The Superintendent or his/her discretion to determine that a particular activity is related to the employee’s school responsibilities and is, therefore, not subject to the terms of this policy.

General Municipal Law, Article 18

Revised: 10/20/97
SUBJECT: TEMPORARY PERSONNEL

At times, the district may have temporary personnel on site. The terms of these appointments shall be defined by the Board of Education on a case-by-case basis.

Student Teachers

The Panama Central School District shall cooperate with teacher training institutions in the placement of student teachers in order to provide beginning teachers with the best possible student teaching experience.

Student teachers shall be protected from liability for negligence or other acts resulting in accidental injury to any person by the School District, as provided by law.

Substitute Teachers

A substitute teacher shall be hired, whenever possible, by the District in the absence of a regular teacher.

Class I: Itinerate Per Diem Substitute Teacher

A per diem substitute is hired to teach for a staff member who is expected to return to work within a short period of time.

The Board of Education shall annually establish the daily rate for per diem substitute teachers.

Class II: Long Term Substitute Teacher

A long-term substitute is hired to teach for a staff member who is absent due to a leave of absence, sabbatical, or other board approved leave for a period of one semester (minimum of 90 days) or more.

A long-term substitute will be paid accordingly to the amount set at the Board’s annual reorganization meeting.

Fringe Benefits

a) Substitutes may elect to participate in the appropriate Retirement System.

b) Long term substitutes shall be eligible for the following benefits on a prorated basis if a salary agreement is given for a minimum period of time of one full semester (90 days).
   1. Health Insurance.
   2. Sick leave including bereavement.
   3. Personal leave.

c) Substitutes are not eligible for participation in the sick leave bank offered to regularly employed teachers, except as noted in the collective bargaining agreement.

8 New York Code of Rules and Regulations (NYCRR) Section 80.36
Education Law Section 3023
SUBJECT: PROFESSIONAL SERVICES PROVIDERS

Determination by Employer

The District has the primary responsibility for determining whether an individual is rendering services as an employee or as an independent contractor. When making such a determination the District must consider the factors enumerated in Commissioner's Regulations Sections 315.2 and 315.3. An individual serving the District as an independent contractor or consultant is not an employee and should not be reported to the New York State and Local Retirement System (NYSLRS).

Charging for Professional Services

A lawyer shall not simultaneously be an independent contractor and an employee of the School District for the purpose of providing legal services to the District.

A lawyer who is not an employee of the School District shall not seek to be or be considered, treated or otherwise reported by the District as an employee thereof for purposes of compensation, remuneration, health insurance, pension and all employment-related benefits and emoluments associated therewith [Education Law Section 2051(2)].

Enforcement

Any person who shall knowingly:

a) Violate the provisions of Education Law Section 2051(2);

b) Make a false statement of material fact; or

c) Falsify or permit to be falsified any record or records of the retirement system in an attempt to defraud the retirement system as a result of such act for the purpose of obtaining a credit towards pension benefits, or a benefit or payment in excess of $1000 from such retirement system for a professional services provider to which such professional services provider would not be entitled, shall be guilty of a Class E felony.

Reports Regarding Lawyers

The District shall, on or before the 45th day after the commencement of its fiscal year, file with the State Education Department, the State Comptroller and the Attorney General a report specifying those requirements enumerated in Education Law Section 2053.

Protection Against Fraud

Any person who shall knowingly make any false statement, or shall falsify or permit to be falsified any record or records of the retirement system in any attempt to defraud the system as a result of such act, shall be guilty of a misdemeanor, and shall be punishable under the laws of New York State.

Any violation of applicable law that results in a member or beneficiary of the retirement system receiving a benefit or payment in excess of $1000 more than he/she would have been entitled to shall be a class E felony. Any violation of applicable law that results in a member or beneficiary of the retirement system receiving a benefit or payment in excess of $3000 more than he/she would have been entitled to shall be a class D felony.

Education Law Sections 525, 2050-2054
Retirement and Social Security Law Sections 111 and 411
8 New York Code of Rules and Regulations (NYCRR)
Sections 315.2 and 315.3

NOTE: Refer also to Policy #6225-- Determination of Employment Status: Employee or Independent Contractor

Board of Education Approval 5/18/09
SUBJECT: DETERMINATION OF EMPLOYMENT STATUS: EMPLOYEE OR INDEPENDENT CONTRACTOR

Regulations recently promulgated by the Office of the State Comptroller provide guidance to school districts to help them determine whether an individual is an employee, and therefore eligible for membership in the New York State and Local Retirement System (NYSLRS) and for service credit, or an independent contractor who is not eligible for membership.

A certification of the determination that an individual is an employee will now be required when the School District initially reports to the NYSLRS certain covered professionals -- those persons providing services as an attorney, physician, engineer, architect, accountant or auditor.

Employee shall mean an individual performing services for the School District for which the District has the right to control the means and methods of what work will be done and how the work will be done. Independent contractor shall mean a consultant or other individual engaged to achieve a certain result who is not subject to the direction of the employer as to the means and methods of accomplishing the result.

Employees to be Reported to NYSLRS

Only persons who are active members of NYSLRS and who have been assigned a registration number shall be included in the reporting requirements. In the case of employees who are in the process of being registered to membership, all service, salary and deductions data and mandatory contributions shall be accumulated by the District and such accumulation shall be included with the first monthly report which is due after the employee's registration number has been assigned.

An individual serving the District as an independent contractor or consultant is not an employee and should not be reported to the retirement system.

The District has the primary responsibility for determining whether an individual is rendering services as an employee or as an independent contractor. When making such a determination the District must consider the factors enumerated in State Regulations.

The District shall also complete, as necessary, a Certification Form for Individuals Engaged in Certain Professions (Form RS2414) as promulgated by the Office of the New York State Comptroller. As noted on the Certification Form instructions, when making a determination as to an individual's status as an employee or independent contractor, no single factor should be considered to be conclusive of the issue. All factors should be considered in making an assessment of an individual's status when engaged to perform services.

Written Explanation by District: Certain Professions

In the case of an individual whose service has been engaged by the School District in the capacity of attorney, physician, engineer, architect, accountant or auditor and the District has determined that the individual is rendering service as an employee and, therefore, may be eligible for credit with a retirement system, the District shall submit to the retirement system, in a form prescribed by the Comptroller and certified by the Chief Fiscal Officer of the District, an explanation of the factors that led to the conclusion that the individual is an employee and not an independent contractor or consultant.

Retirement and Social Security Law Sections 11, 34, 311, and 334
2 New York Code of Rules and Regulations (NYCRR) Sections 315.2 and 315.3
SUBJECT: PROFESSIONAL GROWTH/STAFF DEVELOPMENT PROGRAMS

It is the policy of the District that attention be given to in-service, pre-service, and other staff development programs which are believed to be of benefit to the School District and its students. The Superintendent, in consultation with the appropriate administrative staff and/or teacher committees, is directed to arrange in-service programs and other staff development opportunities which will provide for the selection of subjects pertinent to the curriculum in the schools, to build from these subjects those topics or courses for in-service or staff development which will help employees acquire new methods of performing their job responsibilities or help staff improve on those techniques which are already being used in the schools, with the object of improving professional competencies.

It is recommended that administration develop meaningful in-service and/or staff development programs which will achieve the following:

a) Contribute to the instructional program of the schools;

b) Contribute to improved education for students;

c) Achieve state mandates;

d) Enhance the professional competencies and/or instructional abilities of staff members.

The Board of Education, therefore, encourages all employees to improve their competencies beyond that which they may obtain through the regular performance of their assigned duties. Opportunities should be provided for:

a) Planned in-service programs, courses, seminars, and workshops offered both within the school system and outside the District.

b) Visits to other classrooms and schools, as well as attendance at professional meetings, for the purpose of improving instruction and/or educational services.

c) Orientation/re-orientation of staff members to program and/or organizational changes as well as District expectations.

Attendance at such professional development programs must be directly linked to the duties and responsibilities comprising the job description of the employee. Consequently, employees are encouraged to participate in the planning of staff development programs designed to meet their specific needs.
SUBJECT: PROFESSIONAL GROWTH/STAFF DEVELOPMENT PROGRAMS (Cont'd.)

Members of the staff are also encouraged to continue their formal education as well as to attend their respective work-related workshops, conferences and meetings, and to take an active part in organizations.

The following conference guidelines shall prevail:

a) New York State Conferences, conventions, and/or meetings, etc. requiring overnight lodging shall be approved by the Superintendent.

b) Out-of-State Conferences: The Board of Education will consider all requests for out-of-state conferences that require overnight lodging.

c) Emergency Meetings: The Superintendent may grant permission to any employee to attend any conference that is of an emergency nature.

Funds for participating at such conferences, conventions, and other similar professional development programs will be budgeted for by the Board of Education on an annual basis. Reimbursement to District staff for all actual and necessary registration fees, expenses of travel, meals and lodging, and all necessary tuition fees incurred in connection with attendance at conferences and the like will be in accordance with established regulations for conference attendance and expense reimbursement.

In accordance with conference guidelines listed above, the Superintendent of Schools has authority to approve release time and expenses for staff members' attendance at professional training conferences, study councils, in-service courses, workshops, summer study grants, school visitations, professional organizations and the like within budgetary constraints.

A conference request form/course approval form must be submitted by the employee and approved by the designated administrator prior to the employee's attendance at such conference or other professional development program.

Education Law Section 1604(27)
General Municipal Law Section 77-b and 77-c

Revised: 10/20/97
SUBJECT: APPOINTMENT - SUPPORT STAFF

The probationary period for all new Civil Service employees shall be for the maximum period established by the local Civil Service Commission.

The time, place and conditions of employment shall be assigned by the Superintendent of Schools. The duties for each of the Civil Service employees shall be clearly defined.

Civil Service Law Section 63
SUBJECT: EMPLOYMENT OF TEACHER AIDES

In accordance with Regulations of the Commissioner, the Board of Education may employ aides to assist in the daily operation of schools' non-teaching duties.

The duties and responsibilities to be assumed by aides shall be outlined by the Superintendent of Schools.

Persons employed as aides shall be responsible to the building principal and/or his/her designated representatives.

8 New York Code of Rules and Regulations (NYCRR) Section 80.33(a)
SUBJECT: MAINTAINING DISCIPLINE AND CONDUCT

All personnel employed by the District are responsible for maintaining student discipline and appropriate conduct during school hours or at extra-curricular events.
SUBJECT: EMPLOYEE PERSONNEL RECORDS AND RELEASE OF INFORMATION

Personnel Records

The Board of Education directs the Superintendent to maintain a personnel file for each teacher, administrator and support staff member employed by the District.

The Board also directs the Superintendent to maintain regulations and procedures governing the inspection by District employees of their personnel files.

Release of Personnel Information

All steps should be taken to protect the privacy of the employees of the Board of Education. To ensure the individual's privacy, directory or confidential information should not be shared with a third party except in the following situations:

a) When members of the Board of Education need information from the employee's personnel record to aid them in performing their legal responsibilities in such matters as appointments, assignments, promotions, demotions, remuneration, discipline, dismissal or to aid in the development and implementation of personnel policies.

b) When the employee grants permission.

Procedures for obtaining consent for release of records to third parties shall be developed by the administration.

Release of Information Concerning Former Employees

The District shall not release information concerning the employment records, personnel file or past performance of a former employee, unless such information is required to be disclosed by law. Only the initial and final dates of employment and the position held shall be provided through a written response to a written request. The former employee may authorize the release of any additional information.

8 New York Code of Rules and Regulations
(NYCRR) Part 84
Public Officers Law Section 87

Revised: 10/20/97
SUBJECT: EMPLOYEE ACTIVITIES

Political Activities

The Board of Education recognizes the right of its employees, as citizens, to engage in political activities and to exercise their constitutionally-protected rights to address matters of public concern.

However, a District employee's constitutional rights to raise matters of public concern are limited when the speech or action occurs on school grounds and/or during school times. When such speech or action occurs on school grounds and/or during school time, the Board of Education can impose reasonable restrictions on the time, place and manner of the speech or action, and can further regulate the content of such speech when it materially imperils the efficient operation of the school.

Teachers may not use their classrooms or school surroundings as a means to promote their personal political views and beliefs. However, teachers are encouraged to address issues of current events for their instructional and informational value to students, to invite public and/or political figures to visit the classroom as a community resource, and to motivate students to participate in the political process.

Solicitations By Staff Personnel

Staff members shall not be engaged in advertising or commercial solicitations on school time, except as authorized by the Superintendent and/or designee.

NOTE: Refer also to Policy #5550 -- Use of Federal Funds For Political Expenditures.

Revised: 11/20/95
SUBJECT: NEGOTIATIONS

Legal Status

The legal status for negotiations is the Public Employees' Fair Employment Law (Taylor Law), Article 14 of the Civil Service Law.

Organizations recognized for the purposes of collective bargaining include:

a) Panama Central Faculty Association;

b) Panama Central Unit of Civil Service Employees' Association;
SUBJECT: THEFT OF SERVICES OR PROPERTY

The theft of services or property from the District by an employee will result in immediate disciplinary action that can lead to dismissal or other penalty, and shall not preclude the filing of criminal or civil charges by the District.
SUBJECT: JURY DUTY

A District employee called for jury duty shall receive his/her full day's pay from the School District plus mileage from the State. No employee shall be entitled to receive the per diem allowance for any regularly scheduled workday on which jury duty is rendered if on such a day his/her wages are not withheld on account of such service.

Judiciary Law Section 521(b)

Revised: 11/20/95
SUBJECT: ABSENCE REPORT POLICY

Employees of Panama Central School will provide the Business Office with an absence report prior to the time that they are paid for the absence. Panama Central School will give each employee an absence report that they will complete upon their return. Employees will not be paid for days that an absence report has not been filed.
SUBJECT: STAFF USE OF COMPUTERIZED INFORMATION RESOURCES

The Board of Education will provide staff with access to various computerized information resources through the District’s computer system (DCS hereafter) consisting of software, hardware, computer networks and electronic communication systems. This may include access to electronic mail, so-called "on-line services" and the "Internet." It may also include the opportunity for some staff to have independent access to the DCS from their home or other remote locations. All use of the DCS, including independent use off school premises, shall be subject to this policy and accompanying regulations.

The Board encourages staff to make use of the DCS to explore educational topics, conduct research and contact others in the educational world. The Board anticipates that staff access to various computerized information resources will both expedite and enhance the performance of tasks associated with their positions and assignments. Toward that end, the Board directs the Superintendent or his/her designee(s) to provide staff with training in the proper and effective use of the DCS.

Staff use of the DCS is conditioned upon written agreement by the staff member that use of the DCS will conform to the requirements of this policy and any regulations adopted to ensure acceptable use of the DCS. All such agreements shall be kept on file in the appropriate office.

Generally, the same standards of acceptable staff conduct which apply to any aspect of job performance shall apply to use of the DCS. Employees are expected to communicate in a professional manner consistent with applicable District policies and regulations governing the behavior of school staff. Electronic mail and telecommunications are not to be utilized to share confidential information about students or other employees.

This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate staff conduct and use as well as proscribed behavior.

District staff shall also adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and rights of privacy created by federal and state law.

Staff members who engage in unacceptable use may lose access to the DCS and may be subject to further discipline under the law and in accordance with applicable collective bargaining agreements. Legal action may be initiated against a staff member who willfully, maliciously or unlawfully damages or destroys property of the District.

Privacy Rights

Staff data files and electronic storage areas shall remain District property, subject to District control and inspection. The Technology Specialist and/or an administrator may access all such files and communications without prior notice to ensure system integrity and that users are complying with requirements of this policy and accompanying regulations. Staff should NOT expect that information stored on the DCS will be private.

Implementation

Administrative regulations will be developed to implement the terms of this policy, addressing general parameters of acceptable staff conduct as well as prohibited activities so as to provide appropriate guidelines for employee use of the DCS.

NOTE: Refer also to Policy #8325 -- Children’s Internet Protection Act: Internet Content Filtering/Safety Policy

Board of Education Approval: 12/02/96
Revised and Board of Education Approval: 10/20/97, 11/3/03, 2/8/10
SUBJECT: HEALTH INSURANCE

Health insurance for certified and support staffs shall be in accordance with their respective negotiated agreements.

Continuation of Medical Insurance Coverage at Termination of Employment

Under the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), employees and their dependents are eligible to continue their insurance coverage for up to eighteen (18) months when termination of their insurance is due to a reduction in their hours worked, or upon termination of their employment.

Dependents of employees are eligible to continue their insurance for up to thirty-six (36) months upon occurrence of one of the following events:

a) Death of the covered employee; or
b) Divorce or legal separation from the covered employee; or
c) An employee becomes eligible for Medicare and ceases to participate in the employer-sponsored plan; or
d) The dependents of a covered employee reach the maximum age for dependent coverage.

Those who are eligible to continue coverage have up to sixty (60) days to complete the Continuation of Coverage Election Form. They must pay the full cost of their premium plus administrative costs incurred by the District.

Consolidate Omnibus Budget Reconciliation Act of 1985
SUBJECT: SAFETY OF STUDENTS (FINGERPRINTING CLEARANCE OF NEW HIRES)

Unless otherwise authorized in accordance with law and regulation, the District shall not employ or utilize a prospective school employee, as defined below, unless such prospective school employee has been granted a "full" clearance for employment by the State Education Department (SED). The School District shall require a prospective school employee who is not in the SED criminal history file to be fingerprinted for purposes of a criminal history record check by authorized personnel of the designated fingerprinting entity. For purposes of this provision of law, the term "criminal history record" shall mean a record of all convictions of crimes and any pending criminal charges maintained on an individual by the Division of Criminal Justice Services (DCJS) and the Federal Bureau of Investigation (FBI).

The District shall utilize SED’s Web-based application known as TEACH for instantaneous access to important information about certification and fingerprinting. Through TEACH, SED provides an individual with the ability to apply for fingerprint clearance for certification and/or employment and view the status of his/her fingerprint clearance request. Through TEACH, the School District is able, among other applications, to submit an online request for fingerprint clearance for a prospective employee, view the status of a fingerprint clearance request, and determine whether a subsequent arrest letter has been issued.

Safety of Students

The District will develop internal building and/or program procedures to help ensure the safety of students who have contact with an employee holding conditional appointment or emergency conditional appointment. Such procedures will address the safety of students in the classroom, students attending off-campus activities under the supervision of the School District, and students participating in extracurricular and/or co-curricular activities (including sports and athletic activities).

Safety procedures to be addressed include, but are not limited to, the following: supervision of the employee holding conditional appointment/emergency conditional appointment as determined appropriate by the applicable building/program administrator; and periodic visitations by the building/program administrator to the classroom, program and/or activity assigned to the employee holding conditional appointment/emergency conditional appointment.

"Sunset" Provision for Conditional Appointments/Emergency Conditional Appointments

The provisions in law which permit the conditional appointment and/or emergency conditional appointment of employees pending full clearance from SED shall terminate, in accordance with legislation, on July 1, 2010; and shall be rescinded as Board policy and procedure as of that date (unless subsequent revisions to applicable law provide otherwise).

Access to TEACH

Information regarding fingerprinting of new hires, including relevant laws and regulations, frequently asked questions (FAQs), an up-to-date chart for "Who Must be Fingerprinted", and instructions on the fingerprinting process are found on www.highered.nysed.gov/tcert/ospra. To request access to TEACH, e-mail TEACHHELP@mail.nysed.gov.

Correction Law Article 23-A
Education Law Sections 305(30), 305(33), 1604, 1709, 1804, 1950, 2503, 2554, 2590-h, 2854, 3004-b, 3004-c and 3035
Executive Law Section 296(16)
Social Services Law Article 5, Title 9-B
8 New York Code of Rules and Regulations (NYCRR) Sections 80-1.11 and Part 87

Board of Education Update and Approval: 11/16/09
Board of Education Approval: 6/20/01
SUBJECT: FINGERPRINTING OF SPORTS OFFICIALS

Project SAVE requires that all "prospective school district employees," as that term is defined in the law, be fingerprinted and receive clearance from the State Education Department to work in the Panama Central School District. Project SAVE further provides that certain individuals are not considered "prospective employees" who would need to be fingerprinted; e.g., those who are "grandfathered" because they provided services to the district in the previous school year, or, those who will provide services for no more than five days during the school year.

However, with respect to sports officials, the Panama Central School District has determined that it is too cumbersome to ascertain whether the "grandfather" provision indicated in the legislation applies to each individual sports official, prior to him/her providing services on-site. The District also cannot provide in-person supervision for sports officials when they are officiating sports contests, and, therefore, the "5-day rule" included in the legislation does not apply in our school district.

It is the responsibility of this school district to comply fully with the provisions of the Project SAVE legislation. The Panama Central School District will not hire any sports official who refuses to comply with this policy by being fingerprinted and receiving clearance.

Education Law Sections 305(30), 1604, 1709, 1804, 2503, 2554, 2854
8 New York Code of Rules and Regulations (NYCRR) Part 87

Board of Education Approval 9/8/03
SUBJECT: CONDITIONAL APPOINTMENT & EMERGENCY CONDITIONAL APPOINTMENT

The Board of Education recognizes that there may be instances in which it is necessary, upon recommendation of the Superintendent of Schools, for the Board to make a conditional appointment or an emergency conditional appointment of a prospective employee. To provide for the safety of students who have contact with an employee holding a conditional appointment or an emergency conditional appointment, the Board adopts the following policy.

No district employee who holds a conditional or emergency conditional appointment shall be in contact with students other than to provide the specific instruction or other services for which the employee was hired, except as deemed appropriate by the Building Principal.

No district employee who holds a conditional or emergency conditional appointment shall teach a class or provide services to students with his/her classroom or office door closed unless the Building Principal has provided express prior permission to do otherwise. Such permission may be appropriate, for example, during music class, band practice or testing procedures.

The Building Principal or his/her designee shall provide heightened administrative supervision of such employees while on school district property during the period of their conditional or emergency conditional appointment including, for example, unannounced visits to classrooms, walking the hallways, and/or any other activities the Principal determines to be appropriate.

In addition, the district will ensure that all conditional and emergency conditional appointed employees become aware of and receive training regarding the prohibition against child abuse in an educational setting and of their responsibility for reporting any such abuse at the commencement of their conditional or emergency conditional appointment.

For purposes of this policy, the terms "conditional appointment" and "emergency conditional appointment" shall refer to any employee holding conditional or emergency conditional appointment, as defined in Section 1709 of the Education Law.

Education Law §§1125-1133, 1709
8 NYCRR §§100.2 (hh); Part 87
SUBJECT: EMPLOYMENT OF RETIRED PERSONS

A retired person may be employed and earn compensation in a position in the School District, without any effect on his/her status as retired and without suspension or diminution of his/her retirement allowance subject to the conditions enumerated in Retirement and Social Security Law Section 211(1). However, there shall be no earning limitations on or after the calendar year in which any retired person attains age sixty-five (65).

No retired person may be employed in the District except upon approval of the Civil Service Commission or the Commissioner of Education unless otherwise authorized in accordance with law.

Such approval may be granted only on the written request of the District giving detailed reasons related to the standards forth in Section 211; and on a finding of satisfactory evidence by the Civil Service Commission or the Commissioner of Education that the retired person is duly qualified, competent and physically fit for the performance of the duties of the position in which he/she is to be employed and is properly certified where such certification is required.

The District will prepare a detailed recruitment plan to fill such vacancy on a permanent basis when the need arises and will undertake extensive recruitment efforts to fill the vacancy prior to making a determination that there are no available non-retired persons qualified to perform the duties of such position.

Approvals to hire retired individuals may be granted for periods not exceeding two (2) years each, provided that a person may not return to work in the same or similar position for a period of one (1) year following retirement.

Reporting Requirements and Disclosure

a) The School District shall report all money earned by a retired person in its employ in excess of the earnings limitation outlined in Retirement and Social Security Law Section 212 to the retirement system administered by the State or any of its political subdivisions from which the retired person is collecting his/her retirement allowance.

b) The School District, when employing a retired person who is eligible to collect or is already collecting a retirement allowance from a retirement system administered by the State or any of its political subdivisions, shall report on an annual basis to the retirement system paying such retirement allowance and to the State Comptroller. This report shall consist of the re-employed retiree’s name, date of birth, place of employment, current position, and all earnings.

Public Record

Any request for approval of the employment of a retired person, including the reasons stated, and the findings and determination of such request shall be a public record open for inspection in the Office of the Civil Service Commission, the Commissioner of Education, or the Board of Education making such findings and determination as specified in Retirement and Social Security Law Section 211.

Education Law Section 525
Retirement and Social Security Law Sections 111, 211, 212, 217, and 411
SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL

General Provisions

Pursuant to the provisions of General Municipal Law Section 806, the Board of Education of the Panama Central School District recognizes that there are rules of ethical conduct for members of the Board and employees of the District that must be observed if a high degree of moral conduct is to be obtained in our unit of local government. It is the purpose of this resolution to promulgate these rules of ethical conduct for the Board members and employees of the District. These rules shall serve as a guide for official conduct of the Board members and employees of the District. The rules of ethical conduct of this resolution, as adopted, shall not conflict with, but shall be in addition to any prohibition of General Municipal Law Article 18 or any other general or special law relating to ethical conduct and interest in contracts of Board members and employees.

Standards of Conduct

Every Board member or employee of the Panama Central School District shall be subject to and abide by the following standards of conduct:

Gifts

Pursuant to General Municipal Law Section 808-a, he/she shall not, directly or indirectly, solicit any gift or accept or receive any gift having a value of seventy-five dollars ($75) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended or expected to influence him/her in the performance of official duties or was intended as a reward for any official action on his/her part.

Confidential Information

He/she shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.

Disclosure of Interest in Contracts

Any District officer or employee, as well as his/her spouse, who has, will have, or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the District shall publicly disclose the nature and extent of such interest in writing to his/her immediate supervisor and to the Board of Education as soon as he/she has knowledge of such actual or prospective interest. Such written disclosure shall be made part of and set forth in the Board minutes.

Representation before one's own agency

He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he/she is an officer, member or employee or of any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.

(Continued)
SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL (Cont’d.)

Representation before any agency for a contingent fee

He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his/her municipality, whereby his/her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of services rendered.

Disclosure of interest in resolution

To the extent that he/she knows thereof, a member of the Board of Education or employee of the Panama Central School District, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Education on any resolution before the Board of Education shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such resolution.

Investments in conflict with official duties

He/she shall not invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, that creates a conflict with his/her official duties.

Private employment

He/she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his/her official duties.

Future employment

He/she shall not, after the termination of service or employment with the School District, appear before any board or agency of the Panama Central School District in relation to any case, proceeding, or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

Legal Remedies

District Officers

In accordance with the Penal Law Section 60.27(5), if a District officer is convicted of a violation against the District under Penal Law Article 155 relating to larceny, the courts may require an amount of restitution up to the full amount of the offense or reparation up to the full amount of the actual out-of-pocket loss suffered by the District.

Board Members and Employees

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former Board member or employee of any claim, account, demand or suit against the Panama Central School District, or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

(Continued)
SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL (Cont'd.)

Distribution/Posting of Code of Ethics

The Superintendent of the Panama Central School District shall cause a copy of this code of ethics to be distributed to every Board member and employee of the School District within thirty (30) days after the effective date of this resolution. Each Board member and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his/her office or employment. The Superintendent shall also cause a copy of General Municipal Law Article 18 to be kept posted in each building in the District in a place conspicuous to its Board members and employees. Failure to distribute any such copy of this code of ethics or failure of any Board member or employee to receive such copy, as well as failure to post any such copy of General Municipal Law Article 18, shall have no effect on the duty of compliance with such code of ethics or General Municipal Law Article 18, nor with the enforcement of provisions thereof.

Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Effective Date

This resolution shall take effect immediately.

Education Law Section 410
General Municipal Law Article 18 and Section 803
Labor Law Section 201-d
Penal Law Article 155 and Section 60.27(5)

Board of Education Approval 7/9/07
SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

The Panama Central School District is an equal opportunity employer and does not discriminate against any employee or applicant for employment in its programs and activities on the basis of race, color, national origin, sex, disability, or age. Further, the District does not discriminate on the basis of religion or creed, sexual orientation, military status, genetic status, marital status, domestic violence victim status, criminal arrest or conviction record, or any other basis prohibited by state or federal non-discrimination laws.

Investigation of Complaints and Grievances

The School District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of discrimination, and will promptly take appropriate action to protect individuals from further discrimination. All such complaints will be handled in a manner consistent with the District's policies, procedures, and/or regulations regarding the investigation of discrimination and harassment complaints, including Policy #3221 -- Non-Discrimination and Anti-Harassment in the School District; Policy #6121 -- Sexual Harassment of District Personnel; Policy #6122 -- Employee Grievances; and Administrative Regulation #3221R -- Non-Discrimination and Anti-Harassment in the School District.

Additional information regarding the District's discrimination and harassment complaint and grievance procedures, including but not limited to the designation of the Civil Rights Compliance Officer, knowingly making false accusations, and possible corrective actions, can be found in Policy #3221 -- Non-Discrimination and Anti-Harassment in the School District and Administrative Regulation #3221R -- Non-Discrimination and Anti-Harassment in the School District.

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Complaints of retaliation may be directed to the Civil Rights Compliance Officer. In the event the Civil Rights Compliance Officer is the alleged offender, the report will be directed to another Civil Rights Compliance Officer, if the District has designated another individual to serve in such a capacity, or to the Superintendent.

Where appropriate, follow-up inquiries will be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination have not suffered retaliation.
SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL

The Board of Education affirms its commitment to provide an environment free from sex-based discrimination and sexual harassment, including sexual violence and intimidation. The Board, therefore, prohibits all forms of sexual harassment against District personnel by employees, school volunteers, students, and non-employees, such as contractors and vendors, which occur on school grounds or at school-sponsored events, programs, or activities, including those that take place at locations off school premises.

Sexual Harassment

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes harassment on the basis of sex when:

a) Submission of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;

b) Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals; or

c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment includes, but is not limited to, sexual violence. For the purpose of this policy, sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes rape, sexual assault, sexual battery, and sexual coercion.

Sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from students, supervisors, co-workers or third parties such as visitors and school volunteers.

Prohibited Conduct

Sexual harassment can be verbal, non-verbal, or physical. Examples of such conduct may include, but are not limited to, the following:

a) Verbal abuse or ridicule, including innuendoes, stories and jokes that are sexual in nature and/or gender-related. This might include inappropriate sex-oriented comments on appearance, including dress or physical features.

b) Direct or indirect threats or bribes for unwanted sexual activity.

c) Asking or commenting about a person's sexual activities.

(Continued)
SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL (Cont'd.)

d) Unwelcome and unwanted physical contact of a sexual nature including, but not limited to, physical acts such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement.

e) Displaying or distributing pornographic or other sexually explicit materials such as magazines, pictures, internet material, cartoons, etc.

f) The use of profanity and/or other obscenities that are sexually suggestive or degrading in nature.

g) Unwelcome staring, leering, or gesturing which is sexually suggestive in nature.

h) Unwelcome and/or offensive public displays of sexual/physical affection.

i) Clothing that reflects sexually obscene and/or sexually explicit messages, slogans, or pictures.

j) Engaging in sexual conduct with an individual who is unable to consent due to his/her age, use of drugs or alcohol, intellectual disability, or other disability.

k) Any other unwelcome and unwanted sexually oriented and/or gender-based behavior which is sexually demeaning, belittling, intimidating, or perpetrates sexual stereotypes and attitudes.

Investigation of Complaints and Grievances

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any employee who believes he/she has been a victim of sexual harassment in the work environment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, immediately report such alleged harassment to the District's designated Civil Rights Compliance Officer. In the event that the Civil Rights Compliance Officer is the alleged offender, the report will be directed to another Civil Rights Compliance Officer, if the District has designated an additional individual to serve in such capacity, or to the Superintendent.

The School District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of sexual harassment, and will promptly take appropriate action to protect individuals from further harassment. All such complaints will be handled in a manner consistent with the District's policies, procedures, and/or regulations regarding the investigation of discrimination and harassment complaints, including Policy #3221 -- Non-Discrimination and Anti-Harassment in the School District; and Administrative Regulation #3221R -- Non-Discrimination and Anti-Harassment in the School District.

(Continued)
SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL (Cont'd.)

Additional information regarding the District's discrimination and harassment complaint and grievance procedures, including but not limited to the designation of the Civil Rights Compliance Officer, knowingly making false accusations, and possible corrective actions, can be found in Policy #3221 -- Non-Discrimination and Anti-Harassment in the School District and Administrative Regulation #3221R -- Non-Discrimination and Anti-Harassment in the School District.

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment. Complaints of retaliation may be directed to the Civil Rights Compliance Officer. In the event the Civil Rights Compliance Officer is the alleged offender, the report will be directed to another Civil Rights Compliance Officer, if the District has designated another individual to serve in such a capacity, or to the Superintendent.

Where appropriate, follow-up inquiries will be made to ensure that sexual harassment has not resumed and that all those involved in the investigation of sexual harassment have not suffered retaliation.

Civil Rights Act of 1991, 42 USC Section 1981(a)
29 CFR Section 1604.11(a)
Civil Service Law Section 75-B
Executive Law Sections 296 and 297
Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e et seq.
Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.
34 CFR Section 100 et seq.
SUBJECT: EMPLOYEE GRIEVANCES

In accordance with Article 15-C of the General Municipal Law, all District employees shall have the opportunity to present grievances free from interference, coercion, restraint, discrimination or reprisal. The District shall provide at least two (2) procedural stages and an appellate stage for the settlement of any such grievance.

General Municipal Law Sections 681-685
SUBJECT: EVALUATION OF PERSONNEL: PURPOSES

The administration shall undertake a continuous program of supervision and evaluation of all personnel in the school system in order to promote improved performance and to make decisions about the occupancy of positions. The primary purposes of this evaluation are:

a) To encourage and promote self-evaluation by personnel;

b) To provide a basis for evaluative judgments by school administrators.

8 New York Code of Rules and Regulations (NYCRR) Section 100.2(o)
SUBJECT: ANNUAL EVALUATION OF TEACHERS

The Board of Education believes that the operation of the Panama Central School District, the improvement of teaching and, in particular, the academic growth of students are affected by the performance of teachers. The continuous evaluation of teachers can help insure the highest quality of instruction in the District. Therefore, teacher performance will be evaluated annually.

The Board directs the Superintendent to develop and implement an evaluation program and to evaluate annually, in a systematic manner, the performance of District teachers. The program shall encourage self-evaluation and self-motivation as each teacher demonstrates professional growth throughout his/her professional career. The evaluation of each teacher shall state in writing his/her strengths and weaknesses. The evaluation program must meet the requirements of Part 100 of the Regulations of the New York State Commissioner Education.

Supervision

The Superintendent principal and the principals are responsible for the improvement of instruction, supervision and evaluation of the staff.

First, second and third year teachers may be observed at any time. Each observation should be followed by a written report and a conference with the teacher observed. A copy of each report is to be filed with the supervising principal, the principal and the teacher observed.

The philosophy of this program is to improve instruction, to give the teacher the opportunity to discuss instructional problems and to improve the existing curriculum. The evaluation of the teacher's ability is a function of the supervisory program but does not constitute its sole or major purpose.

Observation reports should be free in commendations of teaching ability, careful in offering teaching suggestions and extremely cautious in offering criticism. High morale, confidence in the Board and administration, improved instruction for our students and a changing curriculum should be the end result of this policy.

8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(o)
SUBJECT: WORKERS' COMPENSATION

Employees injured in the performance of their duties are covered by Workers' Compensation Insurance. Employees shall report work-related injuries immediately to their immediate supervisor. Delay in reporting, if necessary, must be justified to the satisfaction of the Board of Education and/or the insurance agency.

Reimbursement for Workers' Compensation Insurance benefits shall be in accordance with their respective negotiated agreements.

Education Law Sections
1604(31), 1709(34), 2503(10)
SUBJECT: PAYROLL DEDUCTIONS

Payroll deductions may be made when authorized by employees or when required by law or negotiated agreements.

Education Law Section 1709
SUBJECT: DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES

Liability Protection Pursuant to Education Law

The Board of Education recognizes its statutory obligation to indemnify School District employees (and in certain circumstances, Board of Education members and volunteers) pursuant to the provisions of Sections 3023, 3028 and 3811 of the Education Law. For the purposes of this policy, the term "employee" shall be as defined in the applicable statute(s).

The District shall not be subject to the duty to defend unless the employee, within the time prescribed by statute, delivers appropriate notice of the claim to the Board of Education.

a) For purposes of Education Law Section 3811, the employee must give written notice within five (5) days after service of process upon him/her. The statute mandates only written notice of the claim to the Board of Education; however, submission of relevant legal documents by the employee to the Board is also encouraged.

b) For purposes of Education Law Sections 3023 and 3028, the employee must deliver the original or a copy of the relevant legal documents to the Board within ten (10) days after service of process upon him/her.

The District will provide legal defense and/or indemnification for all damages, costs, and reasonable expenses incurred in the defense of an action or proceeding if authorized pursuant to statute and provided that the alleged action or omission which occurred or allegedly occurred is covered by the appropriate statute(s). Furthermore, the District will not be required to provide indemnification protection and/or legal defense unless the employee was, at the time of the alleged incident, acting in the discharge of his/her duties within the scope of his/her employment or authorized volunteer duties and/or under the direction of the Board of Education.

Public Officers Law Section 18

The Board of Education hereby also confers the benefits of Section 18 of the New York State Public Officers Law upon the "employees" of the District, as defined in Section 18 of the Public Officers Law; and the District assumes the liability for the costs incurred in accordance with the provisions of Section 18. The benefits accorded to District employees under Section 18 of the Public Officers Law shall supplement and be available in addition to defense or indemnification protection conferred by other enactments or provisions of law.

The term "employees" shall include members of the Board of Education; the Superintendent; District officers; District employees; volunteers expressly authorized to participate in a District
SUBJECT: DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES (Cont’d.)

sponsored volunteer program; or any other person holding a position by election, appointment or employment in the service of the District, whether or not compensated. The term “employee” shall also include a former employee, his/her estate or judicially appointed representative.

Pursuant to the provisions of Section 18 of the Public Officers Law, and upon compliance by the employee with the requirements of this statute, the District shall provide for the defense of the employee in any civil action or proceeding, state or federal, arising out of any alleged act or omission which occurred or allegedly occurred while the employee was acting within the scope of his/her public employment or duties. Furthermore, the District shall indemnify and save harmless its employees in the amount of any judgment obtained against such employees in a state or federal court, or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or claim arose occurred while the employee was acting within the scope of his/her public employment or duties. However, in the case of a settlement, the duty to indemnify and save harmless shall be conditioned upon the approval of the amount of the settlement by the Board of Education.

The duty to defend and/or indemnify and save harmless, in accordance with Section 18 of the Public Officers Law, shall be conditioned upon the delivery by the employee to the School District attorney or to the Superintendent a written request to provide for his/her defense, together with the original or a copy of any summons, complaint, process, notice, demand or pleading within ten (10) days after he/she is served with such document. Pursuant to Section 18, the full cooperation of the employee in the defense of such action or proceeding and in the defense of any action or proceeding against the District based upon the same act or omission, and in the prosecution of any appeal, shall also be required as a condition for the District’s duty to defend and/or indemnify and save harmless to exist.

Exceptions to Liability Coverage

Indemnification coverage and/or provision of legal defense by the District will not apply unless the actionable claim is of the type covered by the statute(s) and/or is not otherwise exempt from coverage pursuant to law. Additionally, indemnification coverage and/or the duty to provide a defense shall not arise where such action or proceeding is brought by or on behalf of the School District.

Public Officers Law Section 18
Education Law Sections 1709(26) and (34-b), 2560, 3023, 3028, and 3811
General Municipal Law Sections 6-n and 52

Revised: 11/17/97
SUBJECT: LEAVES OF ABSENCE

a) In general, leaves of absence:
   1. Shall be administered by the Superintendent.
   2. The Board reserves the right to grant leaves of absence for purposes or under conditions not contemplated or considered in the policy statement.
   3. Under laws and rules governing such action, the Board may undertake appropriate disciplinary action where a leave of absence is falsely requested or improperly used.
   4. Except by permission of the Superintendent, as expressed in writing, the purpose or conditions of a leave of absence may not be altered.

b) leaves of absence, contractual, et al:
   1. Employees who are members of a negotiating unit:
      Authorization is granted to approve requests for leaves of absence submitted pursuant to provisions of contracts in effect between the District and each bargaining unit.
   2. Employees who are not members of a negotiating unit:
      Authorization is granted to approve requests for leaves of absence submitted by such employees where such requests are consistent with provisions of contracts in effect between the District and the bargaining unit most compatible with the employment status of the employee.
   3. Employees who are under contract to the District:
      Authorization is granted to implement provisions for leaves of absence contained in each such contract.

c) leaves of absence, unpaid, not covered in b) 1. above:
   1. Subject to limitations enumerated in this policy statement, authorization is granted for the following unpaid leaves of absence.
      (a) For a period of time not to exceed one (1) school year for approved graduate study, such leave to include any required internship experience.
      (b) At the expiration of a paid sick leave of absence, to extend such a leave of absence for a period of time not to exceed the end of the school year next succeeding the school year in which the paid leave of absence commenced.
   2. Unpaid leaves of absence shall not be used to extend vacation periods, to take vacations, to engage in other occupations, or to provide additional personal leaves, except that the Superintendent shall have discretion, where circumstances warrant, to approve leaves of absence for such purposes.
   3. Unpaid leaves of absence shall not be granted unless the services of a substitute employee, satisfactory in the discretion of the Superintendent, can be secured.
   4. Except where it interferes with an employee’s legal or contractual rights, the timing of unpaid leaves of absence will be granted at the convenience of the District.

d) Other leaves of absence:
   1. Emergency Service Volunteer Leave
      Upon presentation of a written request from the American Red Cross and with the approval of the Superintendent, employees certified by the American Red Cross as disaster volunteers shall be granted leave from work with pay for up to twenty (20) days in any calendar year to participate in specialized disaster relief operations. This leave shall be provided without loss of seniority, compensation, sick leave, vacation leave or other overtime compensation to which the volunteer is otherwise entitled.

(Continued)
SUBJECT: LEAVES OF ABSENCE (Cont'd.)

2. Screenings for Breast Cancer and Prostate Cancer
   Employees shall be granted up to four (4) hours of leave on an annual basis to undertake a screening for breast cancer; employees shall be granted up to four (4) hours of leave on an annual basis to undertake a screening for prostate cancer (i.e., male employees are entitled to a total of eight (8) hours for both screenings). This leave shall be excused leave and shall not be charged against any other leave to which the employee is entitled.

3. Blood donation
   Employees desiring to make blood donations shall be granted three (3) hours of leave in any twelve (12) month period. The leave may not exceed three (3) hours unless agreed to by the Superintendent/designee. Additional leaves for the purpose of blood donation under any other provision of law shall not be prevented.

4. Bone Marrow donation
   Employees seeking to undergo a medical procedure to donate bone marrow shall be granted leaves to do so, the combined length of the leaves to be determined by the physician, but may not exceed twenty-four (24) work hours unless agreed to by the Superintendent/designee. The District shall require verification for the purpose and length of each leave requested by the employee for this purpose.

e) Other Leaves
   1. Nursing Mothers
      The District shall provide reasonable unpaid break time or permit the use of paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three (3) years following child birth. The District shall make reasonable efforts to provide a room or other location in close proximity to the work area where the nursing mother can express milk in privacy.

   2. Military Leave
      The District will comply with state and federal laws regarding military leave and re-employment.
      Leaves of absence for military spouses are granted in accordance with law and are unpaid.

Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 United States Code (USC) Sections 4301-4333
Civil Service Law Sections 71-73, 159-b and 159-c
Education Law Sections 1709(16), 3005, 3005-a and 3005-b
General Municipal Law Section 92-c
Labor Law Sections 202-a, 202-c, 202-i and 202-j
Military Law Sections 242 and 243

Revised and Board of Education Adoption: 2/25/08
SUBJECT: MILITARY LEAVES OF ABSENCE

The School District, upon advance notice by the employee, shall grant military leaves of absence to full and part-time employees who are ordered to duty or volunteer for qualifying military service. No advance notice is required if military necessity prevents the giving of notice; or the giving of notice is otherwise impossible or unreasonable.

However, the law does not require or authorize the granting of military leaves of absence by employers for temporary employees.

Employment Rights

Time during which an employee is absent pursuant to military leave shall not constitute an interruption of continuous employment in the School District and no such employee shall be subjected, directly or indirectly, to any loss or diminution of service time; increment; vacation or holiday privileges; or any other right or privilege, by reason of such absence; or be prejudiced by reason of such absence with reference to continuation in employment, reemployment, reinstatement, transfer, or promotion.

Salary

Every employee shall be paid his/her salary or other compensation for any and all periods of absence while engaged in the performance of ordered military duty, and while going to and returning from such duty, not exceeding a total of 30 days or 22 working days, whichever is greater, in any one calendar year; and not exceeding 30 days or 22 working days, whichever is greater, in any one continuous period of such absence.

Employee Benefits

Health Insurance

The School District will continue an employee's health insurance coverage for up to 30 days as if the service member had remained employed (i.e., if the military service was for 30 or fewer days, the employee cannot be required to pay more than the normal employee share of any health insurance premium). For employees performing military duty of more than 30 days, the School District must offer COBRA-type coverage for at least 18 months pursuant to law. A waiting period or exclusion cannot be imposed upon reinstatement if health coverage would have been provided to the employee had the employee not been absent for military service.

(Continued)
SUBJECT: MILITARY LEAVES OF ABSENCE (Cont’d)

Pension/Retirement Plans

While on military duty, any School District employee who is a member of any pension or retirement system may elect to contribute to such pension or retirement system the amount which he/she would have contributed had such employment been continuous. Upon making such contribution, the employee shall have the same rights in respect to membership in the retirement system as he/she would have had if the employee had been present and continuously engaged in the performance of his/her position. To the extent that such contributions are paid, absence while engaged in the performance of military duty shall be counted in determining the length of total service under such pension or retirement system.

Alternatively, employees will have an opportunity to make up contributions to the pension or retirement system upon return to employment in the District in accordance with law and the individual employee’s pension/retirement system.

Time during which an employee is absent on military duty shall not constitute an interruption of continuous employment, but such time shall not be counted or included in determining the length of total service in the pension or retirement system unless such employee contributes to the retirement system the amount he/she would have been required to contribute if the employee had been continuously employed during the period of military leave.

Reemployment/Restoration Rights

Employee absences for military duty shall be deemed a leave of absence and shall not constitute an interruption of employment. Consequently, such District employees shall be reinstated to their positions as soon as possible in accordance with applicable law.

Further, an employee shall be entitled to the rate of compensation he/she would have received had the employee remained in his/her position continuously during the period of military duty and shall not be subjected, directly or indirectly, to any loss of service time, increment or any other right or privilege. Moreover, an employee shall not be prejudiced in any way because of such absence with reference to promotion, transfer, reinstatement or continuous employment.

All other rights and responsibilities of a School District employee’s call to military duty shall be in accordance with law.

(Continued)
SUBJECT: MILITARY LEAVES OF ABSENCE (Cont'd)

Probationary Service

Teachers

Where a teacher enters military duty before the expiration of the probationary period to which he/she may have been appointed, the time the teacher is absent on military duty shall be credited as satisfactory service during this probationary period. If the end of such probationary service occurs while the teacher is on military duty or within one year following the termination of military duty, the period of the probationary service may be extended by the Board of Education for a period not to exceed one year from the date of termination of military duty. However, in no event shall the period of probationary service in the actual performance of teaching services extend beyond that required by the School District at the time of the teacher's entry into military service.

Non-Teaching Employees

If a public employee enters military duty before the expiration of the probationary period in any position to which he/she may have been appointed, or to which he/she may thereafter be appointed or promoted, the time such employee is absent on military duty shall be credited as satisfactory service during such probationary period.

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA)
38 United States Code (U.S.C.) Sections 4301-4333
Military Law Section 242, et. al.
Military Law Section 243, et. al.
SUBJECT: FAMILY AND MEDICAL LEAVE ACT

The Board of Education, in accordance with the Family and Medical Leave Act of 1993 (FMLA), gives "eligible" employees of the District the right to take unpaid leave for a period of up to twelve (12) workweeks in a twelve-month period as determined by the District. The District will compute the twelve-month period according to the following time frame: a "rolling" twelve-month period will be used that is measured backward from the date an employee uses any FMLA leave.

Employees are "eligible" if they have been employed by the District for at least twelve (12) months and for at least 1,250 hours of service during the previous twelve-month period. Full-time teachers are deemed to meet the 1,250-hour test. The law covers both full-time and part-time employees.

Qualified employees may be granted leave for one (1) or more of the following reasons:

a) The birth of a child and care for the infant;
b) Adoption of a child and care for the infant;
c) The placement with the employee of a child in foster care;
d) To care for a spouse, child or parent who has a serious health condition as defined by the FMLA;
e) A serious health condition of the employee, as defined by the FMLA, that prevents the employee from performing his/her job;
f) Because of "any qualifying exigency" (such term to be defined by regulations issued by the Secretary of Labor) arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. In the interim, the Department of Labor is encouraging employers to provide this type of leave to qualifying employees.

Service Member Family Leave

An eligible employee who is the spouse, son, daughter, parent, or next of kin (defined as the nearest blood relative of that individual) of a covered service member who is recovering from a serious illness or injury sustained in the line of duty while on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during a single 12-month period during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

The term "covered service member" means a member of the Armed Forces, including a member of the National Guard or Reserves.

Implementation/Benefits

At the Board of Education's or employee's option, certain types of paid leave may be substituted for unpaid leave.

(Continued)
SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)

An employee on FMLA leave is also entitled to have health benefits maintained while on leave. If an employee was paying all or part of the premium payments prior to leave, the employee will continue to pay his/her share during the leave period.

In most instances, an employee has a right to return to the same position or an equivalent position with equivalent pay, benefits and working conditions at the conclusion of the leave.

The Board of Education has a right to thirty (30) days advance notice from the employee where practicable. In addition, the Board may require an employee to submit certification from a health care provider to substantiate that the leave is due to the serious health condition of the employee or the employee's immediate family member. Failure to comply with these requirements may result in the denial of FMLA leave. The Board may also require that an employee present a certification of fitness to return to work when the absence was caused by the employee's serious health condition. The Board of Education has the right to deny restoration to employment if the employee does not furnish the certificate of fitness.

Notice for Leave Due to Active Duty of Family Member

In any case in which the necessity for leave due to any qualifying exigency is foreseeable, whether because the spouse, or a son, daughter, or parent of the employee is on active duty, or because of notification of an impending call or order to active duty in support of a contingency operation, the employee shall provide such notice to the employer as is reasonable and practicable.

FMLA Notice

A notice, which explains the FMLA's provisions and provides information concerning the procedures for filing complaints of violations of the FMLA shall be posted in each school building.

Administration shall provide information to employees regarding their rights and responsibilities under the FMLA.

Family and Medical Leave Act of 1993, Public Law 103-3

Board of Education Approval: 3/4/1996
Revised and Board of Education Approval: 8/17/09
SUBJECT: RESPONDING TO EMPLOYER AFFIDAVIT REQUESTS UNDER SECTION 803 OF THE RETIREMENT AND SOCIAL SECURITY LAW

The Superintendent or designee shall be responsible for investigating and responding to applications for an Employer Affidavit pursuant to Section 803 of the New York Retirement and Social Security Law ("Section 803").

All requests for an Employer Affidavit shall be directed to the Superintendent or designee, who shall conduct an investigation with respect to the following issues:

a) Was the District the applicant's "first employer" under Section 803; and

b) Is the applicant entitled to retroactive retirement benefits under Section 803.

In conducting the investigation, the Superintendent or designee shall review all available personnel records of the applicant and may request that the applicant provide any additional information necessary to resolve any of the issues raised by the investigation.

Once sufficient information has been obtained, the Superintendent or designee shall issue a tentative employer affidavit setting forth the facts and circumstances which form the basis of the tentative affidavit. If the application is to be denied, then the tentative affidavit must also state the grounds on which such denial will be made. The applicant will be permitted to respond, in writing, within ten days of the date of the tentative affidavit. After that ten day period has expired, the tentative affidavit, along with any response submitted by the applicant, shall then be reviewed by the Superintendent, who will render a final affidavit.

Adopted: 05/06/96
SUBJECT: EMPLOYMENT OF RETIRED PERSONS

A retired person may be employed and earn compensation in a position in the School District, without any effect on his/her status as retired and without suspension or diminution of his/her retirement allowance subject to the conditions enumerated in Retirement and Social Security Law Section 211(1). However, there shall be no earning limitations on or after the calendar year in which any retired person attains age sixty-five (65).

No retired person may be employed in the District except upon approval of the Civil Service Commission or the Commissioner of Education unless otherwise authorized in accordance with law.

Such approval may be granted only on the written request of the District giving detailed reasons related to the standards forth in Section 211; and on a finding of satisfactory evidence by the Civil Service Commission or the Commissioner of Education that the retired person is duly qualified, competent and physically fit for the performance of the duties of the position in which he/she is to be employed and is properly certified where such certification is required.

The District will prepare a detailed recruitment plan to fill such vacancy on a permanent basis when the need arises and will undertake extensive recruitment efforts to fill the vacancy prior to making a determination that there are no available non-retired persons qualified to perform the duties of such position.

Approvals to hire retired individuals may be granted for periods not exceeding two (2) years each, provided that a person may not return to work in the same or similar position for a period of one (1) year following retirement.

Reporting Requirements and Disclosure

a) The School District shall report all money earned by a retired person in its employ in excess of the earnings limitation outlined in Retirement and Social Security Law Section 212 to the retirement system administered by the State or any of its political subdivisions from which the retired person is collecting his/her retirement allowance.

b) The School District, when employing a retired person who is eligible to collect or is already collecting a retirement allowance from a retirement system administered by the State or any of its political subdivisions, shall report on an annual basis to the retirement system paying such retirement allowance and to the State Comptroller. This report shall consist of the re-employed retiree’s name, date of birth, place of employment, current position, and all earnings.

Public Record

Any request for approval of the employment of a retired person, including the reasons stated, and the findings and determination of such request shall be a public record open for inspection in the Office of the Civil Service Commission, the Commissioner of Education, or the Board of Education making such findings and determination as specified in Retirement and Social Security Law Section 211.
SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL

General Provisions

Pursuant to the provisions of General Municipal Law Section 806, the Board of Education of the Panama Central School District recognizes that there are rules of ethical conduct for members of the Board and employees of the District that must be observed if a high degree of moral conduct is to be obtained in our unit of local government. It is the purpose of this resolution to promulgate these rules of ethical conduct for the Board members and employees of the District. These rules shall serve as a guide for official conduct of the Board members and employees of the District. The rules of ethical conduct of this resolution, as adopted, shall not conflict with, but shall be in addition to any prohibition of General Municipal Law Article 18 or any other general or special law relating to ethical conduct and interest in contracts of Board members and employees.

Standards of Conduct

Every Board member or employee of the Panama Central School District shall be subject to and abide by the following standards of conduct:

Gifts

Pursuant to General Municipal Law Section 80S-a, he/she shall not, directly or indirectly, solicit any gift or accept or receive any gift having a value of seventy-five dollars ($75) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended or expected to influence him/her in the performance of official duties or was intended as a reward for any official action on his/her part.

Confidential Information

He/she shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.

Disclosure of Interest in Contracts

Any District officer or employee, as well as his/her spouse, who has, will have, or later acquires an interest in any actual or proposed contract, purchase agreement, lease agreement or other agreement, including oral agreements, with the District shall publicly disclose the nature and extent of such interest in writing to his/her immediate supervisor and to the Board of Education as soon as he/she has knowledge of such actual or prospective interest. Such written disclosure shall be made part of and set forth in the Board minutes.

Representation before one's own agency

He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he/she is an officer, member or employee or of any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.

(Continued)
SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL (Cont'd.)

Representation before any agency for a contingent fee

He/she shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his/her municipality, whereby his/her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of services rendered.

Disclosure of interest in resolution

To the extent that he/she knows thereof, a member of the Board of Education or employee of the Panama Central School District, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Education on any resolution before the Board of Education shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such resolution.

Investments in conflict with official duties

He/she shall not invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction, that creates a conflict with his/her official duties.

Private employment

He/she shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his/her official duties.

Future employment

He/she shall not, after the termination of service or employment with the School District, appear before any board or agency of the Panama Central School District in relation to any case, proceeding, or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

Legal Remedies

District Officers

In accordance with the Penal Law Section 60.27(5), if a District officer is convicted of a violation against the District under Penal Law Article 155 relating to larceny, the courts may require an amount of restitution up to the full amount of the offense or reparation up to the full amount of the actual out-of-pocket loss suffered by the District.

Board Members and Employees

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former Board member or employee of any claim, account, demand or suit against the Panama Central School District, or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

(Continued)
SUBJECT: CODE OF ETHICS FOR ALL DISTRICT PERSONNEL (Cont'd.)

Distribution/Posting of Code of Ethics

The Superintendent of the Panama Central School District shall cause a copy of this code of ethics to be distributed to every Board member and employee of the School District within thirty (30) days after the effective date of this resolution. Each Board member and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his/her office or employment. The Superintendent shall also cause a copy of General Municipal Law Article 18 to be kept posted in each building in the District in a place conspicuous to its Board members and employees. Failure to distribute any such copy of this code of ethics or failure of any Board member or employee to receive such copy, as well as failure to post any such copy of General Municipal Law Article 18, shall have no effect on the duty of compliance with such code of ethics or General Municipal Law Article 18, nor with the enforcement of provisions thereof.

Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Effective Date

This resolution shall take effect immediately.

Education Law Section 410
General Municipal Law Article 18 and Section 803
Labor Law Section 201-d
Penal Law Article 155 and Section 60.27(5)
SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY
POSTING REQUIREMENT OF CORRECTION LAW ARTICLE 23-A

It is the policy of this District to provide, through a positive and effective program, equal opportunities for employment, retention and advancement of all people regardless of race, color, creed, religion, national origin, political affiliation, sex, age, marital status, veteran status or disability.

Provisions will be provided for the publication and dissemination, internally and externally, of this policy to insure its availability to interested citizens and groups.

Job descriptions for all District positions shall be developed and maintained by administration, reflecting the essential functions that an employee must be able to perform, with or without reasonable accommodation. Additionally, administration shall establish grievance procedures that provide for the prompt and equitable resolution of complaints alleging discrimination.

Those intending to file a grievance due to alleged discrimination must follow the grievance procedure as established by the District.

The District shall post, in a place accessible to employees and in a visually conspicuous manner, a copy of Article 23-A of the Correction Law and any regulations promulgated under that statute. Article 23-A addresses the licensure and employment of persons previously convicted of one or more criminal offenses.

Labor Law Section 201-f

Title VII of the Civil Rights of 1964, 42 United States Code Section 2000-e, et seq. Prohibits discrimination on the basis of race, color, religion, sex or national origin.

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


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

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

Age Discrimination in Employment Act, 29 United States Code Section 621.

Military Law Sections 242 and 243

Revised & Board of Education Approval: 11/20/95; 09/08/97, 8/28/06, 2/23/09
SUBJECT: SEXUAL AND OTHER HARASSMENT, DISCRIMINATION AND RETALIATION (EMPLOYEES)

The Board of Education affirms its commitment to equal opportunity and nondiscrimination and recognizes its responsibility to provide for all District employees an environment that is free of discrimination and harassment based on sex (with or without sexual conduct), race, color, creed, national origin, age, marital status, Vietnam Era or disabled veteran status, disability or other category protected by law. The District also does not tolerate any actual or attempted reprisals or retaliation against an employee who raises a sincere and valid concern regarding harassment or discrimination. All such discrimination, harassment, and/or retaliation is, therefore, strictly prohibited by the District.

This policy and its accompanying regulations also apply to third parties of the District, including but not limited to vendors/contractors, other individuals who do business with the District, volunteers, visitors or guests. In the remainder of this policy, references to employees also include any third parties.

Anyone engaging in the prohibited conduct is subject to appropriate disciplinary action by the District including, but not limited to termination of employment, in accordance with contractual and legal guidelines, loss of District business, expulsion from the District premises and/or school activities or events.

HARASSMENT PROHIBITED - DEFINITION:

As used in this policy, the term "harassment" refers to conduct relating to or based upon a person's race, color, religion, sex, gender, age, national origin, marital status, Vietnam Era or disabled veteran status, disability or other category protected by law which fails to respect the dignity and feelings of the individual. Harassment that is forbidden by this policy can take several forms, including but not limited to:

(1) Sexual harassment. There are two types of sexual harassment: quid pro quo harassment and hostile environment harassment. Quid pro quo harassment occurs when some benefit, such as promotions, continued or additional benefits, or continued employment, is conditioned upon the receipt of sexual favors, or when some punishment is threatened for refusing to comply with a demand for sexual favors. Hostile environment harassment occurs when sexual conduct is sufficiently severe, persistent, or pervasive that it either has the purpose or effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile, offensive, or abusive work environment. The District will not tolerate sexual harassment between members of the same or opposite sex. This policy protects and covers the conduct of all employees, without regard to job title or status. While not exhaustive, the following is a list of some examples of conduct, which may constitute sexual harassment:

- Offering employment benefits in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances
- Graphic verbal comments about an individual's body or appearance.
- Unwelcome sexual flirtations or propositions for sexual activity or unwelcome demands for or suggestions of sexual favors, including but not limited to repeated unwelcome requests for dates.
- Spreading sexual rumors.
- Touching an individual's body or clothes (including one's own) in a sexual way, including, but not limited to, grabbing, brushing against, patting, pinching, bumping, rubbing, kissing, and fondling.
- Cornering or blocking of normal movements.
SUBJECT: ELEMENTARY AND SECONDARY STUDENTS: GENERAL

Elementary and secondary students at Panama Central School, while in attendance at school, school functions or under school supervision, shall be governed by the policies set forth by the Board of Education.

Education Law Section 1709
SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY

Statement of Overall Objectives

School attendance is both a right and a responsibility. The School District is an active partner with students and parents in the task of ensuring that all students meet or exceed the New York State Learning Standards. Because the School District recognizes that consistent school attendance, academic success and school completion have a positive correlation; the School District will develop, review and, if necessary, revise a Comprehensive Student Attendance Policy to meet the following objectives:

a) To increase school completion for all students;
b) To raise student achievement and close gaps in student performance;
c) To identify attendance patterns in order to design attendance improvement efforts;
d) To know the whereabouts of every student for safety and other reasons;
e) To verify that individual students are complying with education laws relating to compulsory attendance;
f) To determine the District's average daily attendance for State aid purposes.

Description of Strategies to Meet Objectives

The School District will:

a) Create and maintain a positive school building culture by fostering a positive physical and psychological environment where the presence of strong adult role models encourages respectful and nurturing interactions between adults and students. This positive school culture is aimed at encouraging a high level of student bonding to the school, which in turn should lead to increased attendance.
b) Develop a Comprehensive Student Attendance Policy based upon the recommendations of a multifaceted District Policy Development Team. The District will hold at least one public hearing prior to the adoption of this collaboratively developed Comprehensive Student Attendance Policy.
c) Maintain accurate recordkeeping via a Register of Attendance to record attendance, absence, tardiness or early departure of each student.
d) Utilize data analysis systems for tracking individual student attendance and individual and group trends in student attendance problems.
e) Develop early intervention strategies to improve school attendance for all students.

(Continued)
SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY (Cont'd.)

Determination of Excused and Unexcused Absences, Tardiness and Early Departures

Based upon our District's education and community needs, values and priorities, the School District has determined that absences, tardiness and early departures will be considered excused or unexcused according to the following standards.

a) **Excused:** An absence, tardiness or early departure may be excused if due to personal illness, illness or death in the family, impassable roads due to inclement weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits, approved cooperative work programs, military obligations or other such reasons as may be approved by the Board of Education.

b) **Unexcused:** An absence, tardiness or early departure is considered unexcused if the reason for the lack of attendance does not fall into the above categories. Examples of unexcused absences include: family vacation, hunting, babysitting, hair cut, obtaining learner's permit, road test, oversleeping.

Student Attendance Recordkeeping/Data Collection

The record of each student's presence, absence, tardiness and early departure shall be kept in a register of attendance in a manner consistent with Commissioner's Regulations. An absence, tardiness or early departure will be entered as "excused" or "unexcused" along with the District code for the reason.

**Commencing July 1, 2003, attendance shall be taken and recorded in accordance with the following:**

a) For students in non-departmentalized kindergarten through grade eight (i.e., self-contained classrooms and supervised group movement to other scheduled school activities such as physical education in the gym, assembly, etc.), such student's presence or absence shall be recorded after the taking of attendance once per school day.

b) For students in grades nine through twelve, each student's presence or absence shall be recorded after the taking of attendance in each period of scheduled instruction except that where students do not change classrooms for each period of scheduled instruction, attendance shall be taken in accordance with paragraph "a" above.

c) Any absence for a school day or portion thereof shall be recorded as excused or unexcused in accordance with the standards articulated in this policy.

d) In the event that a student at any instructional level from kindergarten through grade twelve arrives late for or departs early from scheduled instruction, such tardiness or early departure shall be recorded as excused or unexcused in accordance with the standards articulated in this policy.

A record shall be kept of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances including adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of or damage to a school building, or such other cause as may be found satisfactory to the Commissioner of Education.

(Continued)
Attendance records shall also indicate the date when a student withdraws from enrollment or is dropped from enrollment in accordance with Education Law Section 3202(1-a).

At the conclusion of each class period or school day, all attendance information shall be compiled and provided to the designated school personnel who are responsible for attendance. The nature of the absence, tardiness or early departure shall be coded on a student's record in accordance with the established District/building procedures.

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AL</td>
<td>absent excused</td>
</tr>
<tr>
<td>AX</td>
<td>unexcused absence or no excuse received</td>
</tr>
<tr>
<td>TA</td>
<td>tardy to school (not tardy to homeroom)</td>
</tr>
<tr>
<td>EO</td>
<td>early out</td>
</tr>
<tr>
<td>Suspended – external suspension</td>
<td></td>
</tr>
<tr>
<td>ISS</td>
<td>internal suspension (at home school of BOCES)</td>
</tr>
<tr>
<td>FT</td>
<td>field trip</td>
</tr>
<tr>
<td>CT</td>
<td>college visit</td>
</tr>
</tbody>
</table>

**Student Attendance/Course Credit**

The District believes that classroom participation is related to and affects a student's performance and grasp of the subject matter and, as such, is properly reflected in a student's final grade. For purposes of this policy, classroom participation means that a student is in class and prepared to work.

Consequently, for each marking period a certain percentage of a student's final grade will be based on classroom participation as well as the student's performance on homework, tests, papers, projects, etc. as determined by the building administrator and/or classroom teacher.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, unexcused student absences, tardiness, and early departures will affect a student's grade, including credit for classroom participation, for the marking period.

At the middle school/senior high school level (5-12), any student with more than 28 absences in a course may not receive credit for the course. Any student absent from a class more than 15% of the time, for any reason, may not receive credit for the course. For purposes of this policy, all excused as well as unexcused absences will count toward the accumulation of the 28 days. Generally, more than 28 absences in a full year course may result in loss of credit. However, where a student earns a passing grade, credit will not be denied for the course(s). For purposes of this policy, lateness to class of twenty minutes or more shall constitute a full period absence. Exceptions to this policy must be approved by the building principal and superintendent.

For summer school and courses meeting 1/2 year (14 days) or 1/4 year (7 days), the same policy will apply and a calculation of the absences will be prorated accordingly.

Transfer students and students re-enrolling after having dropped out will be expected to attend a prorated minimum number of the scheduled class meetings during their time of enrollment.

(Continued)
SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY (Cont’d.)

Students will be considered in attendance if the student is:

a) Physically present in the classroom or working under the direction of the classroom teacher during the class scheduled meeting time; or

b) Working pursuant to an approved independent study program; or

c) Receiving approved alternative instruction.

Students who are absent from class due to their participation in a school sponsored activity are to arrange with their teachers to make up any work missed in a timely manner as determined by the student’s teacher. Attendance at school sponsored events where instruction is substantially equivalent to the instruction, which was missed, shall be counted as the equivalent of regular attendance in class.

Upon returning to school following a properly excused absence, tardiness or early departure, it shall be the responsibility of the student to consult with his/her teacher(s) regarding arrangements to make up missed work, assignments and/or tests in accordance with the time schedule specified by the teacher.

Only those students with excused absences, as defined in accordance with law and regulations, will be given the opportunity to make up assignments and examinations, which were missed during their absences. The student will have the opportunity to make up the classes and work missed in accordance with procedures established by the principal/designee and/or classroom teacher upon completion of the assigned make-up work, the student will be given credit for classroom work and participation. However, the absence will still count towards the 28 total days.

Notice of Minimum Attendance Standard/Intervention Strategies Prior to the Denial of Course Credit

In order to ensure that parents/persons in parental relation and students are informed of the District's policy regarding minimum attendance and course credit, and the implementation of specific intervention strategies to be employed prior to the denial of course credit to the student for insufficient attendance, the following guidelines shall be followed:

a) Copies of the District's Comprehensive Student Attendance Policy will be available to parents/persons in parental relation and students at the beginning of each school year or at the time of enrollment in the District.

b) School newsletters and publications will include periodic reminders of the components of the District's Comprehensive Student Attendance Policy. A summary of the Attendance Policy will also be included in parent/student handbooks.

c) At periodic intervals, a designated staff member(s) will notify, by telephone, the parent/person in parental relation of the student’s absence, tardiness, or early departure and explain the relationship of the student's attendance to his/her ability to receive course credit. If the parent/person in parental relation cannot be reached by telephone, a letter shall be sent detailing this information.

(Continued)
SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY (Cont'd.)

d) A designated staff member will review the District's Attendance Policy with students who have excessive and/or unexcused absences, tardiness or early departures. Further, appropriate student support services/personnel within the District, as well as the possible collaboration/referral to community support services and agencies, will be implemented prior to the denial of course credit for insufficient attendance by the student.

Notice of Students who are Absent, Tardy or Depart Early Without Proper Excuse

A designated staff member shall notify by telephone the parent/person in parental relation to a student who is absent, tardy or departs early without proper excuse. The staff member shall explain the District's Comprehensive Student Attendance Policy, the District's/building level intervention procedures, and, if appropriate, the relationship between student attendance and course credit. If the parent/person in parental relation cannot be reached by telephone, the staff member will provide such notification by mail. Further, the District's Attendance Policy will be mailed to the parent/person in parental relation to promote awareness and help ensure compliance with the policy.

If deemed necessary by appropriate school officials, or if requested by the parent/person in parental relation, a school conference shall be scheduled between the parent/person in parental relation and appropriate staff members in order to address the student's attendance. The student may also be requested to attend this conference in order to address appropriate intervention strategies that best meet the needs of the student.

Attendance Incentives

In order to encourage student attendance, the District will develop and implement grade-appropriate/building-level strategies and programs including, but not limited to:

a) Attendance honor rolls to be posted in prominent places in District buildings and included in District newsletters and, with parent/person in parental relation consent, in community publications;

b) Special events (e.g., assemblies, guest speakers, field days) scheduled on days that historically have high absenteeism (e.g., Mondays, Fridays, day before vacation);

c) Grade-level rewards at each building for best attendance;

d) Classroom acknowledgment of the importance of good attendance (e.g., individual certificates, recognition chart, bulletin boards);

e) Assemblies collaboratively developed and promoted by student council, administration, parent and other community groups to promote good attendance.

f) Assemblies collaboratively developed and promoted by student council, administration, PTA/PTO and other community groups to promote good attendance.
SUBJECT: COMPREHENSIVE STUDENT ATTENDANCE POLICY (Cont’d.)

Disciplinary Consequences

Unexcused absences, tardiness and early departures will result in disciplinary sanctions as described in the District's Code of Conduct. Consequences may include, but are not limited to, in-school suspension, detention and denial of participation in interscholastic and extracurricular activities.

Parents/persons in parental relation will be notified by designated District personnel at periodic intervals to discuss their child's absences, tardiness or early departures and the importance of class attendance and appropriate interventions. Individual buildings/grade levels will address procedures to implement the notification process to the parent/person in parental relation.

Intervention Strategy Process

In order to effectively intervene when an identified pattern of unexcused absences, tardiness or early departures occur, designated District personnel will pursue the following:

a) Identify specific element(s) of the pattern (e.g., grade level, building, time frame, type of unexcused absences, tardiness or early departures);
b) Contact the District staff most closely associated with the element. In specific cases where the pattern involves an individual student, the student and parent/person in parental relation will be contacted;
c) Discuss strategies to directly intervene with specific element;
d) Recommend intervention to Superintendent or his/her designee if it relates to change in District policy or procedure;
ec) Implement changes, as approved by appropriate administration;
f) Utilize appropriate District and/or community resources to address and help remediate student unexcused absences, tardiness or early departures;
g) Monitor and report short and long term effects of intervention.

Appeal Process

A parent/person in parental relation may request a building level review of their child's attendance record.

Annual Review by the Board of Education

The Board of Education shall annually review the building level student attendance records and if such records show a decline in student attendance, the Board shall make any revisions to the Policy and plan deemed necessary to improve student attendance.
SUBJECT:  COMPREHENSIVE STUDENT ATTENDANCE POLICY (Cont’d.)

Community Awareness

The Board of Education shall promote necessary community awareness of the District's Comprehensive Student Attendance Policy by:

a) Providing a plain language summary of the policy to parents or persons in parental relation to students at the beginning of the each school year and promoting the understanding of such a policy to students and their parents/persons in parental relation;

b) Providing each teacher, at the beginning of the school year or upon employment, with a copy of the policy; and

c) Providing copies of the policy to any other member of the community upon request.

Education Law Sections 3024, 3025, 3202, 3205, 3206, 3210, 3211, and 3213
8 New York Code of Rules and Regulations (NYCRR) Sections 104.1, 109.2 and 175.6
SUBJECT: STUDENT EVALUATION, PROMOTION AND PLACEMENT

Grade Promotion and Placement

Grade promotion and the placement of students within the District's instructional system shall be at the discretion of the school administration and shall be subject to review at any time. In making such decisions, the administrator or Building Principal will be guided by performance in class past records, including various measures of student growth; parent and teacher recommendations; and any other appropriate sources of information. With regard to student placement decisions, parents may submit written requests for teacher attributes that would best serve their child's learning needs; however, requests for specific teachers will not be honored.

Testing Program

The Panama Central School District utilizes various ability, achievement, diagnostic, readiness, interest and guidance tests for the purpose of complying with state and federal law and/or aiding the implementation of quality educational services. The District will not make any student promotion or placement decisions based solely or primarily on student performance on the state administered English language arts and mathematics assessments for grades 3 through 8. The District may, however, consider student performance on such state assessments in making student promotion and placement decisions provided that multiple measures be used in addition to such assessments and that such assessments do not constitute the major factor in such determinations.

Alternative Testing Procedures

The use of alternative testing procedures shall be limited to:

a) Students identified by the Committee on Special Education and/or Section 504 Team as having a disability. Alternative testing procedures shall be specified in a student's Individualized Education Program or Section 504 Accommodation Plan; and

b) Students whose native language is other than English (i.e., English language learners) in accordance with State Education Department Guidelines.

The alternative testing procedures employed shall be based upon a student's individual needs and the type of test administered.

The District shall report the use of alternative testing procedures to the State Education Department on a form and at a time prescribed by the Commissioner.

(Continued)
SUBJECT: STUDENT EVALUATION, PROMOTION AND PLACEMENT (Cont'd.)

Reporting to Parents and Persons in Parental Relation to Students

Parents, guardians, and/or persons in parental relation to District students shall receive an appropriate report of student progress at regular intervals.

The District will not place or include on a student's official transcript or maintain in a student's permanent record any individual student score on a state administered standardized English language arts or mathematics assessment for grades 3 through 8. However, the District will comply with state and federal requirements regarding the maintenance and transfer of student test scores. Any test results on a state administered standardized English language arts or mathematics assessment for grades 3 through 8 sent to parents or persons in parental relation to a student shall include a clear and conspicuous notice that such results will not be included on the student's official transcript or in the student's permanent record and are being provided to the student and parents for diagnostic purposes.

When necessary, attempts will be made to provide interpreters for non-English speaking parents, guardians, and/or persons in parental relation to District students.

Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
Education Law Sections 305(45) - (47), 1709(3)
8 NYCRR Sections 100.2(g), 100.2(ll), 100.3(b)(2)(iv), 100.4(b)(2)(v), 100.4(e)(6)
8 NYCRR Parts 117 and 154

Board of Education Approval 12/17/18
SUBJECT: AGE OF ENTRANCE

Kindergarten

The Board of Education generally will follow State recommendations that a child must be five (5) years of age by December 1st in order to be admitted to Kindergarten in September.

Upon request by a parent that a child attaining the age of five (5) years after December 1 to be permitted to enter kindergarten, an evaluation of the child's readiness for kindergarten will be determined by the school psychologist, reading specialist, speech therapist, school nurse, and elementary school principal.

In the best interests of the child, the determination regarding possible entrance will be made by the administration.

If a pre-school program is conducted, all children eligible to enter a kindergarten in September of the next academic year may enroll in the pre-school program.

Other Grades

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

Proof of Age

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

Education Law Sections 3202, 3212
SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS

The School District has developed a plan for the diagnostic screening of all new entrants and students with low test scores.

A new entrant means a student entering the New York State public school system, pre-kindergarten through grade 12, for the first time, or re-entering a New York State public school with no available record of a prior screening.

Students with low test scores are students who score below level two on either the third grade English language arts or mathematics assessment for New York State elementary schools.

Such diagnostic screening will be utilized to determine which students:

a) Have or are suspected of having a disability;
b) Are possibly gifted; or
c) Are possibly limited English proficient.

Such diagnostic screening shall be conducted:

a) By persons appropriately trained or qualified;
b) By persons appropriately trained or qualified in the student's native language if the language of the home is other than English;
c) In the case of new entrants, prior to the school year, if possible, but no later than December 1 of the school year of entry or within fifteen (15) days of transfer of a student into a New York State public school should the entry take place after December 1 of the school year;
d) In the case of students with low test scores, within thirty (30) days of the availability of the test scores.

New Entrants

For new entrants, diagnostic screening shall include, but not be limited to the following:

a) A health examination by a physician/physician's assistant or nurse practitioner or submission of a health certificate in accordance with Education Law Sections 901, 903, and 904;
b) Certificates of immunization or referral for immunization in accordance with Section 2164 of the Public Health Law;
c) Vision, hearing and scoliosis screenings as required by Section 136.3 of Commissioner's Regulations;
d) A determination of development in oral expression, listening comprehension, written expression, basic reading skills and reading fluency and comprehension, mathematical calculation and problem solving, motor development, articulation skills, and cognitive development using recognized and validated screening tools; and

e) A determination whether the student is of foreign birth or ancestry and comes from a home where a language other than English is spoken as determined by the results of a home language questionnaire and an informal interview in English and the native language.

(Continued)
SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS (Cont'd.)

Students with Low Test Scores

For students with low test scores, diagnostic screening shall include, but not be limited to:

a) Vision and hearing screenings to determine whether a vision or hearing impairment is impacting the student's ability to learn; and

b) A review of the instructional programs in reading and mathematics to ensure that explicit and research validated instruction is being provided in reading and mathematics.

No screening examination for vision, hearing or scoliosis condition is required where a student, parent, or person in parental relation objects on the grounds that such examination conflicts with their genuine and sincere religious beliefs.

Results and Reports

The results of the diagnostic screening shall be reviewed and a written report of each student screened shall be prepared by appropriately qualified School District staff. The report shall include a description of diagnostic screening devices used, the student's performance on those devices and, if required, the appropriate referral.

If such screening indicates a possible disability, a referral, with a report of the screening, shall be made to the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE) no later than fifteen (15) calendar days after completion of such diagnostic screening.

If such screening indicates a possibly gifted child, the name and finding shall be reported to the Superintendent of Schools and to the parents/legal guardians no later than fifteen (15) calendar days after completion of such screening. The term gifted child is defined as a child who shows evidence of high performance capability and exceptional potential in areas such as general intellectual ability, special academic aptitude and outstanding ability in visual and performing arts. Such definition shall include those children who require educational programs or services beyond those normally provided by the regular school program in order to realize their full potential.

If such screening indicates a child identified as possibly being of limited English proficiency, such child shall be referred for further evaluation in accordance with Part 154 of the Regulations of the Commissioner of Education to determine eligibility for appropriate transitional bilingual or free-standing English as a Second Language (ESL) programs.

Reporting to Parents

Parents/guardians of children to be screened shall receive information in advance regarding the purpose of screening, the areas to be screened and the referral process. The information shall be communicated either orally or in writing in the parents' primary language(s). This information will be provided during the registration interview.

Parents/guardians have the right to request information regarding their child's performance during screening. They shall have access to the screening results and obtain copies upon request.

(Continued)
SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS (Cont'd.)

Confidentiality of Information

The Board of Education's policy and administrative regulations in accordance with the Family Educational Rights and Privacy Act of 1974 (FERPA) shall apply to all information collected about a child through the screening program. In accordance with the policy and regulations, parents shall be informed of their right to privacy, their right to access to the records and their right to challenge those records should they be inaccurate, misleading or otherwise inappropriate.

Family Educational Rights and Privacy Act of 1974, 20 United States Code (USC) Section 1232(g)
Education Law Sections 901, 903, 904, 905, 914 and 3208(5)
Public Health Law Section 2164
8 New York Code of Rules and Regulations (NYCRR) Parts 117, 136, 142.2 and 154

NOTE: Refer also to Policies #7131 Education of Homeless Children and Youth
     #7512 Student Physicals
     #8240 Instructional Programs: Driver Education, Gifted and Talented Education and Physical Education

Board of Education Adoption: 2/25/08
SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY

Entitlement to Attend

All persons residing within the District who are between the ages of five (5) years and twenty-one (21) years and who have not obtained a high school diploma are entitled to enroll in the District.

A student who becomes six (6) years of age on or before the first of December in any school year shall be required to attend full-time instruction from the first day that the District schools are in session in September of such school year, and a student who becomes six (6) years of age after the first of December in any school year shall be required to attend full-time instruction from the first day of session in the following September. Each student shall be required to remain in attendance until the last day of session in the school year in which the student becomes sixteen (16) years of age. Additionally, any student from sixteen (16) to seventeen (17) years of age who is not employed will be required to attend full-time instruction until the end of the school year in which such student turns seventeen (17) years of age.

Evidence of a prospective student's age and residency must be presented in such form as is permitted by state and federal law and regulation.

Determination of Student Residency

"Residence," for purposes of this policy, is established by a child's physical presence as an inhabitant within the District and his/her intent to reside in the District.

A child's residence is presumed to be that of his/her parents or legal guardians. Where a child's parents live apart, the child can have only one legal residence. In cases where parents have joint custody, the child's time is essentially divided between two (2) households, and both parents assume responsibility for the child, the decision regarding the child's residency lies ultimately with the family. Where parents claim joint custody, but do not produce proof of the child's time being divided between both households, residency will be determined on the basis of the child's physical presence and intent to remain within the District.

The presumption that a child resides with his/her parents or legal guardians may be rebutted upon demonstration that custody of such child has been totally and permanently transferred to another individual. The District will not acknowledge living arrangements with persons other than a child's parents or legal guardians which are made for the sole purpose of taking advantage of the District's schools.

The presumption that a child resides with his/her parents or legal guardians may also be rebutted upon demonstration that such child is an emancipated minor. To establish emancipation, a minor may submit documentation of his/her means of support, proof of residency, and an explanation of the circumstances surrounding the student's emancipation, including a description of the student's relationship with his/her parents or persons in parental relation.

(Continued)
SUBJECT: ENTITLEMENT TO ATTEND -- AGE AND RESIDENCY (Cont'd.)

Notwithstanding the foregoing, all determinations of student residency will be made consistent with applicable state and federal laws and regulations.

Undocumented Children

The District is mindful that undocumented children are entitled to attend the District's schools, provided they meet the age and residency requirements established by state law. Consequently, the District will not request or require on any enrollment or registration form, in any meeting, or in any other form of communication, any documentation and/or information regarding or tending to reveal the immigration status of a child, a child's parent(s) or the person(s) in parental relation. In the event the District is required to collect such information, the District will do so after the child has been enrolled. In no instance will such information be required as a condition of enrollment or continued attendance.

Children of Activated Reserve Military Personnel

Students temporarily residing outside the boundaries of the District, due to relocation necessitated by the call to active military duty of the student's parent or person in parental relation, will be allowed to attend the public school that they attended prior to the relocation. However, the District is not required to provide transportation between a temporary residence located outside the District and the school the child attends.

Homeless Children

Determinations regarding whether a child is entitled to attend the District's schools as a homeless child or youth will be made in accordance with Section 100.2(x) of the Commissioner's Regulations, as well as applicable District policy and regulation.

Education Law Sections 3202, 3205 and 3218
Family Court Act Section 657
8 NYCRR Sections 100.2(x) and (y)

NOTE: Refer also to Policies #7232 -- Education of Homeless Children and Youth
#7231 -- Non-Resident Students

Revised 3/19/18
SUBJECT: ENTITLEMENT TO ATTEND - AGE AND RESIDENCY (Cont'd.)

Homeless Children

The parent/person in parental relation to a homeless child; or the homeless child, together with the homeless liaison designated by the School District in the case of an unaccompanied youth; or the director of a residential program for runaway and homeless youth established pursuant to Article 19-H of the Executive Law, in consultation with the homeless child, where such homeless child is living in such program, may designate either the school district of current location, the school district of origin, or a school district participating in a regional placement plan as the district the homeless child shall attend.

Children of Activated Reserve Military Personnel

Students temporarily residing outside the boundaries of the District, due to relocation necessitated by the call to active military duty of the student's parent or person in parental relationship, will be allowed to attend the public school that they attended prior to the relocation. However, the District is not required to provide transportation between a temporary residence located outside the District and the school the child attends.

Emancipated Minors

A determination of whether a student is to be designated as an emancipated minor in the School District will be based on evidence that the student is no longer under custody, control and support of his/her parents/persons in parental relationship. To establish emancipation, a minor may submit documentation of his/her means of support, proof of residency and an explanation of the circumstances surrounding the student's emancipation, including a description of the student's relationship with his/her parents/persons in parental relationship.

These statements are renewable each school year. If at any time the above information is changed without prompt notification or proven to be false, the parent/person in parental relationship and/or student may be subject to legal action.

McKinney - Vento Homeless Assistance Act, Section 722, as reauthorized by the No Child Left Behind Act of 2001
Education Law Sections 2045, 3202, 3205, 3209 and 3212(4)
8 New York Code of Rules and Regulations
(NYCRR) Sections 100.2(x) and (y)
SUBJECT: ATTENDANCE RECORDS

The Superintendent shall keep the Board informed as to its legal responsibilities for the compulsory education of the students of the District.

The system of recording attendance and the procedures to be used in keeping data shall be selected by the Superintendent, subject to the approval of the Board.

The Superintendent shall instruct administrative and instructional personnel of the District regarding procedures for recording and maintaining attendance records.

Education Law Sections 3024, 3025 and 3211
SUBJECT: EXCUSES AND ABSENCES

A written excuse, signed by parent/legal guardian, should be presented by the student on the day when returning to school following each absence.

The Board of Education agrees that penalties may be imposed for excessive absences and truancies (see Discipline Code). Therefore, the Board directs the Superintendent to develop rules and regulations for dealing with truancy and excessive illegal absences.

Education Law Sections 3205, 3210

Revised: 11/20/95
SUBJECT: RELEASE TIME OF STUDENTS

Written requests from the parent/legal guardian for the release of students generally will be honored. The appropriate time and reason for absence shall be recorded on the attendance record, using the procedures mandated by the state.

The building principal shall assume this responsibility or shall designate an individual to review and approve all requests.

8 New York Code of Rules and Regulations (NYCRR) Section 109.2
SUBJECT: ATTENDANCE AREAS

The residence of children dwelling within the District boundaries shall be established in a manner consistent with State Law.

All persons dwelling in the District who are between the ages of five (5) years and twenty-one (21) years and who have not received a high school diploma shall be entitled to enroll in the District.

Any student who resides outside the boundaries of the District or whose parents reside outside the boundaries of the District shall be considered a "non-resident student".

Education Law Sections 2045, 3202
SUBJECT: NONRESIDENT STUDENTS

Panama Central School District only accepts nonresident students who:

1. Are currently (2002-2003 school year) approved as nonresident students, or
2. Are pre-registered kindergarten students for the 2003-2004 school year, or
3. Are current siblings of an approved nonresident student, or
4. Are required by applicable law or governmental agency to attend Panama Central School, or
5. Are children of the teachers' bargaining unit members who reside outside the District and are entitled to attend Panama Central School tuition free (with exceptions as noted in the Panama Faculty Contract), through the duration of the current contract.

Students may remain in attendance for the remainder of the year in which they move out of the district. Also, any upper classman (junior or senior) may complete their education in the Panama Central School District. In all these cases, a written request, on the approved form, must be made to the superintendent prior to any change in resident status. The superintendent will make a determination as to whether to permit a nonresident student to be a student of the district as defined above and an affirmative decision may be rescinded if the student does not meet the behavioral or academic standards of the district. Appeals may be made to the Board of Education. All applicable tuition charges apply to students who are nonresidents.

Tuition Payments

1. Tuition charges shall be paid per semester; first semester by September 1, second semester by February 1 or in full at the beginning of each school year. A student will not be admitted to Panama Central School unless the tuition is paid.
2. Tuition rates will be reviewed yearly.
3. Regular students shall be charged the full tuition rate as determined yearly by the Board of Education.
4. In addition to the tuition rate for regular students, students who attend BOCES shall pay the tuition charged by the Board of Cooperative Educational Services (BOCES) for such instruction, less the state aid attributable to such student's attendance at an instructional program of this nature, and the cost of any instruction which such District may also provide such student, to be determined in accordance with 8 NYCRR 174.2(c).
5. A nonresident who owns property in the District shall pay the difference between the local school taxes paid to Panama Central School and the tuition rate.
6. Tuition refunds shall be paid in the event that the student leaves the District by District or parental choice. Tuition charges shall be refunded on a monthly-prorated basis if the family is eligible for refunding.
SUBJECT: NONRESIDENT STUDENTS

General Policy Guidelines

1. Parents of nonresident students will provide their own transportation to regular District runs or to the school building. District runs may change thereby requiring parent/student responsibility for transportation to the newly established regular District runs.

2. The Board of Education may change or revise the existing nonresident policy at any time in accordance with the rights and powers delegated to them.

3. All parents of nonresident students shall receive copies of the District nonresident policy.

4. Any nonresident enrollment that denies the District the opportunity to cut staff, requires the hiring of new staff, or make class loads undesirable at various grade levels may be restricted.

THE DISTRICT RETAINS THE RIGHT TO REJECT ADMISSION REQUEST ON THE BASIS OF ENROLLMENT AT EACH GRADE LEVEL.

THE DISTRICT RETAINS THE SOLE RIGHT TO ASK ANY NONRESIDENT STUDENT TO LEAVE THE PANAMA CENTRAL SCHOOL DISTRICT FOR NON-COMPLIANCE WITH RULES AND REGULATIONS.

Education Law Sections 2045, 3202
SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH

The Board recognizes the unique challenges that face homeless students and will provide these students with access to the same free, appropriate public education, including public preschool education, as other children and youth and access to educational and other services necessary to be successful in school, and will ensure that they are not separated from the mainstream school environment. The Board is also committed to eliminating barriers to the identification, enrollment, attendance, or success of homeless students.

As defined in Commissioner's regulations, a "homeless child" means a child or youth who lacks a fixed, regular, and adequate nighttime residence, including a child who is:

a) Sharing the housing of other persons due to a loss of housing, economic hardship, or a similar reason;

b) Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;

c) Abandoned in hospitals; or

d) A migratory child who qualifies as homeless in accordance with Commissioner's regulations. The term "migratory child" includes a child who is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who has moved from one school district to another in the preceding 36 months, in order to obtain, or accompanies his or her parent or spouse in order to obtain, temporary, or seasonal employment in agricultural or fishing work; or

e) A child or youth who has a primary nighttime location that is:

1. A supervised, publicly, or privately operated shelter designed to provide temporary living accommodations, including, but not limited to, shelters operated or approved by the state or local department of social services, and residential programs for runaway and homeless youth established in accordance with Executive Law Article 19-H; or

2. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; including a child or youth who is living in a car, park, public space, abandoned building, substandard housing, bus or train station or similar setting.

An "unaccompanied youth" means a homeless child not in the physical custody of a parent or legal guardian. This term does not include a child or youth who is residing with someone other than a parent or legal guardian for the sole reason of taking advantage of the schools of the District.

A designator will decide which school district a homeless child or unaccompanied youth will attend. A designator is:

a) The parent or person in parental relation to a homeless child; or

(Continued)
SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH (Cont'd.)

b) The homeless child, together with the homeless liaison designated by the District, in the case of an unaccompanied youth; or

c) The director of a residential program for runaway and homeless youth, in consultation with the homeless child, where the homeless child is living in that program.

The designator may select either the school district of current location, the school district of origin, or a school district participating in a regional placement plan as the district the homeless child will attend. However, the designated school district must determine whether the designation made by the parent, guardian, or youth, in the case of an unaccompanied youth, is consistent with the best interest of the child by considering certain student-centered factors, including factors related to the impact on education and the health and safety of the child or youth.

A homeless child is entitled to attend the school district of origin for the duration of his or her homelessness and also through the remainder of the school year in which he or she locates permanent housing in accordance with his or her best interest.

The term "school district of origin" includes preschool and feeder schools as defined by applicable law.

Enrollment, Retention, and Participation in the Educational Program

The District will immediately enroll children and youth who are homeless even if the child missed any relevant application or enrollment deadlines during any period of homelessness. The ability of a homeless child or youth to continue or participate in the educational program will similarly not be restricted due to issues such as:

a) Transportation;

b) Immunization requirements;

c) Residency requirements;

d) Birth certificates, medical records, individualized education programs (IEPs), school records and other documentation;

e) Guardianship issues;

f) Comprehensive assessment and advocacy referral processes;

g) Resolution of disputes regarding school selection;

h) Proof of social security numbers;

(Continued)
SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH (Cont'd.)

i) Attendance requirements;

j) Sports participation rules;

k) Inability to pay fees associated with extracurricular activities such as club dues and sports uniforms; or

l) Other enrollment issues.

Educational Programs and Services

The District will provide homeless children and youth with access to all of its programs, activities, and services to the same extent that they are provided to resident students.

Homeless children and youth will be educated as part of the school's regular academic program. Services will be provided to homeless children and youth through programs and mechanisms that integrate homeless children and youth with their non-homeless counterparts, including programs for special education, vocational and technical education, gifted and talented students, before and after school, English language learners, Head Start, Even Start, and school nutrition. Services provided with McKinney-Vento funds will expand upon or improve services provided as part of the regular school program. Consequently, the District will ensure that homeless children and youth are not segregated in a separate school, or in a separate program within the school, based on their status as homeless; and to the extent feasible consistent with the requirements of Commissioner's regulations, keep a homeless child or youth in the school of origin except when doing so is contrary to the wishes of the child's or youth's parent or guardian. Further, the District will review and revise policies and practices, including transportation guidelines as well as those related to outstanding fees, fines, or absences, that may act as barriers to the enrollment, attendance, school success, and retention of homeless children and youth in the District.

Transportation

In order to ensure immediate enrollment, and so as not to create barriers to the attendance, retention, and success of homeless students, transportation must be promptly provided. If the local social service district or the Office of Children and Family Services is not required to provide transportation, the designated district is responsible for the provision and the cost of the student's transportation through the remainder of the school year in which the homeless student becomes permanently housed.

Where a homeless student designates the school district of current location as the district the student will attend, then that district will provide transportation to the student on the same basis as a resident student. Where the homeless student designates the school district of origin or a school district participating in a regional placement plan, then that district must provide transportation to and from the homeless child's temporary housing and school not to exceed 50 miles each way unless the Commissioner certifies that the transportation is in the best interests of the child.
SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH (Cont'd.)

Transportation is required even if the school of origin is located in another local educational agency (LEA) as long as attendance at the school of origin is in the best interest of the child or youth, even if it requires students to cross district lines. If two school districts are involved, the districts must agree on a method to apportion the cost and responsibility of transportation, or they must split it equally.

Transportation responsibilities apply to all school districts regardless of whether or not they receive McKinney-Vento funds. Transportation must be provided pending final resolution of any enrollment disputes, including any available appeals. If the designated district provides transportation for non-homeless preschool children, it must also provide comparable transportation services for homeless preschool children.

District Liaison for Homeless Children and Youth

The District will designate an appropriate staff person, who may also be a coordinator for other federal programs, as the local educational agency liaison for homeless children and youth to carry out the duties as described in law, Commissioner's regulations, and applicable guidance issued by the U.S. and New York State Education Departments. The District will inform school personnel, local service providers, and advocates of the office and duties of the local homeless liaison.

Training

All school enrollment staff, secretaries, school counselors, school social workers, and principals will be trained on the requirements for enrollment of homeless students. Other staff members including school nutrition staff, school registered professional nurses, teachers, and bus drivers will receive training on homelessness that is specific to their field.

Outreach

The District will make every effort to inform the parents or guardians of homeless children and youth of the education, transportation, and related opportunities available to their children including transportation to the school of origin. The parent(s) or guardian(s) will be assisted in accessing transportation to the school they select, and will be provided with meaningful opportunities to participate in the education of their children. Public notice of educational rights of homeless children and youth will be disseminated by the District in places where families and youth are likely to be present (e.g., schools, shelters, soup kitchens), and in comprehensible formats (e.g., geared for low literacy or other community needs).

Dispute Resolution

The District will establish procedures for the prompt resolution of disputes regarding school selection or enrollment of a homeless child or youth and provide a written explanation, including a statement regarding the right to appeal to the parent or guardian if the District sends the student to a school other than the school of origin or the school requested by the parent or guardian. These disputes will include, but are not limited to, disputes regarding transportation and/or a child's or youth's status as a homeless child or unaccompanied youth.

(Continued)
SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH (Cont’d.)

In the event of a dispute regarding eligibility, school selection, or enrollment, the homeless child or youth will be entitled to immediate or continued enrollment and transportation pending final resolution of the dispute, including all available appeals.

Record and Reporting Requirements

If the District, as the school district of origin, receives a request to forward student records to a receiving district, the records must be forwarded within five days of receipt of the request.

The District will maintain documentation regarding all aspects of the District’s contact with and services provided to homeless students and youth for possible on-site monitoring by the State Education Department.

The District will collect and transmit to the Commissioner of Education, at such time and in the manner as the Commissioner may require, a report containing information as the Commissioner determines is necessary to assess the educational needs of homeless children and youths within the state.

Student Privacy

Any information pertaining to the living situation of a homeless student, such as his or her homeless status or temporary address, is considered a student educational record and is not subject to disclosure as directory information under the Family Educational Rights and Privacy Act (FERPA).

McKinney-Vento Homeless Education Assistance Act, as reauthorized by the Every Student Succeeds Act (ESSA), 42 USC § 11431 et seq.
Education Law §§ 902(b) and 3209
Executive Law Article 19-H
8 NYCRR § 100.2(x)

NOTE: Refer also to Policy #7611 -- Immunization of Students

Board of Education Approval 3/20/17
SUBJECT: INVOLUNTARY TRANSFER OF STUDENTS

Involuntary transfer of a student from regular classroom instruction to an appropriate educational setting in another school shall be in accordance with Education Law.

Education Law Sections 3214(5) and 1709(3)
SUBJECT: EMANCIPATED MINORS

A student beyond the compulsory school age, who is independent and does not reside with his/her parents/legal guardians, may establish emancipation by meeting the following requirements:

a) Submit documentation of his/her age, residence and means of support;

b) Explain the circumstances of the emancipation, including a description of the relationship with his/her parents/legal guardians; and

c) Provide assurance that he/she is not receiving financial support from parents/legal guardians (except in cases where a court order requires parental support for an emancipated minor).

In addition to this information, the District may require an affidavit or sworn statement from the student as proof of emancipation and residence within the District.

Parents/legal guardians of an emancipated minor may be asked to provide a statement describing their relationship to the student only if such a statement does not place an unreasonable burden on the student.

These statements are renewable each school year. If at any time the above information is changed without prompt notification or proven to be false, the parent/legal guardian and/or student may be subject to legal action.

Education Law Sections 2045, 3202 and 3212(4)
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(x) and (y)

Revised: 11/20/95
SUBJECT: EDUCATIONAL SERVICES FOR MARRIED/PREGNANT STUDENTS

Married Students

The Board of Education will comply with state law in reference to married students attending school.

Pregnant Students

According to New York State Education Law, a student who becomes six years of age on or before the first of December in any school year shall be required to attend full-time instruction from the first day that the District schools are in session in September of such school year, and a student who becomes six years of age after the first of December in any school year shall be required to attend full-time instruction from the first day of session in the following September. Except as otherwise provided in Education Law Section 3205(3), a student shall be required to remain in attendance until the last day of session in the school year in which the student becomes sixteen years of age. The Education Law further provides that resident students over five (5) and under twenty-one (21) are entitled to attend school in the district in which they reside. The law further requires that a school district provide for this instruction and also to provide for home instruction for those students of legal age who are unable to profit from instruction in school.

In view of the above, the Board of Education directs the Superintendent of Schools to provide instruction as required by the New York State Education Law for students who become pregnant. The Superintendent, or his/her designee, is directed to consult with the school physician and the student's personal physician in determining the form of instruction.

The form of instruction may be any of the following or a combination of the following:

a) Remain in school with provisions for special instruction, scheduling, and counseling where needed.

b) Receive home instruction.

c) Attend BOCES programs.

Education Law Sections 1604(20), 3202-1, 3205-1, 4401-1, and 4402-2

Revised: 11/20/95
SUBJECT: SCHOOL CENSUS

In small city school districts, the Board of Education shall constitute a permanent census board in each such city. The Board shall, under its regulations, cause a census of the children in its city to be taken and to be amended from day to day, as changes of residence shall occur among children within the prescribed census age ranges and as other children come within such prescribed age ranges. The census will also account for other children within the prescribed age ranges as they become residents of the city, so that there shall always be on file with the Board of Education a complete census giving the facts and information required pursuant to law.

With the exception of the cities of New York, Buffalo and Rochester, as well as small city school districts, all other school districts are authorized, rather than obligated, to take a census of all children from birth to 18 years of age.

The census must indicate the names of all children between birth and 18 years of age, and of children with disabilities between birth and 21 years of age; their respective residences by street and number; the day of the month and the year of their birth; the names of the persons in parental relation to them; such information relating to physical or mental disabilities, to illiteracy, to employment and to the enforcement of the law relating to child labor and compulsory education as the State Education Department and the Board of Education shall require; and also such further information as the Board shall require.

On written request and in such form as prescribed by the Commissioner of Education, the Board shall provide to the Commissioner a report containing the names, ages and addresses of those children who are blind or deaf, and those children having serious physical or mental disabilities. Additionally, such report shall further indicate whether such children are being educated within the public schools of the District or, if they are not, where such education is being furnished to them.

Persons in parental relation to those children within the prescribed census age ranges are to make such reports as the Board of Education shall require, including, but not limited to, providing two weeks before the child reaches compulsory school age, the name of the child; the child's residence; the name of the person or persons in parental relation to the child; the name and location of the school to which the child shall have been or shall be sent as a student; and such other information as required by law or as the Board may require.

A parent, guardian or other person having under his/her control or charge a child between birth and 18 years of age who withholds or refuses to give information in his/her possession relating to such census data as required by law pertaining to the child; or, in the alternative, gives false information in relation to such census data, shall be liable to and punished by a fine or imprisonment as established by law.

(Continued)
SUBJECT: SCHOOL CENSUS (Contd..)

Census data shall be reported as required by law.

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

NOTE: Refer also to Policy #7750 -- Identification and Register of Children With Disabilities.

Adopted: 03/03/97
SUBJECT: PLACEMENT, PROMOTION AND RETENTION

Placement

Placement within the system, with respect to building, teacher, and grade or special class, shall be at the discretion of the school administration and shall be subject to review and change at any time. In making such decisions, the administrator will be guided by performance in class, past records, parent/legal guardian and teacher recommendations, standardized test scores, and any other appropriate sources of information, but the final decision shall rest with the school administration.

Promotion and Retention

The Board of Education is empowered by New York State Education Law (Section 1709) to prescribe the course of study by which the pupils of the school shall be graded and classified, and to regulate the admission of pupils and their transfer from one class or department to another, as their scholarship shall warrant.

Therefore, it is the policy of the Board to provide a school program that will enable each child to move forward toward the realization of his/her educational goals. He/she will therefore, be promoted to or retained in the learning situation best suited to him/her, and he/she will be encouraged and assisted to move along in a continuous growth pattern of achievement that is in harmony with his/her development.

The procedures to be followed by the staff regarding promotion and retention will be developed by the Superintendent and will be continually evaluated in the light of School District policy. Building principals may establish written standards for promotion within the school units to which they are assigned, subject to the guidelines of the Superintendent and the approval of the Board of Education.
SUBJECT: SENIOR CERTIFICATION

Senior rank or certification will be determined for each senior at the end of the 30th week marking period of the senior year. A senior earns rank by maintaining a 70 average in all subjects necessary for graduation.

At weekly intervals in the last marking period, teachers report the name of seniors failing during that period. The principal and guidance counselor will meet with these students to encourage increased effort on the part of the failing student.

Senior rank may be canceled at any time during the last quarter by the principal or a committee appointed by him/her. Unsatisfactory school citizenship, as well as failing grades, may be used as a basis for canceling senior rank.

A senior who is not ranked at the end of the 30th week marking period will be notified by letter that his/her graduation depends on obtaining a final mark of 65 in the subjects needed for graduation. If he/she fails the subjects required for graduation, the student will not be awarded a diploma or participate in the commencement program.

NOTE: Refer also to Policy #7313 -- Class Rank.
SUBJECT: MINIMUM ACADEMIC YEARLY REQUIREMENTS

The Board of Education requires students to carry six (6) academic subjects plus physical education and encourages students, if scheduling permits, to enroll in seven (7) academic subjects.
SUBJECT: CLASS RANK

The Board wishes to recognize outstanding academic achievement and shall use a system of computing grade average to inform graduating students of their class standing. Such information may also be sent to prospective employers and post-secondary institutions.

The Superintendent shall develop regulations and procedures to address the following areas:

Class Rank Computation

a. High School Credit Bearing Courses - Grades for all classes taken with the exception of physical education, band, and chorus shall be used in the calculation to determine class rank. At the end of the fourth quarter of the senior year, final class rank will be computed.

b. College and College Level Courses Replacing Required High School Courses - Grades for all college courses taken which serve as a replacement for courses which are required for graduation shall be used in the calculation to determine class rank. Such courses must have met during the academic year and convey a minimum of three (3) hours of college credit per semester.

c. College and College Level Courses Taken As Electives at Panama Central School - Grades for college level courses, which do not serve as a replacement for courses required for graduation may be used in determining class rank. The decision to have these grades used in the class rank calculation shall rest with the individual student and his/her family. As above, such course must have met during the academic year and convey a minimum of three (3) hours of college credit per semester.

d. College Courses Taken As Electives On A College Campus - Grades for college courses taken as electives on a college campus will not be calculated in the student’s cumulative average and will not be used in determining class rank.

Any exceptions to the above must be reviewed and approved by the high school principal.

Honors

After seven semesters of high school, the student with the highest average will be the class valedictorian. The student with the second highest average will be the class salutatorian.

Transfer Students

To be considered for first and second honors, a transfer student must have been in attendance for eleventh and twelfth grades. A grade conversion chart shall be applied to grades of students who transfer from a school, which uses an alternate marking method.

Senior Year Alternatives

Students who elect to participate in an approved alternative senior year program will not be eligible for honors at Panama Central School.

NOTE: Refer also to Policy #7311 - Senior Certification.
SUBJECT: REVISION OF GRADES

The Board of Education recognizes that the evaluation and grading of students is an important component of the instructional program and rests primarily with the classroom teacher. In determining a student's grades, the teacher may take into account, but not be limited to, the following: test scores; performance on projects, reports, homework and the like; classroom participation; and student improvement in an academic area. Grades may not be reduced for disciplinary purposes, unless the student's misconduct is directly related to his/her academic performance.

However, a student's final course grade may be revised based upon the review and recommendation of the building principal/designee. This revision will take into account the particular circumstances of the case, including a review of the grade and work in question, as well as all other factors which determined the student's grade. There must be sufficient basis for the grade modification so that the determination is not arbitrary, capricious or otherwise unreasonable.

Whether or not the building principal/designee revises a student's final course grade, the building principal/designee will so notify the Superintendent of any decision rendered; the building principal/designee will also notify the teacher, the student and the student's parent(s)/legal guardian(s) of his/her decision. The building principal/designee's decision may be appealed by the parent(s)/legal guardian(s) and/or the student to the Superintendent. The Superintendent will then notify the building principal/designee, teacher, student, and student's parent(s)/legal guardian(s) of the decision on appeal. If not satisfied with the Superintendent's decision, the parent(s)/legal guardian(s) and/or student may appeal the Superintendent's decision to the Board of Education. The Board of Education's decision may be ultimately appealed to the Commissioner of Education.

In all determinations concerning grade revisions, the Superintendent will notify the Board of Education regarding the outcome of the decision and/or appeal.

Adopted: 12/02/96
SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS

Response to Intervention (RtI) is a multi-tiered early prevention and intervention system designed to improve outcomes for all students. In accordance with Commissioner's Regulations, the School District has established administrative practices and procedures for implementing District-wide initiatives that address a Response to Intervention (RtI) process applicable to all students. For students suspected of having a potential learning disability, Panama Central School District will provide appropriate RtI services pursuant to Commissioner's Regulations prior to a referral to the Committee on Special Education (CSE) for evaluation.

The New York State Education Department (SED) has released a guidance document to assist school districts in designing and implementing an effective RtI process. This document includes, but is not limited to, information regarding regulatory requirements, quality indicators, staff development, tools to assist districts in selecting a specific model and procedures for the use of RtI data in determining if a student has a learning disability. This guidance document is available at: http://www.p12.nysed.gov/specialed/RTI/guidance/cover.htm.

The Panama Central School District has established procedures for identifying students with learning disabilities that use a research-based RtI process prior to, or as part of, an individual evaluation to determine whether a student has a learning disability. An RtI process is required for all students in grades kindergarten through grade 4 suspected of having a learning disability in the area of reading. RtI cannot be utilized as a strategy to delay or deny a timely initial evaluation of a student suspected of having a disability under the Individuals with Disabilities Education Act (IDEA).

The combined RtI/AIS (Academic Intervention Services) Plan at Panama Elementary School starts with high quality instruction within the general education setting, provided by a New York certified classroom teacher. School-wide screenings and other formative assessments provide valuable information to instructional staff to aid in the delivery of interventions. Support services are provided in a tiered, least restrictive approach, where the level of support increases based on lack of student response to interventions. Students not demonstrating adequate response to interventions on Tiers 1 or 2 will be identified for further supplemental intervention on Tier 3. Decisions are made by a multi-disciplinary team, the Data Analysis Team; at every step of this process decisions are informed by progress monitoring data and input from the grade-level data team.

The Data Analysis Team is the decision-making committee that determines movement among tiers within the RtI/AIS process at Panama CSD. This team may consist of the following people: The classroom teacher, student, parent(s)/guardian(s), building principal, learning support representative, school psychologist and AIS representative. This team meets regularly and receives training on the RtI/AIS District Plan, research-based interventions and the collection of progress monitoring data at least once per school year. Professional development will be provided to instructional and supervisory staff of Panama CSD throughout the school year as needed.

Minimum Requirements of District's RtI Program

The District's RtI process shall include the following minimum requirements:

a) Scientific, research-based instruction in reading and mathematics provided to all students in the general education class by qualified personnel. Instruction in reading, per Commissioner's Regulations, shall mean scientific, research-based reading programs that include explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills) and reading comprehension strategies.
SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont’d.)

b) Screenings shall be provided to all students in the class to identify those students who are not making academic progress at expected rates.

Benchmarking instruments will consist of common formative assessments (all assessments conducted three times annually, Fall/Winter/Spring, unless otherwise stated) as well as curriculum-based assessments created in line with the P-12 common core learning standards.

c) Scientific, research-based instruction matched to student need with increasingly intensive levels of targeted interventions for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards;

d) Repeated assessments of student achievement which should include curriculum based measures to determine if interventions are resulting in student progress toward age or grade level standards;

e) The application of information about the student's response to intervention to make educational decisions about changes in goals [i.e., goals for all students, not just Individualized Education Program (IEP) goals], instruction and/or services and the decision to make a referral for special education programs and/or services; and

The Data Analysis Team at Panama CSD makes the determination of which interventions will be provided to an individual student. The Data Analysis Team is the decision-making committee that determines movement among tiers within the RtI/AIS process at Panama CSD. This team may consist of the following people: The classroom teacher, student, parent(s)/guardian(s), building principal, learning support representative, school psychologist and AIS representative.

f) Written notification to the parents when the student requires an intervention beyond that provided to all students in the general education classroom that provides information about:

1. The amount and nature of student performance data that will be collected and the general education services that will be provided as enumerated in Commissioner's Regulations;

2. Strategies for increasing the student's rate of learning; and

3. The parents' right to request an evaluation for special education programs and/or services.

Continued
SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

Structure of Response to Intervention Program

Tier 1:
Focus: ALL students
Interventionist: General education teacher

Tier 2:
Focus: Students considered at-risk as determined by universal screening, progress monitoring data and additional validated measures of student performance. Interpretation of this information will be the responsibility of the Data Analysis Team.
Interventionist: Trained, skilled and knowledgeable school personnel

Tier 3:
1-5% of students

Continued
SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont’d.)

Tier 3:
Focus: Students considered at-risk as determined by universal screening, progress monitoring, and/or validated measures of student performance. Interpretation of this information will be the responsibility of the Data Analysis Team.
Interventionist: Highly trained, skilled and knowledgeable school personnel

The District’s RtI program will consist of multiple tiers of instruction/assessments to address increasingly intensive levels of targeted intervention to promote early identification of student performance needs and/or rate of learning, and to help raise achievement levels for all students.

Student Support Teams, whose members may include, but are not limited to, regular education teachers, special education personnel, the school psychologist, reading and math coordinators, designated administrators, and other individuals deemed appropriate by the District, will be available for each building/grade level classification to address the implementation of the District’s RtI process.

The Data Analysis Team’s responsibilities shall include, but are not limited to, the following:

a) Determining the level of interventions/student performance criteria appropriate for each tier of the RtI model;

b) Analyzing information/assessments concerning a student’s response to intervention and making educational decisions about changes in goals, instruction and/or services;

c) Determining whether to make a referral for special education programs and/or services.

Criteria for Determining the Levels of Intervention to be Provided to Students

In the standard protocol model, research-validated interventions are employed for a specific amount of time, duration, and frequency with small groups of students having similar needs. The primary feature of the standard protocol model involves standardized instruction or intervention with minimal analysis of skill deficits. This model may be used in Tier 2 to provide a scripted intervention treatment. This model allows the classroom teacher to address larger numbers of student needs. The following components are integrated into Tier 2 interventions:

1. A prescribed research-based intervention protocol (script, lesson plan, etc.);
2. Progress monitoring to guide instruction; and
3. A standard format for data gathering and presentation when reporting the impact of an intervention rather than the use of anecdotal information.

The Data Analysis Team utilizes a problem-solving model for Tier 3 interventions. In this model, the team completes an in-depth analysis of skill deficits and instructional and environmental variables that compromise a student’s performance. This analysis leads to the identification of subskill deficits that inform targeted interventions.

Decision Rules

Decision rules are used to determine the next course of action when one of the following occur:

• Student is not responding adequately to instruction and need supplemental intervention;
SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

- Students are responding adequately to instruction and no longer need supplemental intervention;
- An intervention may need to be changed; and/or
- A student may need a referral for special education services to determine if a student's learning difficulty is the result of a disability.

Types of Interventions

The District will provide multiple tiers of increasingly intensive levels of targeted intervention and instruction for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards.

It is expected that use of the Tier Level of instruction will be specific to each student's needs and will be an ongoing process, with students entering and exiting tiers of intervention according to the analysis of student performance data and progress monitoring.

Continued
SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

Tier One Instruction

Tier One instruction is provided to all students in the general education setting. The use of scientific, research based instruction in the areas of reading and math will be provided by the general education teacher and/or other qualified personnel as appropriate, and will emphasize proactive, preventative core instructional strategies in the classroom setting. Group and/or individualized instruction, assessment and reinforcement activities will be provided as deemed appropriate by the classroom teacher.

The analysis of Tier One student performance data will be used to identify those students who need additional intervention at the Tier Two Level of instruction.

Tier Two Instruction

In general, Tier Two instruction will consist of small group, targeted interventions for those students identified as being "at risk" who fail to make adequate progress in the general education classroom. Tier Two instruction will include programs and intervention strategies designed to supplement Tier One interventions provided to all students in the general education setting.

Tier Two instruction may be provided by specialized staff such as reading and math teachers, tutors, speech therapists, school psychologists and/or school counselors as determined by the Data Analysis Team.

At the conclusion of Tier Two instruction, the Student Support Team will review the student's progress and make a determination as to whether Tier Two interventions should be maintained; the student returned to the general education classroom if satisfactory progress is shown; or referred for Tier Three instruction.

Tier Three Instruction

Tier Three instruction is the provision of more intensive instructional interventions, tailored to the needs of the individual student; and is provided to those students who do not achieve adequate progress after receiving interventions at the Tier Two level. Tier Three instruction may include longer periods of intervention program and services than those provided in the first two Tiers based upon the significant needs of the student.

Tier Three instruction will be provided by those specialists, as determined by the Data Analysis Team, best qualified to address the individual student's targeted area(s) of need. If deemed appropriate by the Team, and in accordance with applicable law and regulation, a referral of the student may be made to the Committee on Special Education.

Progress monitoring on a continuous basis is an integral part of Tier Three; and the student's response to the intervention process will determine the need/level of further intervention services and/or educational placement.

Amount and Nature of Student Performance Data to be Collected

The Data Analysis Team will determine the amount and nature of student performance data that will be collected to assess, on an ongoing basis, student performance results and address ongoing academic needs as warranted. Such data collection will reflect the Tier Level of intervention provided to the student. Student performance data will also be used to review the District's RtI program and make modifications to the program as deemed necessary.

Continued
SUBJECT: RESPONSE TO INTERVENTION (RTI) PROCESS (Cont'd.)

Manner and Frequency for Progress Monitoring

The Data Analysis Team shall monitor the progress of those students receiving intervention services beyond that provided to all students in the general education classroom. The Team shall meet with the student's teacher(s) and will determine if further adjustments need to be made to the student's current instructional program and/or a change made to the Tier Level of intervention provided. Monitoring of student progress shall be an ongoing part of the RTI program from the initial screening to completion of the RTI process as applicable. Parents may also request that the progress of their child be reviewed by the Data Analysis Team.

Fidelity measures (e.g., an observational checklist of designated teaching behaviors in accordance with the RTI process being implemented) will also be completed by Team members to assess whether the intervention was implemented as intended and uniformly applied. Clear benchmarks will be established for student performance and performance charts will be plotted at the completion of the instructional period/intervention process.

Staff Development

All staff members involved in the development, provision and/or assessment of the District's RTI program, including both general education and special education instructional personnel, shall receive appropriate training necessary to implement the District's RTI program. Staff development will include the criteria for determining the levels of intervention provided to students, the types of interventions, collection of student performance data, and the manner and frequency for monitoring progress.

Parent Notification

Written notification shall be provided to parents when their child requires an intervention beyond that provided to all students in the general education classroom. Such written notice shall include the following information:

a) The amount and nature of student performance data that will be collected and the general education services that will be provided as part of the RTI process;

b) Strategies for increasing the child's rate of learning; and

c) The parents' right to request an evaluation for special education programs and/or services.

34 CFR Sections 300.309 and 300.311
Education Law Sections 3208, 4002, 4401, 4401-a, 4402, 4402, and 4410
8 NYCRR Sections 100.2(ii), 200.2(b)(7), 200.4(a), 200.4(j)(3)(i), and 200.4(j)(3)(i)(g)
SUBJECT: TESTING PROGRAM

The Board of Education endorses and supports the use of ability, achievement, diagnostic, readiness, interest and guidance tests as part of the total educational process to the degree to which tests help the District to serve its students.
SUBJECT: PHASE IN GRADUATION STANDARD OF 65 ON REQUIRED REGENTS EXAMINATIONS

The Board of Education supports the higher academic achievement standards established in accordance with Commissioner's Regulations that sets 65 as the passing grade on all five Regents examinations required for high school graduation (i.e., the Regents comprehensive examination in English, a Regents examination in mathematics, the Regents examination in United States history and government, a Regents examination in science, and the Regents examination in global studies). However, the Board recognizes that additional time may be necessary for students to transition to these higher standards. Therefore, it is the policy of this District that the following phase in schedule of the 65 graduation standard on required Regents exams is established.

In order to obtain a local diploma, students who first enter grade 9 in September 2005, 2006 and 2007 must attain the following scores on the five required Regents examinations:

Students Entering Grade 9 in September 2005

Unless otherwise authorized pursuant to law and/or regulations, students who first enter grade 9 in September 2005 must attain a score of 65 or above on two of the five required Regents examinations and a score of 55 or above on the remaining three required Regents examinations.

Students Entering Grade 9 in September 2006

Unless otherwise authorized pursuant to law and/or regulations, students who first enter grade 9 in September 2006 must attain a score of 65 or above on three of the five required Regents examinations and a score of 55 or above on the remaining two required Regents examinations.

Students Entering Grade 9 in September 2007

Unless otherwise authorized pursuant to law and/or regulations, students who first enter grade 9 in September 2007 must attain a score of 65 or above on four of the five required Regents examinations and a score of 55 or above on the one remaining required Regents examination.

Students entering Grade 9 in 2008

Unless otherwise authorized pursuant to law and/or regulations, students must pass all five required Regents examinations at a score of 65 or above.

Regents Diplomas

Students who score 65 or above on all five required Regents examinations receive a Regents-endorsed diploma. Students who score 65 or above on eight Regents examinations will receive an Advanced Regents diploma.

(Continued)
SUBJECT: PHASE IN GRADUATION STANDARD OF 65 ON REQUIRED REGENTS EXAMINATIONS (Cont'd.)

Students with Disabilities

Students with disabilities will still have the safety net option of taking and passing the Regents Competency Test if they have not been successful on the corresponding Regents exam in order to earn a local diploma. This provision will continue for students with disabilities entering grade 9 prior to September 2010.

For students with disabilities who first enter grade 9 in September 2005 and thereafter, a score by the student of 55-64 may be considered as a passing score on any Regents examination required for graduation; and, in such event, the District may issue a local diploma to such student. This provision shall apply only to students with disabilities who are entitled to attend school pursuant to Education Law Section 3202 or 4402(5).

Appeals Process on Regents Examinations Passing Score to Meet Regents Diploma Requirements

The District has established an appeals process in which students who score within three points of 65 and have met other criteria enumerated in Commissioner's Regulations that demonstrate they have achieved the State learning standards would be eligible to appeal.

Education Law Sections 3202 and 4402(5)
8 New York Code of Rules and Regulations (NYCRR)
Section 100.5

Board of Education Approved: 8/15/05
SUBJECT: GRADUATION REQUIREMENTS

In order to graduate from Panama Central School District, a student must complete or may exceed the requirements set forth in Part 100 of the Commissioner's Regulations. The Board of Education reserves the right to establish requirements for graduation which exceed the minimum standards as defined by the New York State Regents.

8 New York Code of Rules and Regulations (NYCRR)
Sections 100.1(i) and 100.5

Revised: 11/20/95; 10/20/97
SUBJECT: GRADUATION OPTION/EARLY GRADUATION/ACCELERATED PROGRAMS

To graduate from the District, a student must meet or exceed the requirements set forth in Part 100 of the Commissioner's regulations. The Board may establish graduation requirements that exceed the minimum standards set by the Board of Regents. The District will award the appropriate diploma, credential, or both to students.

Pathways to Graduation

Students must pass the required number of Regents examinations or approved alternative exams and meet any further graduation requirements; these requirements may include passing an approved pathways assessment, other assessment, or an additional exam that measure an equivalent level of knowledge and skill. Students who fail certain Regents examinations may appeal the result in accordance with Commissioner's regulations.

Early Graduation

A student may be eligible for early graduation (fewer than eight semesters) if the student completes all requirements for graduation, excluding physical education. The District will consult with appropriate personnel, the student, and persons in parental relation, and consider factors such as the student's grades, performance in school, future plans, and benefits to graduation early in making its decision.

Accelerated Programs

Eighth Grade Acceleration for Diploma Credits

Eighth grade students may take appropriate high school courses. The Superintendent or designee will determine whether an eighth grade student is eligible to take high school courses using criteria that examines each student's readiness. By the end of seventh grade, accelerated students must receive instruction designed to facilitate their attainment of the state intermediate learning standards in each subject area in which they are accelerated.

Advanced Placement (AP)

Advanced Placement examinations afford students the opportunity to earn credit or advanced standing in many colleges and universities. The College Board administers a variety of AP examinations in May of each year. The District will determine a student's readiness for enrollment in any AP class.
SUBJECT: GRADUATION OPTION/EARLY GRADUATION/ACCELERATED PROGRAMS (Cont'd.)

Dual Credit for College Courses

Students who have demonstrated intellectual and social maturity may choose to matriculate at any one of the colleges that have a cooperative agreement with the District. Students who wish to enroll in college-level coursework must meet all academic, grade level, and coursework requirements. These opportunities may include early admission to college, collegiate-level work offered in the high school, or other means of providing advanced work. The administration will review and approve any college courses before they are taken during the school day. The Board will not pay tuition and other related costs for those high school students enrolled in college courses.

Online Coursework

The District may offer students the ability to complete general education and diploma requirements for a specific subject through online instruction or blended coursework that combines online and classroom-based instruction.

To receive credit for online coursework, students must successfully complete an online or blended course and demonstrate mastery of the learning outcomes for the subject by passing the Regents exam or other assessment in the subject area.

8 NYCRR §§ 100.1(i), 100.2(f), 100.4(d), 100.5, 100.6, and 200.5

NOTE: Refer also to Policy #7332 -- Diploma or Credential Options for Students with Disabilities

Revised 3/19/18
SUBJECT: DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES

The District will provide students with disabilities appropriate opportunities to earn a diploma or other exiting commencement credential in accordance with Commissioner's regulations. During the student's annual review, the District will evaluate graduation opportunities and identify the means to achieve them. As part of this process, the District:

a) Will coordinate activities with guidance personnel and BOCES staff to ensure that students meet credit and sequence requirements and to consider them for vocational opportunities.

b) May modify instructional techniques and materials. Any modifications will be included on a student's Individual Education Plan (IEP) so that they can be implemented consistently throughout the student's program.

c) Will review special education instructional programs to ensure equivalency with the same courses taught in the general education program.

d) Will coordinate communication between special and general education staff so that all staff members understand required skills and competencies, and to establish equivalency of instruction in special education classes.

Graduation and transition plans will take into account the various pathways available to these students. For students with IEPs, the District will plan transition services for post-secondary life as early as possible, but no later than the school year in which the student turns age 15. The transition activities will be focused on improving both the student's academic and functional achievement. The plan will explore post-secondary opportunities and employment options and, if applicable, connection with adult service agencies that may provide the student with services after exiting school.

The District may award these diplomas or credentials, or both:

a) Local diploma: available to students with an IEP or a Section 504 accommodation plan that specifies a local diploma. Students must comply with credit requirements. The available assessments to earn a local diploma include:

1. Low-pass safety net option: students must achieve a score of 55 or higher on five required Regents exams.

2. Low-pass safety net and appeal: available to students who score 52-54 on up to two Regents exams, successfully appeal those scores, and meet other applicable conditions.

3. Regents Competency Test (RCT) safety net option: a student who enters grade 9 before September 2011 must pass a corresponding RCT if he or she does not attain a score of 55 or higher on the Regents examination.

(Continued)
SUBJECT: DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)

4. Compensatory safety net option: except for scores on ELA and math exams, students may use one Regents exam score of 65 or above to compensate for a Regents exam score of 45-54. Students must score at least 55 (or successfully appeal a score of 52-54) on both the ELA and a math exam.

5. Superintendent's determination: students who are unable to demonstrate their proficiency on standard state assessments because of one or more disabilities may be able to graduate upon the Superintendent's review and written certification of their eligibility. The Superintendent will make a determination after receiving a written request from an eligible student's parent or guardian. (Students with a Section 504 accommodation plan may not use this option.)

b) Career Development and Occupational Studies commencement credential (CDOS): any student who is not assessed using the New York State Alternate Assessment (NYSAA) may earn the CDOS commencement credential as a supplement to a Regents or local diploma or as his or her only exiting credential if the student attended school for at least 12 years, excluding kindergarten. The student must meet criteria specified by the State Education Department confirming that he or she has attained the standards-based knowledge, skills, and abilities necessary for entry-level employment.

c) Skills and Achievement (SA) commencement credential: students with severe disabilities who are assessed using the NYSAA may earn the SA commencement credential. They must attend school for at least 12 years, excluding kindergarten. The District must document the student's skills, strengths, and levels of independence in academic, career development, and foundation skills needed for post-secondary life.

Graduation

The District allows any student with a disability to participate in the graduation ceremony of his or her high school graduating class and all related graduation activities if the student:

a) Met the eligibility criteria for an SA or CDOS commencement credential;

b) Has not otherwise qualified to receive a Regents or local diploma; and

c) Has an IEP that prescribes special education, transition planning, transition services, or related services beyond the student's four academic years after entering high school.

The Superintendent will consider any recommendation of the student's Committee on Special Education as well as the student's own expressed preference regarding participation; a student with a disability may decline to participate in any or all graduation-related activities. The District will provide annual written notice of this policy to applicable students and their parents or guardians.

(Continued)
SUBJECT:  DIPLOMA OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)

Education Law §§ 3202 and 4402
8 NYCRR §§ 100.1, 100.2, 100.5, 100.6, 200.4, and 200.5

NOTE: Refer also to Policy #7331 -- Graduation Options/Early Graduation/Accelerated Programs

Revised 3/19/18
SUBJECT: MATRICULATION POLICY

All senior students who have successfully fulfilled the requirements to enter into their senior year and have demonstrated intellectual and social maturity, may choose to matriculate at any one of the colleges that have a cooperative agreement with our School District. These opportunities might include early admission to college, collegiate-level work offered in the high school, or other means of providing advanced work. Review and approval by school officials is necessary before any college courses may be taken during the school day.
SUBJECT: REPORTING TO PARENTS/LEGAL GUARDIANS

Parents/legal guardians shall receive an appropriate report of student progress at regular intervals. Report cards shall be used as a standard vehicle for the periodic reporting of student progress and appropriate school related data. Report cards, however, are not intended to exclude other means of reporting progress, such as conferences, phone conversations, etc.
SUBJECT: PROVISION OF INTERPRETER SERVICES TO PARENTS WHO ARE HEARING IMPAIRED

The Board of Education assures parents or persons in parental relationship who are hearing impaired the right to meaningful access to school initiated meetings or activities pertaining to the academic and/or disciplinary aspects of their children's education. School initiated meetings or activities are defined to include, but are not limited to, parent-teacher conferences, child study or building-level team meetings, planning meetings with school counselors regarding educational progress and career planning, suspension hearings or any conferences with school officials relating to disciplinary actions. The term "hearing impaired" shall include any hearing impairment, whether permanent or fluctuating, which prevents meaningful participation in School District meetings or activities.

Parents or persons in parental relationship shall be notified of the availability of interpreter services to be provided at no charge, provided that a written request is made to the School District within ten (10) days of the scheduled event. Exceptions to the time frame request may be made for unanticipated circumstances as determined by the principal/designee. The District shall also notify appropriate school personnel as to the terms and implementation of this policy.

If interpreter services are requested, the District shall appoint an interpreter for the hearing impaired to interpret during the meeting or activity. The District will arrange for interpreters through a District-created list or through an interpreter referral service. The District shall also develop interagency agreements, as appropriate, to ensure that sign language interpreters are provided for eligible parents or persons in parental relationship when District students attend out-of-District schools or programs.

In the event that an interpreter is unavailable, the School District shall make other reasonable accommodations which are satisfactory to the parents or persons in parental relationship. Examples of what constitutes reasonable accommodations in the event an interpreter cannot be located may include, but are not limited to, the use of:

a) Written communications, transcripts, notetakers, etc; and

b) Technology, such as: a decoder or telecommunication device for the deaf, assistive listening devices, and closed or open captioning.

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

Adopted: 06/07/93
SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE

The School District shall comply with the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). Under its provisions, parents/guardians and noncustodial parent(s), whose rights are not limited by court order or formal agreement, of a student under eighteen (18), or a student who is eighteen (18) years of age or older or who is attending an institution of post-secondary education, have a right to inspect and review any and all education records maintained by the School District.

Education Records

The term "education records" is defined as all records, files, documents and other materials containing information directly related to a student, and maintained by the education agency or institution, or by a person acting for such agency or institution (34 Code of Federal Regulations (CFR) Section 99.3). This includes all records regardless of medium, including, but not limited to, handwriting, videotape or audiotape, electronic or computer files, film, print, microfilm, and microfiche.

In addition, for students who attend a public school district, all records pertaining to services provided under the Individuals with Disabilities Education Act (IDEA) are considered "education records" under FERPA. As such, they are subject to the confidentiality provisions of both Acts.

Personal notes made by teachers or other staff, on the other hand, are not considered education records if they are:

a) Kept in the sole possession of the maker;

b) Not accessible or revealed to any other person except a temporary substitute; and

c) Used only as a memory aid.

Additionally FERPA does not prohibit a school official from disclosing information about a student if the information is obtained through the school official's personal knowledge or observation and not from the student's education records.

Records created and maintained by a law enforcement unit for law enforcement purposes are also excluded.

(Continued)
SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE (Cont'd.)

School districts may release information from records to appropriate parties including, but not limited to, parents, law enforcement officials and medical personnel. A school district's determination that there is an articulable and significant threat to the health or safety of a student or other individuals shall be based upon a totality of the circumstances, including the information available, at the time the determination is made. The school district must record the articulable and significant threat that formed the basis for the disclosure and maintain this record for as long as the student's education records are maintained.

Release of Information to Another Educational Institution

The District may disclose any and all educational records, including disciplinary records and records that were created as a result of a student receiving special education services under Part B of IDEA, to another school or postsecondary institution at which the student seeks or intends to enroll, or after the student has enrolled or transferred, so long as the disclosure is for purposes related to the student's enrollment or transfer. Parental consent is not required for transferring education records if the school's annual FERPA notification indicates that such disclosures may be made. In the absence of information about disclosures in the annual FERPA notification, school officials must make a reasonable attempt to notify the parent about the disclosure, unless the parent initiated the disclosure. Additionally, upon request, schools must provide a copy of the information disclosed and an opportunity for a hearing.

Studies Exception

This exception allows for the disclosure of PII from education records without consent to organizations conducting studies for, or on behalf of, schools, school districts or postsecondary institutions. Studies can be for the purpose of developing, validating, or administering predictive tests; administering student aid programs; or improving instruction.

The District may, from time to time, disclose PII from education records without consent to such organizations conducting studies for the District, in accordance with its obligations under FERPA.

In addition, other entities outside of the District may, from time to time, disclose PII from education records that the District has previously shared with that entity, to organizations conducting studies on behalf of the District. For example, a State Education Agency (SEA) may disclose PII from education records provided by the District without consent to an organization for the purpose of conducting a study that compares program outcomes across school districts to further assess the effectiveness of such programs with the goal of providing the best instruction.

(Continued)
SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE (Cont'd.)

Required Agreements for the Studies or Audit/Evaluation Exceptions

To the extent required by law, the District shall enter into a written agreement with organizations conducting studies for the District, or, with its designated authorized representatives in connection with audits or evaluations of education programs within the District. In the event that the District discloses PII from education records to its own designated authorized representative in connection with an audit or evaluation of an educational program within the District, it shall use reasonable methods to ensure to the greatest extent practicable that its designated authorized representative complies with FERPA and its regulations.

Challenge to Student Records

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

Disclosures to Parents of Eligible Students

Even after a student has become an "eligible student" under FERPA (which is defined as a student who is eighteen (18) years of age or older or who is attending an institution of post-secondary education) an educational agency or institution may disclose education records to an eligible student's parents, without the student's consent:

a) If the student is claimed as a dependent for Federal income tax purposes by either parent;

b) In connection with a health or safety emergency;

c) If the student attends an institution of postsecondary education, is under twenty-one (21) years of age and the disclosure is regarding the student's violation of law, an institutional rule or policy governing the use of alcohol or a controlled substance at that institution; or

c) If the disclosure falls within any other exception to the consent requirements under FERPA or its Regulations, such as the disclosure of directory information or in compliance with a court order or lawfully issued subpoena.

(Continued)
SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE (Cont'd.)

Release of Information to the Noncustodial Parent

The District may presume that the noncustodial parent has the authority to request information concerning his/her child and release such information upon request. If the custodial parent wishes to limit the noncustodial parent's access to the records, it would be his/her responsibility to obtain and present to the school a legally binding instrument that prevents the release of said information.

Family Educational Rights and Privacy Act of 1974, 20 United States Code (USC) Section 1232g

NOTE: Refer also to Policies #7640 -- Student Directory Information
#7716 -- Temporary Placement of Students with Disabilities

Board Approval 2/9/09; 9/18/17
SUBJECT: RELEASE OF INFORMATION TO THE NONCUSTODIAL PARENT

The District may presume that the noncustodial parent has the authority to request information concerning his/her child and release such information upon request. If the custodial parent wishes to limit the noncustodial parent’s access to the records, it would be his/her responsibility to obtain and present to the school a legally binding instrument that prevents the release of said information.

20 United States Code (U.S.C.)
1232g(b)(4)(A)
SUBJECT: DOUBLING OF ANY COURSES FAILED

a) In cases of failure, a student should go to summer school rather than take two classes of the same subject in the same semester.

b) If a student finds it necessary to double in any subject, a conference must be held involving student, parent, counselor, teachers and administration.

Parent or guardian must give written approval for student to double up on a subject.

The school reserves the right to refuse to let a student double for sound educational reasons.

c) Non-Regents students may not be scheduled into a Regents class.

d) Any student doubling classes who has an accumulative failing average at the end of any marking period in either of the courses must drop the higher level course.
SUBJECT: TITLE I/PSEN REMEDIAL PROGRAM

Parents or guardians shall be notified in writing of their child's placement in the remedial program at the onset of the program in September. The report shall include the evaluation program test results and the plan for remedial instruction. In addition to the regular report card system of quarterly reports, parents will be notified at five week intervals utilizing progress reports. Parent/teacher conferences shall be held biannually to inform parents of program effectiveness. Open house, letters and phone calls will also be used to keep parents up to date on their students' progress.

NOTE: Refer also to Policy #8250 -- Programs and Projects Funded by Title I.

Revised: 11/20/95
SUBJECT: PROBATIONS

Social Probation

The secondary school principal and the superintendent have the authority to place a secondary student on social probation. The student would not be able to participate in or attend social activities such as dances and extracurricular activities until the probation has been completed.

Academic Probation

It is the responsibility of students to know or to check with their respective teachers to find out their class averages.

Secondary students who fail two or more subjects at a five-week progress report period or ten-week grading period will be placed on academic probation. The student must attend Academic Support classes during the school day, during 9th period, or, when offered, outside of the school day during the five week probationary period.

An athlete may practice, but may not participate in interscholastic contests until he/she receives a passing grade at the next 5-week grading period.

Students failing two or more subjects may meet with the secondary principal to discuss their academic probationary status. The principal has the discretion to determine if extenuating circumstances impact a final decision.

A student will only be taken off the academic probation list when he/she receives a passing grade at the next five-week grading period.

A teacher may give a student an “I” meaning Incomplete which gives a student one week (5 school days) to complete assignments, take tests, or turn in projects to receive a grade for that class. An athlete may continue to practice with the team, but may not participate in interscholastic contests until the “I” is a passing grade. The teacher giving an “I” must submit a grade to the office at the end of the week (5 school days) grace period. Appropriate staff will receive official notice of grades, which may change a student’s participation status.

Revised and Board of Education Approval 8/28/06
SUBJECT: SCHOOL CONDUCT AND DISCIPLINE

The Board of Education of the Panama Central School District has adopted and implemented a written policy on school conduct and discipline designed to promote responsible student behavior. This policy was developed locally in consultation with teachers, administrators, other school service professionals, students and parents/legal guardians, and includes:

a) A bill of rights and responsibilities of students that focuses upon positive student behavior, and is publicized and explained to all students on an annual basis;

b) A discipline code for student behavior setting forth prohibited student conduct and the range of penalties that may be imposed for violation of such code, that is publicized and explained to all students and provided in writing on an annual basis. Such code shall describe the roles of teachers, administrators, Board of Education members and parents/legal guardians;

c) Strategies and procedures for the maintenance and enforcement of public order on school property that shall govern the conduct of all persons on school premises, in accordance with section 2801 of the Education Law and accepted principles of due process of law;

d) Procedures within each building to involve student service personnel, administrators, teachers, parents/legal guardians and students in the early identification and resolution of discipline problems. For students identified as having disabilities, the policy includes procedures for determining when a student's conduct shall constitute a reason for referral to the Committee on Special Education for review and modification, if appropriate, of the student's individualized education program;

e) Alternative educational programs appropriate to individual student needs;

f) Disciplinary measures for violation of the school policies developed in accordance with subparagraphs b) and c) of this paragraph. Such measures shall be appropriate to the seriousness of the offense and, where applicable, to the previous disciplinary record of the student. Any suspension from attendance upon instruction may be imposed only in accordance with section 3214 of the Education Law; and

g) Guidelines and programs for staff education to ensure effective implementation of school policy on school conduct and discipline.

The Board of Education will annually review this policy on school conduct and discipline and amend it when appropriate. The policy shall be filed in each school building, and shall be available for review by any individual.

Revised: 11/20/95

8 New York Code of Rules and Regulations (NYCRR) Section 100.2(1)
SUBJECT: STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES  
(ACTCEPTABLE USE POLICY)

The Board of Education will provide access to various computerized information resources through the District's computer system ("DCS" hereafter) consisting of software, hardware, computer networks and electronic communications systems. This may include access to electronic mail, so-called "on-line services" and the "Internet." It may include the opportunity for some students to have independent access to the DCS from their home or other remote locations. All use of the DCS, including independent use off school premises, shall be subject to this policy and accompanying regulations. Further, all such use must be in support of education and/or research and consistent with the goals and purposes of the School District.

Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices

This policy is intended to establish general guidelines for the acceptable student use of the DCS and also to give students and parents/guardians notice that student use of the DCS will provide student access to external computer networks not controlled by the School District. The District cannot screen or review all of the available content or materials on these external computer networks. Thus some of the available content or materials on these external networks may be deemed unsuitable for student use or access by parents/guardians.

Despite the existence of District policy, regulations and guidelines, it is virtually impossible to completely prevent access to content or material that may be considered inappropriate for students. Students may have the ability to access such content or material from their home, other locations off school premises and/or with a student's own personal technology or electronic device on school grounds or at school events. Parents and guardians must be willing to establish boundaries and standards for the appropriate and acceptable use of technology and communicate these boundaries and standards to their children. The appropriate/acceptable use standards outlined in this policy apply to student use of technology via the DCS or any other electronic media or communications, including by means of a student's own personal technology or electronic device on school grounds or at school events.

Standards of Acceptable Use

Generally, the same standards of acceptable student conduct which apply to any school activity shall apply to use of the DCS. This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate student conduct and use as well as proscribed behavior.

District students shall also adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and student rights of privacy created by federal and state law.

(Continued)
SUBJECT: STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES
(ACCEPTABLE USE POLICY) (Cont'd.)

Students who engage in unacceptable use may lose access to the DCS in accordance with applicable due process procedures, and may be subject to further discipline under the District's school conduct and discipline policy and the District Code of Conduct. The District reserves the right to pursue legal action against a student who willfully, maliciously or unlawfully damages or destroys property of the District. Further, the District may bring suit in civil court against the parents/guardians of any student who willfully, maliciously or unlawfully damages or destroys District property pursuant to General Obligations Law Section 3-112.

Student data files and other electronic storage areas will be treated like school lockers. This means that such areas shall be considered to be School District property subject to control and inspection. The Computer Coordinator may access all such files and communications without prior notice to ensure system integrity and that users are complying with the requirements of this policy and accompanying regulations. Students should NOT expect that information stored on the DCS will be private.

Notification

The District's Acceptable Use Policy and Regulations will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and students' obligations when accessing the DCS.

Regulations will be established as necessary to implement the terms of this policy.

NOTE: Refer also to Policy #8325 -- Internet Safety/Internet Content Filtering Policy

District Code of Conduct on School Property
SUBJECT: BULLYING: PEER ABUSE IN THE SCHOOLS

The Board of Education is committed to providing a safe and productive learning environment within its schools. Bullying of a student by another student is strictly prohibited on school property, in school buildings, on school buses, and at school sponsored events and/or activities whether occurring on or off campus. The Board of Education shall require the prohibition of bullying - along with the range of possible intervention activities and/or sanctions for such misconduct - to be included in the District Code of Conduct for all grade levels.

For purposes of this policy, the term "bullying" among children is defined, in general, as: "a variety of negative acts carried out repeatedly over time. It involves a real or perceived imbalance of power, with a more powerful child or group attacking those who are less powerful." Bullying can take three forms:

a) Physical (including, but not limited to, hitting, kicking, spitting, pushing, taking personal belongings);
b) Verbal (including, but not limited to, taunting, malicious teasing, name calling, making threats); and

c) Psychological (including, but not limited to, spreading rumors; manipulating social relationships; or engaging in social exclusion, extortion, or intimidation).

Engages in Cyberbullying Behavior

As with other forms of bullying, cyberbullying is an attempt to display power and control over someone perceived as weaker. Cyberbullying involving District students may occur both on campus and off school grounds and may involve student use of the District Internet system or student use of personal digital devices while at school, such as cell phones, digital cameras, and personal computers to engage in bullying.

Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images, or Web site postings (including blogs).

Cyberbullying has the effect of:

a) Physically, emotionally or mentally harming a student;
b) Placing a student in reasonable fear of physical, emotional or mental harm;
c) Placing a student in reasonable fear of damage to or loss of personal property; and
d) Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities.

Also, cyberbullying that occurs off-campus, that causes or threatens to cause a material or substantial disruption in the school, could allow school officials to apply the "Tinker standard" where a student's off-campus "speech" may be subject to formal discipline by school officials when it is determined that the off-campus speech did cause a substantial disruption or threat thereof within the school setting [Tinker v. Des Moines Indep. Sch. Dist. 393 U.S. 503 (1969)]. Such conduct could also be subject to appropriate disciplinary action in accordance with the District Code of Conduct and possible referral to local law enforcement authorities.

(Continued)
SUBJECT: BULLYING: PEER ABUSE IN THE SCHOOLS (Cont'd.)

Reports of Allegations of Bullying/Cyberbullying Behavior

Any student who believes that he/she is being subjected to bullying/cyberbullying behavior, as well as any other person who has knowledge of or witnesses any possible occurrence of bullying/cyberbullying, shall report the behavior to any staff member or the Building Principal. The staff member/Building Principal to whom the report is made (or the staff member/Building Principal who witnesses bullying/cyberbullying behavior) shall investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated by the District to investigate allegations of bullying/cyberbullying. Investigation of allegations of bullying/cyberbullying shall follow the procedures utilized for complaints of harassment within the School District. Allegations of bullying/cyberbullying shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

All employees, students, and others involved in a complaint of bullying (including cyber bullying behavior) shall cooperate fully with an investigation of the alleged behavior. The District reserves the right to contact law enforcement authorities at any time before, during or after its own investigation and unrelated to any other action the District may or may not take. In all cases, the complainant has the right to report the allegations to law enforcement authorities at any time.

Prevention and Intervention

Personnel at all levels are responsible for taking corrective action to prevent bullying/cyberbullying behavior of which they have been made aware at School District sites or activities and/or reporting such behavior to their immediate supervisor. Further, staff training shall be provided to raise awareness of the problem of bullying/cyberbullying within the schools and to facilitate staff identification of and response to such bullying/cyberbullying behavior among students.

Prevention and intervention techniques within the District to prevent against bullying/cyberbullying behavior and to support and protect victims shall include building-level and classroom-level strategies and activities as determined by administration. Individual intervention will be provided by appropriate staff members to bullies, victims and their parents to help ensure that the bullying/cyberbullying stops.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of bullying/cyberbullying. Follow-up inquiries and/or appropriate monitoring of the alleged bully and victim shall be made to ensure that bullying/cyberbullying behavior has not resumed and that all those involved in the investigation have not suffered retaliation.

Civil Service Law Section 75-b

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#3414 -- Anti-Harassment in the School District
#7631 -- Sexual Harassment of Students
District Code of Conduct
SUBJECT: DIGNITY FOR ALL STUDENTS

The Panama Central School District seeks to create an environment free of harassment, bullying, and discrimination, to foster civility in its schools, and to prevent conduct which is inconsistent with its educational mission. The District, therefore, prohibits all forms of harassment and bullying of students by employees or other students on school property and at school functions. The District further prohibits discrimination against students, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or other students on school property and at school sponsored activities and events that take place at locations off school property. In addition, other acts of harassment, bullying, and/or discrimination which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline or other corrective action.

Dignity Act Coordinator

In each of its schools, the District will designate at least one (1) employee holding such licenses and/or certifications as required by the Commissioner to serve as the Dignity Act Coordinator(s). Each Dignity Act Coordinator (DAC) will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression), and sex. Training will also be provided for DACs which addresses: the social patterns of harassment, bullying, and discrimination, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex; the identification and mitigation of harassment, bullying, and discrimination; strategies for effectively addressing problems of exclusion, bias, and aggression in educational settings. All DAC appointments will be approved by the Board of Education.

The District will share the name, designated school, and contact information of each Dignity Act Coordinator with all school personnel, students, and parents/persons in parental relation. Such information will be provided by:

a) Listing such information in the Code of Conduct, with updates posted on the District's website; and

b) Including such information in the plain language summary of the Code of Conduct provided to all persons in parental relation to students before the beginning of each school year; and

c) Providing such information to parents and persons in parental relation in at least one (1) District or school mailing or other method of distribution, including, but not limited to, electronic communication and/or sending such information home with each student. If such information changes, parents and persons in parental relation will be notified of the changes in at least one (1) subsequent District or school mailing, or other such method of distribution as soon as practicable thereafter; and

(Continued)
SUBJECT:  DIGNITY FOR ALL STUDENTS (Cont'd.)

   d) Posting such information in highly visible areas of school buildings; and

   e) Making such information available at the District and school-level administrative offices.

If a Dignity Act Coordinator vacates his/her position, another school employee will immediately be designated for an interim appointment as DAC, pending approval from the Board of Education, within thirty (30) days of the date the position was vacated. In the event a DAC is unable to perform the duties of the position for an extended period of time, another school employee shall immediately be designated for an interim appointment as DAC, pending return of the previous individual to the position.

Training and Awareness

Each year, employees will be provided with training to promote a supportive school environment that is free from harassment, bullying, and/or discrimination, and to discourage and respond to incidents of harassment, bullying, or discrimination. Such training may be provided in conjunction with existing professional development, and will be conducted consistent with guidelines approved by the Board of Education, and will:

   a) Raise awareness and sensitivity to potential acts of harassment, bullying, and/or discrimination;

   b) Address social patterns of harassment, bullying, and/or discrimination and the effects on students;

   c) Inform employees on the identification and mitigation of such acts;

   d) Enable employees to prevent and respond to incidents of harassment, bullying, and/or discrimination;

   e) Make school employees aware of the effects of harassment, bullying, cyberbullying, and/or discrimination on students;

   f) Provide strategies for effectively addressing problems of exclusion, bias and aggression;

   g) Include safe and supportive school climate concepts in curriculum and classroom management; and

   h) Ensure the effective implementation of school policy on conduct and discipline.

(Continued)
SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

Rules against bullying, discrimination, and/or harassment will be included in the Code of Conduct, publicized District-wide, and disseminated to all staff and parents. Any amendments to the Code will be disseminated as soon as practicable following their adoption. New teachers will be provided a complete copy of the current Code upon their employment, and an age-appropriate summary will be distributed to all students at a school assembly at the beginning of each school year.

Reports and Investigations of Harassment, Bullying, and/or Discrimination

Students who have been subjected to harassment, bullying, and/or discrimination, persons in parental relation whose children have been subjected to such behavior, or other students who observe or are told of such behavior, are encouraged and expected to make verbal and/or written reports to the principal, superintendent, Dignity Act Coordinator, and/or other school personnel. All District staff who are aware of harassment, bullying, and/or discrimination, are required to orally report the incident(s) within one (1) school day to the Principal, Superintendent, or his/her designee and report it in writing within two (2) school days after making an oral report.

The Principal, Superintendent, or the Principal's or Superintendent's designee will lead and/or supervise the thorough investigation of all reports of harassment, bullying, and discrimination, and ensure that such investigations are completed promptly after receipt of any such reports. All investigations will be conducted in accordance with law, the District's Code of Conduct, and applicable District policy and procedure. In the event allegations involve harassment, bullying, and/or discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, or disability, the District may utilize the procedures set forth in Policy #3420 -- Non-Discrimination and Anti-Harassment in the School District, and its implementing regulations. Where appropriate, the Dignity Act Coordinator or such other individual conducting the investigation, may seek the assistance of the District's Civil Rights Compliance Officer in investigating, responding to, and remedying complaints of harassment, bullying, and/or discrimination.

In the event any such investigation reveals harassment, bullying, and/or discrimination, the District will take prompt action reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such harassment, bullying, and/or discrimination was directed. Such actions will be taken consistent with applicable laws and regulations, District policies and administrative regulations, and collective bargaining agreements, as well as the District's Code of Conduct and any and all applicable guidelines approved by the Board.

The Superintendent, Principal, or his/her designee shall notify the appropriate local law enforcement agency when it is believed that any incident of harassment, bullying, and/or discrimination constitutes criminal conduct.

(Continued)
SUBJECT: DIGNITY FOR ALL STUDENTS  (Cont'd.)

The Principal of each primary and secondary school shall provide a regular report (at least once during each school year) on data and trends related to harassment, bullying and/or discrimination to the Superintendent. Such report shall be submitted in a manner prescribed by the District.

The District will annually report material incidents of harassment, bullying, and/or discrimination which occurred during the school year to the State Education Department. Such report will be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (BEDS) reporting deadline or such other date as determined by the Commissioner.

Prohibition of Retaliatory Behavior

Pursuant to Section 16 of the Education Law, any person who has reasonable cause to suspect that a student has been subjected to harassment, bullying, or discrimination by an employee or student on school grounds or at a school function, who acts reasonably and in good faith and reports such information to school officials, the Commissioner of Education, or law enforcement authorities, or otherwise initiates, testifies, participates, or assists in any formal or informal proceedings, will have immunity from any civil liability that may arise from making such report, or from initiating, testifying, participating, or assisting in such proceedings. Furthermore, the Board prohibits any retaliatory action against any person who, acting reasonably and in good faith, makes a report of harassment, bullying, or discrimination, or who otherwise initiates, testifies, participates, or assists in the investigation of a complaint of harassment, bullying, or discrimination.

Publication of District Policy

At least once during each school year, all school employees, students, and parents will be provided with a written or electronic copy of this policy, or a plain-language summary thereof, including notification of the process by which students, parents, and school employees may report harassment, bullying, and discrimination. Additionally, the District will strive to maintain a current version of this policy on its website at all times.

Application

Nothing in this policy or its implementing regulations should be interpreted to preclude or limit any right or cause of action provided under any local, state, or federal ordinance, law or regulation including but not limited to any remedies or rights available under the Individuals With Disabilities Education Act, Title VII of the Civil Rights Law of 1964, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990.

Education Law Sections 10-18, 801-a, 2801 and 3214
8 NYCRR Section 100.2

(Continued)
SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

NOTE: Refer also to Policies #1340 -- Appointments and Designations by the Board of Education
#3410 -- Code of Conduct on School Property
#3221 -- Non-Discrimination and Anti-Harassment in the School District
#7631 -- Sexual Harassment of Students
#8213 -- Civility, Citizenship and Character Education/Interpersonal Violence Prevention Education

Revised 3/19/18
SUBJECT: ALCOHOL, TOBACCO, DRUGS, AND OTHER SUBSTANCES (STUDENTS)

The Board of Education recognizes that the misuse of drugs, alcohol and/or tobacco is a serious problem with legal, physical, emotional and social implications for the entire community. Therefore, the consumption, sharing and/or selling, use and/or possession of alcoholic beverages, tobacco products, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of such drugs is prohibited at any school-sponsored event or on school property at all times. The inappropriate use of prescription and over-the-counter drugs shall also be disallowed. Persons shall be banned from entering school grounds or school-sponsored events when exhibiting behavioral, personal or physical characteristics indicative of having used or consumed alcohol or other substances.

Through the collaborative efforts of staff, students, parents/guardians and the community as a whole, a comprehensive program shall be developed addressing alcohol, tobacco, drugs, and other substances to include the following elements:

Primary Prevention

Preventing or delaying alcohol, tobacco, drugs, and other substance use/abuse by students shall be the major focus of a comprehensive K through 12 program in which proactive measures of prevention and early intervention are emphasized. This program shall include:

a) A sequential K through 12 curriculum based on recognized principles of effectiveness that is developed and incorporated into the total educational process. This curriculum shall be concerned with education and prevention in all areas of alcohol, tobacco, drugs, and other substances uses/abuse;

b) Training school personnel and parents/guardians to reinforce the components of the policy through in-service and community education programs with up-to-date factual information and materials.

c) An effort to provide positive alternatives to alcohol, tobacco, drugs, and other substances use/abuse through the promotion of drug/tobacco/alcohol-free special events, service projects and extracurricular activities that will develop and support a positive peer influence.

Intervention

School-based intervention services shall be made available to all students, grades K through 12, and provided by prevention professionals who are appropriately trained in this area. The purpose of intervention is to eliminate any existing use/abuse of alcohol, tobacco, drugs, and other substances and to identify students considered to be at risk for use/abuse. Intervention programming shall include:

a) Counseling of students in groups and as individuals on alcohol, tobacco, drugs, and other substance use/abuse. Counselors shall be appropriately trained and skilled school staff assigned for this purpose.

b) Referring students to community or other outside agencies when their use/abuse of alcohol, tobacco, drugs, and other substances requires additional counseling or treatment. Referral is a key link in school and community efforts and the process is basic to the dissemination of information regarding available counseling and health services;
SUBJECT: ALCOHOL, TOBACCO, DRUGS, AND OTHER SUBSTANCES
(STUDENTS) (Cont’d.)

   c) Providing a supportive school environment designed to continue the recovery process for students returning from treatment. A re-entry program may include continuing student and/or family counseling and emphasizing positive alternatives to alcohol, tobacco, drugs, and other substance use/abuse.

   d) Developing a parent network to serve as a support group and provide a vehicle of communication for parent education;

   e) Ensuring confidentiality as required by state and federal law.

Disciplinary Measures

Disciplinary measures for students consuming, sharing and/or selling, using and/or possessing alcoholic beverages, tobacco products, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of such drugs shall be outlined in the District’s Code of Conduct on School Property.

Staff Development

There shall be ongoing training of District staff about the components of an effective alcohol, tobacco and other substances program. Training shall include, but not be limited to, District policies and regulations and the staff’s role in implementing such policies and regulations. Teachers shall be trained to implement the District’s K through 12 alcohol, tobacco and other substance prevention curricula; intervention staff shall be suitably trained to carry out appropriate services.

Implementation, Dissemination and Monitoring

It shall be the responsibility of the Superintendent to implement the alcohol, tobacco, drugs, and other substances Board policy by collaboration with school personnel, students, parents/guardians and the community at large.

Additionally, copies of Board policy shall be disseminated to District staff, parents/guardians and community members. The Superintendent/designee shall periodically review the drug and alcohol abuse prevention program to determine its effectiveness and support appropriate modifications, as needed.

Safe and Drug-Free Schools and Communities Act
20 United States Code (U.S.C) Section 7101 et seq.

NOTE: Refer also to Policies

   #3260 -- Community Use of School Facilities
   #3410 -- Code of Conduct on School Property
   #5640-- Smoking/Tobacco Use
   #7410 -- School Conduct and Discipline
   #8213 -- Prevention Instruction

District Code of Conduct on School Property

Board of Education Approval 5/3/04
SUBJECT: WELLNESS/CHEMICAL DEPENDENCY PROGRAM

The philosophy of Panama Central School recognizes education as the chief instrument for achieving successful individual development. The school strives to serve the needs of all the youth of the Panama Central School District and to prepare them for living productively in a democratic society. We recognize that chemical abuse/dependency and dysfunctional behavior seriously impair the ability of individuals to develop to their full potential. We also recognize that problems created by chemical abuse/dependency and dysfunctional behavior have an adverse effect on the ability of all members of the school community to achieve personal and District goals. Our policy is based on the belief that chemical dependency and dysfunctional conduct is a life threatening illness that affects individuals in all areas of their lives: morally, emotionally, physically, intellectually and socially. We recognize that health problems of youth are primarily the responsibility of the home and community, but schools share in that responsibility because chemical dependency and dysfunctional actions often interfere with school behavior, student learning and the fullest possible development of each student.

Because it is our conviction that chemical dependency and dysfunctional behavior is a treatable illness, the Panama Central School District has adopted the following policy.

General Goals

The primary goal is to implement a chemical use and dysfunction intervention/prevention program.

The school and community will work together in planning and implementing an effective chemical dependency/dysfunctional education program, with emphasis on wellness and prevention.

Objectives

a) To heighten the school community awareness about chemical abuse and dependency.

b) To increase the knowledge of the symptoms of abuse, dependency and the awareness of chemicals as a detriment to good health.

c) To help implement an early intervention program into the abuse-dependency process.

d) To build a team of trained personnel to work on chemical abuse, dependency, dysfunctional conduct, prevention issues and alternative activities.

Program Components

The district will provide age appropriate education concerning chemical dependency to all students K-12. This will be done through the school’s health curriculum and with the cooperation of outside agencies.

The district will provide staff development, which educates all staff about chemical dependency in children, youth and adults.

(Continued)
SUBJECT: WELLNESS/CHEMICAL DEPENDENCY PROGRAM

The district will offer printed materials and programs to parents that will provide research based information on chemical dependency.

The district will utilize workshops for student leaders to train them in their roles to help identify chemical dependency problems and work with peers and adults to promote wellness.

The district will promote the use of the Child Study Teams as a vehicle to give students support as they deal with any issues related to chemical dependency.

Each component is an important piece in establishing a program that offers education and support to staff, students, and parents as they deal with chemical dependency issues.

The Board supports activities and programs that provide a healthy alternative to the use of chemicals which may lead to chemical dependency.

NOTE: Refer also to Policy #7430 - Alcohol, Drugs and Other Substances (Students).
SUBJECT: SEARCH BY SCHOOL PERSONNEL

Students are protected by the Constitution from unreasonable searches and seizures. A student may be searched and contraband seized on school grounds or in a school building by a School District employee only when the School District employee has reasonable cause to believe the student is engaging in proscribed activity which is in violation of school rules and/or illegal.

Factors to be considered in determining whether reasonable cause exists to search a student include:

a) The age of the student;
b) The student's record and past history;
c) The predominance and seriousness of the problem in the school where the search is directed; and
d) The urgency to conduct the search without delay.

If reasonable cause exists to believe that a student possesses a weapon, it is permissible for a School District employee to frisk that student.

LOCKERS

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

Revised: 11/20/95
SUBJECT: LAW ENFORCEMENT OFFICIALS AND STUDENT INTERROGATIONS

It shall be the policy of the Panama Central School District that a cooperative effort shall be maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on school premises, or during a school-sponsored activity, or to maintain the educational environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property.

Administrators have the responsibility and the authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions. The School District's administrators shall at all times act in a manner which protects and guarantees the rights of students and parents.

Interrogations

It shall be the policy of this School District that police authorities must have a warrant to interrogate students in school buildings or on school grounds, except in cases involving suspected child abuse. If the police wish to speak to a student without a warrant, they should take the matter up directly with the student's parent/legal guardians.

If a student is to be questioned by police, it is the responsibility of the school administration to see that the interrogation takes place privately in the presence of the building principal/designee and, whenever possible, in the presence of the parents/legal guardians. The building principal or his/her designee must be present with the student at all times during an interrogation. When the interrogation takes place in school, as elsewhere, the student is entitled to be advised of his/her rights, which include (1) the right to counsel, (2) the right to remain silent, and (3) the warning that anything he/she says may be used against him/her. Admissions made under coercive conditions are invalid. However, the School District shall bear no responsibility for the action of police officers.

Family Court Act Section 1024

Revised: 11/20/95; 10/20/97
SUBJECT: BUS RULES AND REGULATIONS

The Panama Central School District furnishes transportation to those students whose disability or distance from the school make the service essential. Riding these buses is a privilege and may be withdrawn if the student does not comply with the rules and regulations set forth in this District.

Students riding school buses are expected to conform to the rules of conduct in order to permit the bus driver to transport his/her passengers safely.

The Board of Education and/or the Superintendent/designee has the authority to suspend the transportation privileges of children who are disorderly and insubordinate on buses. In these cases, the parents/legal guardians of the children involved become responsible for seeing that their children get to and from school safely.

Bus drivers shall be held responsible for reasonable and acceptable behavior of students while riding the school bus.

The Board directs the administration to establish rules and regulations for student conduct on buses. These rules and regulations shall be promulgated to all concerned, including the non-public schools to which students are transported.

8 New York Code of Rules and Regulations (NYCRR) Section 156

Revised: 11/20/95
SUBJECT: CORPORAL PUNISHMENT

The Board of Education wants and expects good discipline from the students of Panama Central School in its classrooms, on its buses, in its buildings and on its grounds. When misbehavior occurs, the Board expects members of its professional and non-teaching staff to correct the misconduct immediately and to advise those administrators having jurisdiction over such students if the misbehavior is serious enough to warrant such reporting. Good discipline and good education complement each other and are dependent upon the attention of each staff member not only to do his/her job but also to see that students respect staff, each other, the school's and others' property and school rules.

Disciplining can come in many forms, including (but certainly not limited to), a look of concern, counseling, reprimand, notification of parents, restriction of privileges, detention, suspension. The Board is supportive of any and all of the above and would urge staff members to use discretion to see that the punishment fit the misconduct or infraction. The Board also reaffirms its support of the progressive discipline policies contained in the Pupil Personnel Section of the Policy Handbook developed by the faculty and administration.

The Board of Education hereby prohibits the use of corporal punishment in its buildings, on its grounds and buses. Corporal punishment, as defined by the New York State Board of Regents, means "any act of physical force upon a pupil for the purpose of punishing that pupil".

Exemptions

Specifically exempted, if alternative procedures have not been successful, is the use of reasonable force for the following purposes:

a) To protect oneself from physical injury.

b) To protect another pupil or teacher or any other person from physical injury.

c) To protect the property of the school or others.

d) To restrain or remove a pupil whose behavior is interfering with the orderly performance of School District functions, if that pupil has refused to comply with a request to refrain from further disruptive acts.

Whenever a school employee uses physical force against a student, the school employee shall, within the same school day, make a report to the Superintendent describing in detail the circumstances and the nature of the action taken.
SUBJECT: CORPORAL PUNISHMENT (Cont'd.)

The Superintendent of Schools shall submit a written report semi-annually to the Commissioner of Education, with copies to the Board of Education, by January 15 and July 15 of each year, setting forth the substance of each written complaint about the use of corporal punishment received by the Panama School authorities during the reporting period, the results of each investigation, and the action, if any, taken by the school authorities in each case.

Rules of the Board of Regents Section 19.5
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(l)(3)

Revised: 11/20/95
SUBJECT: WEAPONS IN SCHOOL

The possession of a weapon on school property is strictly prohibited, except by law enforcement personnel. Any person possessing a weapon for educational purposes in any school building must have written authorization of the Superintendent of School or his/her designee.

The Penal Code of the State of New York shall be used to determine what must be considered a weapon.

Penal Law 265.01

NOTE: Refer also to Policies #3411 -- Unlawful Possession of a Weapon Upon School Grounds and #7471 -- Gun-Free Schools.
SUBJECT: GUN-FREE SCHOOLS

No student shall bring or possess any "firearm" as defined in federal law on school premises (including school buildings and grounds, District vehicles, school settings and/or school sponsored activities under the control and supervision of the District regardless of location). For purposes of this policy, the term "firearm" includes any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of such weapon; any firearm muffler or silencer; or any "destructive device" (e.g., any explosive, incendiary, or poison gas, including bombs, grenades, rockets or other similar devices). The term does not include a rifle which the owner intends to use solely for sporting, recreational or cultural purposes; antique firearms; or Class C common fireworks.

In accordance with the Gun-Free Schools Act Section 3214(3)(d) of the Education Law, any student who brings or possesses a firearm, as defined in federal law, on school property, will be referred by the Superintendent to the appropriate agency or authority for a juvenile delinquency proceeding in accordance with Article 3 of the Family Court Act when the student is under the age of sixteen (16) except for a student fourteen (14) or fifteen (15) years of age who qualifies for juvenile offender status under the Criminal Procedure Law, and will be referred by the Superintendent to the appropriate law enforcement officials when the student is sixteen (16) years of age or older or when the student is fourteen (14) or fifteen (15) years of age and qualifies for juvenile offender status under the Criminal Procedure Law.

In addition, any student attending a District school who has been found guilty of bringing a firearm to or possessing a firearm on school property, after a hearing has been provided pursuant to Section 3214 of the Education Law, shall be suspended for a period of not less than one (1) calendar year and any student attending a non-district school who participates in a program operated by the School District using funds from the Elementary and Secondary Education Act of 1965 who is determined to have brought a firearm to or possessed a firearm at a District school or on other premises used by the School District to provide such programs shall be suspended for a period of not less than one (1) calendar year from participation in such program. The procedures of Education Law Section 3214(3) shall apply to such a suspension of a student attending a non-district school. Further, after the imposition of the one (1) year penalty has been determined, the Superintendent of Schools has the authority to modify this suspension requirement for each student on a case-by-case basis. In reviewing the student's one (1) year suspension penalty, the Superintendent may modify the penalty based on factors as set forth in Section 100.2 of the Regulations of the Commissioner of Education and in Commissioner's Decisional Law. The determination of the Superintendent shall be subject to review by the Board of Education in accordance with Education Law Section 3214(3)(c) and by the Commissioner of Education in accordance with Education Law Section 310.
SUBJECT: GUN-FREE SCHOOLS (Cont'd.)

Student with a Disability

A student with a disability who is determined to have brought a fireman to school or possessed a fireman at school may be placed in an interim alternative educational setting, in accordance with federal and state law, for not more than forty-five (45) calendar days. If the parent or guardian requests an impartial hearing, the student must remain in the interim alternative placement until the completion of all proceedings, unless the parent or guardian and District can agree on a different placement.

A student with a disability may be given a long term suspension pursuant to the Gun-Free Schools Act only if a group of persons knowledgeable about the student, as defined in federal regulations implementing the IDEA, determines that the bringing of a fireman to school or possessing a fireman at school was not a manifestation of the student's disability, subject to applicable procedural safeguards.

If it is determined that the student's bringing of a fireman to school or possessing a fireman at school was a manifestation of the student's disability, the Superintendent must exercise his/her authority under the Gun-Free Schools Act to modify the long term suspension requirement, and determine that the student may not be given a long term suspension for the behavior. The Committee on Special Education may review the student's current educational placement and initiate change in placement proceedings, if appropriate, subject to applicable procedural safeguards.

The District may offer home instruction as an interim alternative educational setting during the pendency of review proceedings only if the student's placement in a less restrictive alternative educational setting is substantially likely to result in injury either to the student or to others.

The District may also seek a court order to immediately remove a student with a disability from school if the District believes that maintaining the student in the current educational placement is substantially likely to result in injury to the student or to others.

Students with disabilities continue to be entitled to all rights enumerated in the Individuals With Disabilities Education Act and Article 89 of the Education Law; and this policy shall not be deemed to authorize suspension of students with disabilities in violation of these laws.

This policy does not prohibit the District from utilizing other disciplinary measures including, but not limited to, out-of-school suspensions for a period of five days or less, or in-school suspensions, in responding to other types of student misconduct which infringe upon the established rules of the school. Additionally, this policy does not diminish the authority of the Board of Education to offer courses in instruction in the safe use of firearms pursuant to Education Law Section 809-a.
SUBJECT: GUN-FREE SCHOOLS (Cont'd.)

The District will continue to provide the suspended student who is of compulsory attendance age with appropriate alternative instruction during the period of the student’s suspension.

Gun-Free Schools Act
18 United States Code (U.S.C.) Section 921(a)
Individuals With Disabilities Education Act (IDEA)
20 United States Code (U.S.C.) Sections 1400-1485 and 7151
Criminal Procedure Law Section 1.20(42)
Education Law Sections 310, 809-a, 3214, and Article 89
Family Court Act Article 3
8 New York Code of Rules and Regulations (NYCRR) Section 100.2 and Part 200

NOTE: Refer also to Policies #3411 Unlawful Possession of a Weapon Upon School Grounds
#7470 Weapons in School

Revised 5/3/04
SUBJECT: STUDENT VEHICLES ON SCHOOL PROPERTY

Teenage driving is undoubtedly one of the greatest concerns of parents and school officials. Driving an automobile and parking on school property is a privilege provided for the students. Each student requesting permission to drive a vehicle to school will be required to complete an application/registration form and have his/her parent/guardian sign a statement authorizing the student to drive and to use a specific automobile. Students, with approved applications, must be licensed drivers, operating registered and insured vehicles. A completed application/registration form will include the vehicle make, model, year and license plate number. All students driving to school must adhere to the regulations.

Note: Refer also to Policy 3270

Revised 12/15/03
Board of Education Approval 5/3/04
Revised and Board of Education Approval: 8/28/06
SUBJECT: EXTRACURRICULAR ACTIVITIES

The board of education considers extracurricular activities to be a valuable part of the program of the school and shall support these activities within the financial means of the district.

Eligibility For Attendance

a) Students who are suspended from school on a day of an athletic game or practice session, party, school dance, or other school affair scheduled after regular school hours are not eligible for participation or attendance at such events.

b) In order for students to attend a school-sponsored function, it is necessary that students attend classes for at least half of the school day on the day of the activity. One-half of the school day is defined as follows: the first four periods or the last four periods of the day. Any exceptions shall be made at the discretion of the administration.

Social Probation

The secondary school principal and the superintendent have the authority to place a secondary student on social probation. The student would not be able to participate in or attend social activities such as dances and extracurricular activities until the probation has been completed.

Academic Probation

It is the responsibility of students to know or to check with their respective teachers to find out their class averages.

Secondary students who fail two or more subjects at a five-week progress report period or ten-week grading period will be placed on academic probation. The student must attend Academic Support classes during the school day, during 9th period, or, when offered, outside of the school day during the five week probationary period.

An athlete may practice, but may not participate in interscholastic contests until he/she receives a passing grade at the next 5-week grading period.

Students failing two or more subjects may meet with the secondary principal to discuss their academic probationary status. The principal has the discretion to determine if extenuating circumstances impact a final decision.

A student will only be taken off the academic probation list when he/she receives a passing grade at the next five-week grading period.

A teacher may give a student an “I” meaning Incomplete which gives a student one week (5 school days) to complete assignments, take tests, or turn in projects to receive a grade for that class. An athlete may continue to practice with the team, but may not participate in interscholastic contests until the “I” is a passing grade. The teacher giving an “I” must submit a grade to the office at the end of the week (5 school days) grace period. Appropriate staff will receive official notice of grades, which may change a student’s participation status.

8 New York Code of Rules and Regulations (NYCRR) Section 172.2

Board of Education Approval 1990
Board of Education Update and Approval 12/13/04
Board of Education Update and Approval 7/9/07
SUBJECT: LIMITED OPEN FORUM

The Board of Education maintains a limited open forum where secondary students may meet for voluntary student-initiated activities unrelated directly to the instructional program, regardless of religious, political or philosophical content.

To provide "a fair opportunity" to students who wish to conduct a meeting, the Board of Education, in accordance with the provisions of the Equal Access Act, shall ensure that:

a) The meeting is voluntary and student-initiated;

b) There is no sponsorship of the meeting by the school, the government, or its agents or employees;

c) Employees or agents of the school or government are present at religious meetings only in a nonparticipatory capacity;

d) The meeting does not materially and substantially interfere with the orderly conduct of educational activities within the school; and

e) Nonschool persons may not direct, conduct, control, or regularly attend activities of student groups (20 USC Section 4071[c]).

The Board may prohibit student organizations, including fraternities and sororities or any other secret society, whose activities may be unlawful or may cause disruption or interference with the orderly conduct of the educational process.

Administration is responsible for establishing regulations governing the use of school facilities by student organizations.

Education Law Sections 1709-a, 2503-a and 2554-a
Equal Access Act,
Sections 4071-4074

Revised: 01/22/96
SUBJECT: STUDENT SPECTATORS USING SCHOOL DISTRICT BUSES

The Board of Education approves the use of Panama Central School District buses to transport student spectators to away school approved activities and events.

The buses will be provided only to students of the particular school involved and it will be the responsibility of that school’s administration to provide appropriate supervision.
SUBJECT: CENSORSHIP OF SCHOOL SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

The District may exercise editorial control over the style and content of student speech in school sponsored publications and activities that are part of the educational curriculum.
SUBJECT: STUDENT EMPLOYMENT IN SUMMER PROGRAM

The policy guidelines for hiring of Panama Central School students for summer employment will be as follows:

a) Age and grade of student will be given consideration with older and higher grade students given preference.

b) Previous employees will be given first consideration for employment.

c) Student must have three (3) favorable recommendations.

d) Financial need of students and seniors will be a prime consideration.

e) Students should have a record of satisfactory work habits.

f) Students who have been involved in serious discipline problems in school and proves untrustworthy will not be eligible.

g) A general announcement of the student body asking for applications will be made before June 1.

h) Appointments will be made by at the recommendation of the Superintendent.
SUBJECT: CHAPERONES

The Board of Education recognizes that the use of chaperones for school sponsored events or activities can provide important support for the District. Chaperones, therefore, shall be volunteer adults whose responsibility it is to assist the advisor of the event in seeing to the safety and conduct of the students during the duration of the activity.

Chaperones shall be selected on the basis of their ability to assist with the supervision of students, and their ability to contribute to the group's activities.

Adopted: 12/21/92
SUBJECT: STUDENT SAFETY AND HAZARDOUS INITIATION TO SCHOOL-RELATED ORGANIZATION: HAZING

Any student or student groups who, in the course of another student's initiation into or affiliation with any school-related organization, intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other student or a third person and does cause such injury will be in violation of School District Policy, the Student Discipline Code of Conduct and may also be in violation of the New York State Penal Law. Similarly, any student or student group who, in the course of another student's initiation into or affiliation with any school-related organization, intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other student or a third person, even without actually causing such physical injury, will also be in violation of School District Policy, the Student Discipline Code of Conduct, as well as possible violation of the Penal Law.

The practice of "hazing" as defined above, and in accordance with the New York State Penal Law, shall be prohibited in school buildings and on school premises as well as at any activities which are sponsored by the School District and occur off school grounds.

The prohibition of "hazing" will be incorporated into the Student Discipline Code of Conduct and appropriate sanctions for such behavior will be developed in consultation with administrators, teachers, other school service professionals, students and parents/legal guardians. Such a Student Discipline Code of Conduct will be publicized and explained to all students and provided in writing to all parents/legal guardians on an annual basis.

New York State Penal Law
Sections 120.16 and 120.17
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(l)

Adopted: 12/02/96
SUBJECT:  STUDENT COUNCIL

Student Council shall be encouraged as an opportunity for students to experience the duties and responsibilities of citizenship.

Board Approved 3/17/03
SUBJECT: STUDENT VOTER REGISTRATION AND PRE-REGISTRATION

The District recognizes the importance of voting and civic engagement. As such, the District seeks to encourage student voter registration and pre-registration. A person who is at least sixteen years of age and who is otherwise qualified to register to vote may pre-register to vote, and will then be automatically registered to vote upon reaching the age of eligibility as provided by law.

The District promotes student voter registration and pre-registration through the following means:

a) Collaborating with county boards of elections to conduct voter registration and pre-registration in the District's high school(s); and

b) Encouraging voter registration and pre-registration at various student events throughout the year.

The completion and submission of voter registration or pre-registration forms will not be a course requirement or graded assignment for District students.

Election Law § 5-507

Board of Education Approval: 1/13/20
SUBJECT: SPORTS AND THE ATHLETIC PROGRAM

The Board of Education recognizes that athletics are an integral part of a well-balanced educational program. Therefore, the Board supports within its resources a broad sports program with equal access for both males and females, with emphasis on maximum participation, through interscholastic and intramural activity.

The Board supports a broad sports program with emphasis on maximum participation, through interscholastic and intramural activity.

The District will comply with recommendations from the U.S. Department of Education Office for Civil Rights (OCR) regarding Title IX equal opportunity for males and females in the District’s Total Athletic Program regarding any of the following factors, which may be applicable:

   a) The nature and extent of the sports program to be offered (including the levels of competition, such as varsity, club, etc.);
   b) The provisions of equipment and supplies;
   c) The scheduling of games and practice time;
   d) The provision of travel and per diem allowances;
   e) The nature and extent of the opportunity to receive coaching and academic tutoring;
   f) The assignment and compensation of coaches and tutors;
   g) The provision of locker rooms, practice and competitive facilities;
   h) The provision of medical and training facilities and services;
   i) The provision of housing and dining facilities and services;
   j) The nature and extent of support, publicity and promotion including cheerleading, bands, published programs distributed at games, and booster club activities.

The interscholastic athletic program shall conform to the Regulations of the Commissioner of Education as well as the established rules of the New York State Public High Schools Athletic Association and the State Education Department.

Eligibility for interscholastic athletic competition requires that the student:

   a) Provide written parental/legal guardian consent;
   b) Pass satisfactorily the medical examination administered by the school physician; and
   c) Meet the requirements for interscholastic competition as set forth by the Commissioner’s Regulations and the New York State Public High School Athletic Association.

Title IX of the Education Amendments of 1972,
20 United States Code (USC) Section 1681 et seq
45 Code of Federal Regulations (NYCRR) Section 135
8 New York Code of Rules and Regulations (NYCRR) Section 135

Revised: 05/06/96
Board of Education Update and Approval 7/9/07
SUBJECT: SPORTS AND THE ATHLETIC PROGRAM

General Principles and Eligibility

Athletics are an integral part of a well-balanced educational program. The District's interscholastic athletic program will conform with the Commissioner's regulations, as well as the established rules of the New York State Public High School Athletic Association and the State Education Department.

Athletic eligibility requires that the student:

a) Provide written parental/guardian consent. The consent form must contain information regarding mild traumatic brain injuries (concussions) as specified in the Commissioner's regulations.

b) Obtain medical clearance from the school physician/nurse practitioner or the student's personal physician. The school physician/nurse practitioner retains final approval on any physicals performed by a student's personal physician.

c) Meet the requirements for interscholastic competition as set forth by the Commissioner's regulations and the New York State Public High School Athletic Association.

d) Comply with all District rules, codes, and standards applicable to athletic participation.

Title IX Compliance

The Board supports equal athletic opportunities for members of both sexes through interscholastic and intramural activities. To ensure equal athletic opportunities for its students, the District will consider:

a) Its accommodation of athletic interests and abilities (the nature and extent of sports offered, including levels of competition, team competition, and team performance);

b) Equipment and supplies;

c) Scheduling of games and practice time;

d) Travel costs and opportunities for travel;

e) Assignment and compensation of coaches;

f) Locker rooms, practice, and competitive facilities;

g) Available medical and training facilities and services; and

(Continued)
SUBJECT: SPORTS AND THE ATHLETIC PROGRAM (Cont'd.)

h) The nature and extent of support, publicity, and promotion, including cheerleading, bands, programs distributed at games, and booster club activities.

The District may consider other pertinent factors as well. Each of the factors will be assessed by comparing availability, quality, type of benefits, kind of opportunities, and form of treatment. Identical benefits, opportunities, or treatment are not required.

The District's Civil Rights Compliance Officer will coordinate the District's efforts to comply with and carry out its responsibilities under Title IX. This person will be appropriately trained and possess comprehensive knowledge about applicable federal and state laws, regulations, and policies. To the extent possible, the District will not designate an employee whose other job duties may create a conflict of interest, such as the athletic director.

Booster Clubs

The District has a responsibility under Title IX to ensure that boys' and girls' programs are provided with equivalent benefits, treatment, services, and opportunities regardless of their source. When determining equivalency, therefore, benefits, services, and opportunities attained through private funds-including donations, fundraising, and booster clubs-must be considered in combination with all benefits, services, and opportunities.

Athletic Placement Process for Interschool Athletic Programs (APP)*

The APP is a method for evaluating students who want to participate in sports at higher or lower levels, consistent with their physical and emotional maturity, size, fitness level, and skills. The Board approves the use of the APP for all secondary school interscholastic team members. The Superintendent will implement procedures for the APP, and will direct the athletic director to maintain records of students who have successfully completed the APP.

Student Athletic Injuries

No injured student will be allowed to practice or play in an athletic contest. An appropriate medical professional should diagnose and treat an athlete's injuries. The coach should ensure that any player injured while under his or her care receives prompt and appropriate medical attention, and that all of the medical professional's treatment instructions are followed. The injured student has an obligation to promptly inform his or her coach of all injuries. No student will be allowed to practice or compete if there is a question whether he/she is in adequate physical condition. A physician's certification may be required before an athlete is permitted to return to practice or competition.
SUBJECT: SPORTS AND THE ATHLETIC PROGRAM (Cont'd.)

Athletic Program-Safety

The District will take reasonable steps to minimize physical risks posed to students participating in the interscholastic athletic program by:

a) Requiring timely medical examinations of participants;

b) Employing certified or licensed staff to coach all varsity, junior varsity, and modified practices and games;

c) Providing or requiring certified or licensed officials to officiate all competitions;

d) Ensuring that its players' equipment is safe and operates within the applicable manufacturers' guidelines;

e) Ensuring that all home fields, courts, pools, tracks, and other areas where athletes practice, warm-up, or compete are safe and appropriate for use; and

f) Providing professional development and training opportunities for all coaching staff.

Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.
45 CFR Part 86
8 NYCRR Sections 135 and 136

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the School District
#7522 -- Concussion Management

Revised & Board of Education Approved: 7/11/05, 7/13/15
SUBJECT: VARSITY COACHES FOR INTERSCHOLASTIC ATHLETICS

A coach (varsity level, boys/girls) must be a certified teacher with certification in standard first aid and personal safety as issued by the American Red Cross.

In the event that we are unable to appoint a certified teacher with appropriate Red Cross Certification as varsity head coach of an interscholastic athletic activity the activity then will be deleted from the school program.

As a general policy (with certain exceptions subject to review by the Board of Education, the Athletic Director and the high school principal), a certified and qualified teacher from outside the School District applying for a head varsity coaching position must be able to be at Panama School by 2:30 p.m. each school day. This will enable the coach to meet with the students promptly after our school day for practice or available to leave with the students for "away" activities.

The certified teacher must have, or be working toward, appropriate Red Cross Certification as specified in Education Law 3001-B.

Varsity head coaches are responsible for their own total sports program. Each year they shall make recommendations and give input on yearly appointments and other factors that may affect that particular program. This information shall be given to the Athletic Director for recommendation to the Board of Education.
SUBJECT: ATHLETES TRANSFERRING FROM ONE SPORT TO ANOTHER

General Philosophy

The professional staff is bound to carry out the policy of the Board of Education which strives to expose our students to as many experiences as possible, to develop skills which will bring satisfaction to our students, to provide opportunities for successful experiences and to develop wholesome attitudes that will permit our students to live socially acceptable lives.

Guidelines

a) Students will not be encouraged by any professional staff member to leave one sport to enter another.

b) Coaches will not pressure students for their participation in a sport. A student who is not participating in a sport, and does not intend to, may be made aware of his/her potential and his/her possible contribution to a particular sport.

c) Transfers will be considered only in terms of how the transfer will affect the total development of the individual and his/her peers. This evaluation will be made by the coaches involved, the Guidance Department, the Director of Physical Education and the Athletic Director.

d) Sports that have a cutting procedure may have to be more stringent in their consideration of transfers than sports that do not cut.

e) Generally speaking, transfers will not be considered after the season is considered to be well under way. There may be, however, extenuating circumstances whereby such a transfer may be advisable.

f) A participating athlete will be made aware of his/her obligations to his/her coach, peers, and the sport he/she has selected to participate in.

g) A student who is transferring from one sport to another should leave in good standing with his/her coach and peers.

h) Nothing in this policy will be construed as to supersede existing New York State Education Law, regarding participation in athletics.
SUBJECT: STATE SPONSORED TOURNAMENTS

When Panama Central School individuals, teams or student organizations earn the right to compete in state or sectional sponsored tournaments, playoffs, etc., the following policy shall apply to all participants:

a) Participants shall receive an allocation toward their meals as established each year by the Board of Education.

b) It shall be the responsibility of the coach or supervisor to see that all money allocated is used for food only and no student shall be permitted to spend part of the allocation and retain the unspent difference.

c) Participants shall be defined as all students and adults who have a direct role or responsibility in the contest such as coaches, players (in uniform), managers and scorers.

d) This policy will apply to cheerleaders only when the contest requires the participation of the entire team, such as basketball.
SUBJECT: ATHLETIC POLICY MANUAL

Copies of the Athletic Policy Manual can be found in the Superintendent's Office, high school office, elementary office, and in the Office of the Athletic Director.

Adopted: 05/06/96
SUBJECT: SOLICITATION OF CHARITABLE DONATIONS FROM SCHOOL CHILDREN

Direct solicitation of charitable donations from children in the District schools on school property during regular school hours shall not be permitted. It will be a violation of District policy to ask District school children directly to contribute money or goods for the benefit of a charity during the hours in which District students are compelled to be on school premises.

However, this policy does not prevent the following types of fund raising activities:

a) Fund raising activities which take place off school premises, or outside of regular school hours during before-school or after-school extracurricular periods;

b) Arms-length transactions, where the purchaser receives a consideration for his/her donation. For example, the sale of goods or tickets for concerts or social events, where the proceeds go to charity, shall not be prohibited as the purchaser will receive consideration - the concert or social event - for the funds expended;

c) Indirect forms of charitable solicitation on school premises that do not involve coercion, such as placing a bin or collection box in a hallway or other common area for the donation of food, clothing, other goods or money. However, collection of charitable contributions of food, clothing, other goods or funds from students in the classroom or homeroom is prohibited.

The Board of Education shall ultimately decide which organizations, groups, etc. can solicit charitable donations and for what purposes, as long as the activities comply with the terms of this policy and the Rules of the Board of Regents.

Regulations shall be developed by the administration to implement this policy.

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

Revised: 01/22/96
SUBJECT: CLASS RINGS

The Board of Education authorizes the in-school promotion and sale of class rings; all prospective vendors will be given full and equal opportunity to compete; students will be fully involved in the process; parents will be given class ring promotion materials; the promotion and sale of class rings on school premises will be regarded as having a school purpose.

Guidelines

a) Administration shall decide whether or not to allow the in-school sale of class rings. (Board of Education approval).

b) Notice will be placed in the official newspaper of the District indicating the time and place at which all interested suppliers will be given an opportunity to present their rings and programs. This notice must be given at least five days in advance of meeting.

It would also be appropriate to give reasonable notice to likely vendors in some other manner.

c) Administration and Student Class Ring Committee will choose the class ring supplier after analyzing the programs and presentations. Students may design a unique class ring for their particular class or select an existing design.

d) Promotion of class rings may include presentations, posters, and ads in the school newspaper. No school personnel need be involved in the promotion, sale or delivery of the class ring.

All presentations will be authorized by the administration. In addition, promotion material will be directed to parents to ensure that a reasoned decision is made regarding any purchase of a class ring. Supplier representatives would personally address groups of students during non-academic times.

e) Actual sales will be handled at a table in the hall, guidance conference room, lunch room, etc., during non-academic times, by the ring supplier. In order to accommodate all interested students, (given their schedules), the sale process may take more than one visit to the school.

Once the sales process has been established, subsequent visits by the supplier will be conducted in a reasonable manner, at a place and time established by school administration.

f) Delivery of the rings will be accomplished in the same manner as the sale, during non-academic times as regulated by the school administration.
SUBJECT: GIFTS TO TEACHERS

The giving of gifts to teachers by students is discouraged. Parents/legal guardians are urged, in its place, to write letters of appreciation about the teacher to the Board of Education or to the teacher expressing this appreciation.
SUBJECT: CONTESTS FOR STUDENTS

Distribution of educational material, essay contests, and poster contests must be approved in advance by the building principals if the sponsoring organization wishes to involve students in the project on school time. Samples of informational material should accompany the request. Upon the judgment of the principal, the request may be forwarded to the Superintendent and the Board of Education for approval.
SUBJECT: STUDENT AWARDS AND SCHOLARSHIPS

The School District shall obtain and grant to its students awards and scholarships. The Board of Education, having been entrusted by law, will hold in trust gifts, grants, bequests and legacies given or bequeathed to the Panama Central School District and shall apply the same and/or their interest and proceeds according to the instruction of the donors and according to the procedures established by the administration.

Education Law Section 1709(12-a)
SUBJECT: MUSIC STUDENTS PARTICIPATING IN MUSIC COMPETITIONS

The following policy shall apply to music students who are accepted as participants to Area All-State and/or Conference All-State competitions.

Definitions

a) Area All-State Music Festivals

A two day music festival sponsored by the New York State School Music Association where competition is limited to a particular area of New York State. Festival site is usually in Western or Central New York State.

b) Conference All-State Music Festival

A four day music festival sponsored by the New York State School Music Association where selection is done by audition throughout the entire state of New York. Candidates must audition in level six music for instrumentalist and level five or six for vocalist. This music festival is held in conjunction with the Music Directors’ Conference and requires the participants to attend for four days. Conference site subject to change from year to year.

c) Participants

All music students who have been officially accepted into a specific organization such as Area All-State Band, Chorus, Orchestra, or Conference All-State Band, Wind Ensemble, Orchestra, Jazz Ensemble, String, Orchestra, Mixed Chorus, Women’s Chorus, or any other musical organization sanctioned by NYSSMA. Each participant must have a permission form signed by a parent/guardian granting his/her consent to participate.

Fees

a) Registration:

The registration fee shall be paid by the Board of Education for each accepted participant.

b) Food Allowance

Reimbursements will be made per Board approved student food allowance amounts.

(Continued)
SUBJECT: MUSIC STUDENTS PARTICIPATING IN MUSIC COMPETITIONS

c) Transportation

A bus will be furnished when enough students accepted as participants warrants the use of a bus. Transportation arrangements will be coordinated by the music teacher involved in the activity.

d) Lodging

When festival site is less than 35 miles from home school, students are expected to return home for lodging and expected to return the following morning for the day's activities. Lodging varies with the competition site but may include private homes or dormitory style at conference site.

e) Expenses

The Music Boosters and student council may provide financial help for student participants. Students may also be responsible for some of their expenses.

Supervision

Music teachers are responsible for making all arrangements necessary including registering students, arranging for transportation and lodging when necessary. Students must be supervised by a Panama music teacher or his/her designee. All arrangements, including the supervisor, must be approved by the administration prior to the event.
SUBJECT: SUPERVISION OF STUDENTS

Students working on any activity must be supervised by the teacher in charge of the activity. This applies to all activities and permission to hold practices or meetings must not be granted unless a teacher is definitely in charge.

a) Physical education personnel in the School District will be fully responsible for the supervision of all students in either their class or their after school activities. The coaches will maintain supervision over the dressing rooms by personally being present during the dressing periods.

b) Coaches are responsible for the supervision of their athletes at the end of practice. This may entail bus duty, or making sure students have transportation home.

c) Teachers and/or assigned school personnel in the elementary grades will be responsible for the playground supervision of all the children under their jurisdiction during the recess periods and before the regular afternoon sessions. The principal will distribute the responsibility so that the playground situation will be properly controlled.

d) Students are not to be sent on any type of errand away from the building without the consent of the principal.
SUBJECT: STUDENT ATHLETIC INJURIES

No student should be allowed to practice or play in an athletic contest if he/she is suffering from an injury. The diagnosis of and prescription of treatment for injuries is strictly a medical matter and should under no circumstances be considered a province of the coach. A coach's responsibility is to see that injured players are given prompt and competent medical attention, and that all details of a doctor's instructions concerning the student's functioning as a team member are carried out. No student will be allowed to practice or compete if there is a question whether he/she is in adequate physical condition.

A physician's certificate may be required before an athlete is permitted to return to practice or competition.
SUBJECT: BAND INSTRUMENTS

a) All instrumental music students shall be expected to own or rent their instrument—particularly the common and less expensive instruments (flute, clarinet, trumpet, saxophone etc.).

b) Students will not be required to own or rent the less common and more expensive instruments. Instruments in this category are as follows: oboe, bassoon, tuba, French horn, trombone, baritone horn, tenor and baritone saxophones, bass trombone and percussion instruments. School-owned instruments in this classification will be disbursed upon decisions by the instrumental music staff. Decisions will be dependent upon the individual student's talent and merit and the need for a balanced instrumentation at each grade level.

c) Students and parents/legal guardians, will assume responsibility for proper care of school-owned instruments and will pay for damages to same.

d) The District will only transport, on its vehicles, those instruments meeting certain safety standards as indicated in the New York State Department of Transportation Regulations.

New York State Department of Transportation Regulations Section 720.22

Revised: 01/22/96
SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS

Students come to school with diverse medical conditions which may impact their learning as well as their health. Some of these conditions are serious and may be life-threatening.

Students, parents, school personnel and health care providers must all work together to provide the necessary information and training to allow children with chronic health problems to participate as fully and safely as possible in the school experience.

All students within the District with known life-threatening conditions should have a comprehensive plan of care in place: an Emergency Care Plan (ECP) and/or Individualized Healthcare Plan (IHP), and if appropriate an Individualized Education Plan (IEP) or Section 504 Plan.

School Health Team

The District has identified the following as important members of the School Health Team to ensure that health information is complete, appropriate accommodations are prepared, and any necessary medication and environmental protocols are in place for students with life-threatening health conditions:

a) Parents/Guardians and Students;

b) School District Administration;

c) School Medical Director;

d) School Nurse;

e) Teachers;

f) Guidance Counselor/Social Worker;

g) Teaching Assistants and Teacher Aides;

h) Food Service Personnel;

i) Custodial Staff;

j) Transportation Personnel;

k) Athletic Director, Coaches and After School Volunteers.

Anaphylaxis

Although anaphylaxis can affect almost any part of the body and cause various symptoms, the most dangerous symptoms include breathing difficulties and a drop in blood pressure or shock which are potentially fatal. Treatment for anaphylaxis includes immediate removal of the allergen, and treating the rapidly progressing effects of histamine release in the body with epinephrine and antihistamines.

Particularly for those students with chronic life-threatening conditions such as diabetes, seizure disorders, asthma and allergies (food, insect sting, latex, medications, etc.) which may result in severe, life-threatening reactions to various environmental triggers, it is necessary that the District work cooperatively with the parent(s) and the healthcare provider to:

a) Immediately develop an Emergency Care Plan (ECP) for each at risk student to ensure that all appropriate personnel are aware of the student's potential for a life-threatening reaction;

b) If appropriate, develop an Individualized Healthcare Plan that includes all necessary treatments, medications, training and educational requirements for the student. If the student is eligible for accommodations based upon the Individuals with Disabilities Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act, the appropriate procedures will be followed regarding evaluation and identification;

(Continued)
SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS (Cont'd.)

c) Provide training by licensed medical personnel (e.g. registered professional nurse) for all adults in a supervisory role in the recognition and emergency management of a specific medical condition for specific students;
d) Obtain specific legal documents duly executed in accordance with New York State law; appropriate health care provider authorization in writing for specific students that includes the frequency and conditions for any testing and/or treatment, symptoms, and treatment of any conditions associated with the health problem; and directions for emergencies;
e) Secure written parent permission and discuss parental responsibility that includes providing the health care provider’s orders, providing any necessary equipment, and participation in the education and co-management of the child as he/she works toward self-management;
f) Allow self-directed students, as assessed by the school nurse, to carry life saving medication with prior approval by the medical provider, and according to health practice and procedures, as long as duplicate life saving medication is also maintained in the health office in the event the self-carrying student misplaces their medication;
g) Assure appropriate and reasonable building accommodations are in place within a reasonable degree of medical certainty.

In addition, the District will:
a) Provide training for all staff in the recognition of an anaphylactic reaction;
b) Have standing emergency medical protocols for nursing staff;
c) Request the School Medical Director to write a non-patient specific order for anaphylaxis treatment agents for the school’s registered professional nurse to administer in the event of an unanticipated anaphylactic episode;
d) As permitted by New York State law, maintain stock supplies of life saving emergency medications such as epinephrine and antihistamine in all health offices for use in first time emergencies;
e) Ensure that Building-level and District-wide school safety plans include appropriate accommodations for students with life-threatening health conditions;
f) Encourage families to obtain medic-alert bracelets for at risk students;
g) Educate students regarding the importance of immediately reporting symptoms of an allergic reaction.

Creating an Allergen-Safe School Environment

Avoidance of exposure to allergens is the key to preventing a life-threatening anaphylactic reaction. Educating the entire school community about life-threatening allergies is crucial in keeping students with such allergies safe. The risk of accidental exposure or cross-contamination is always present, particularly for students with food allergies. The school setting is a high-risk environment for accidental ingestion of a food allergen due to the presence of a large number of students, increased exposure to food allergens, and cross-contamination of tables, desks and other surfaces.
SUBJECT: STUDENTS WITH LIFE-THREATENING HEALTH CONDITIONS (Cont'd.)

To guard against accidental exposure to allergens, monitoring of the following high-risk areas and activities is crucial:

a) Cafeteria;
b) Food sharing;
c) Hidden ingredients in art, science and other projects;
d) Transportation;
e) Fund raisers and bake sales;
f) Parties and holiday celebrations;
g) Field trips;
h) Before and after school programs.

Use of Epinephrine Auto-Injector Devices (Epi-Pens) in the School Setting

The administration of epinephrine by epi-pen to a student with a known severe allergy needing an anaphylactic treatment agent may be performed by a school staff member responding to an emergency situation when such use has been prescribed by a licensed prescriber. However, a registered professional nurse/nurse practitioner/physician/physician's assistant must have trained the staff member to administer the epi-pen for that emergency situation and given him/her approval to assist the student in the event of an anaphylactic reaction.

Documentation of training must be maintained in the Anaphylaxis Protocol for Non-Licensed School Staff Members for each affected student. The emergency response by non-licensed school staff members is permitted under the Medical Practice Act (Education Law Section 6527(4)(a)) and the Nurse Practice Act (Education Law Section 6908 (1)(a)(iv)) and is covered by the "Good Samaritan Law" (Public Health Law Section 3000-a).

Medication Self-Management

The District will work toward assisting students in the self-management of their chronic health condition based upon the student's knowledge level and skill by:

a) Adequately training all staff involved in the care of the child;
b) Assuring the availability of the necessary equipment and/or medications;
c) Providing appropriately trained licensed persons as required by law;
d) Providing additional appropriately trained adults to complete delegated tasks as allowed by law;
e) Developing an emergency plan for the student; and
f) Providing ongoing staff and student education.

Americans with Disabilities Act, 42 United States Code (USC) Section 12101 et seq.
34 Code of Federal Regulations (CFR) Part 300
Education Law Sections 6527 and 6908
Public Health Law Sections 2500-h and 3000-a

Board of Education Approval 11/3/08
SUBJECT: IMMUNIZATION OF STUDENTS

Every child entering or attending a District school must present proof of immunization or proof of immunity by serology (blood test) if applicable unless a New York State licensed physician certifies that the immunization is detrimental to the child's health. The requirement for that immunization is waived until the immunization is no longer detrimental to the child's health.

Except for this exemption, the District may not permit a child lacking evidence of immunization to remain in school for more than 14 days, or more than 30 days for an out-of-state or out-of-country transferee who can show a good faith effort to get the necessary certification or other evidence of immunization.

The administration will notify the local health authority of the name and address of excluded children and provide the parent or person in parental relation a statement of his or her duty regarding immunization as well as a consent form prescribed by the Commissioner of Health. The school will cooperate with the local health authorities to provide a time and place for the immunization of these children.

For homeless children, the enrolling school must immediately refer the parent or guardian of the child to the District's homeless liaison, who must assist them in obtaining the necessary immunizations, or immunization or medical records.

The District will provide an annual summary of compliance with immunization requirements to the Commissioner of Health.

All schools will also post educational information on influenza and the benefits of influenza immunization which will be in plain view and available to parents.

Education Law §§ 310 and 914
Public Health Law §§ 613 and 2164
8 NYCRR §§ 100.2 and 136.3
10 NYCRR Subpart 66-1
SUBJECT: STUDENT PHYSICALS

Health Examination

Each student enrolled in District schools must have a satisfactory health examination conducted by the student's physician, physician assistant or nurse practitioner within twelve months prior to the commencement of the school year of:

a) The student's entrance in a District school at any grade level;
b) Entrance to pre-kindergarten or kindergarten;
c) Entry into the 1st, 3rd, 5th, 7th, 9th and 11th grades.

The District may also require an examination and health history of a student when it is determined by the District that it would promote the educational interests of the student.

In addition, the District requires a certificate of physical fitness for:

a) All athletes prior to their first sport of the school year, then only those who were injured or ill during their first sport before participating in a second sport during the school year; and

b) All students who need work permits.

Health Certificate

Each student must submit a health certificate attesting to the health examination within thirty (30) days after his or her entrance into school and within thirty (30) days after his or her entry into the Pre K or K, 1st, 3rd, 5th, 7th, 9th and 11th grades. The health certificate shall be filed in the student's cumulative record. The health certificate must:

a) Describe the condition of the student when the examination was given;

b) State the results of any test conducted on the student for sickle cell anemia;

c) State whether the student is in a fit condition of health to permit his/her attendance at public school and, where applicable, whether the student has defective sight or hearing, or any other physical disability which may tend to prevent the student from receiving the full benefit of school work or from receiving the best educational results, or which may require a modification of such work to prevent injury to the student;

d) Be signed by a duly licensed physician, physician assistant, or nurse practitioner, who is authorized by law to practice in New York State consistent with any applicable written practice agreement; or authorized to practice in the jurisdiction in which the examination was given, provided that the Commissioner of Health has determined that such jurisdiction has standards of licensure and practice comparable to those of New York.

(Continued)
SUBJECT: STUDENT PHYSICALS (Cont'd.)

Examination by Health Appraisal

The Principal or the Principal's designee will send a notice to the parents of, or person in parental relationship to, any student who does not present a health certificate, that if the required health certificate is not furnished within thirty (30) days from the date of such notice, an examination by health appraisal will be made of such student through the school office.

Students shall be separately and carefully examined and tested to ascertain whether any such student has defective sight or hearing, or any other physical disability which may tend to prevent the student from receiving the full benefit of school work or from receiving the best educational results, or which may require a modification of such work to prevent injury to the student.

The physician, physician assistant or nurse practitioner administering such examination shall determine whether a one-time test for sickle cell anemia is necessary or desirable and, if so determined, shall conduct such test and include the results in the health certificate.

Unless otherwise prohibited by law, if it is ascertained that any students have defective sight or hearing, or a physical disability or other condition, including sickle cell anemia, which may require professional attention with regard to health, the Principal or Principal's designee shall notify, in writing, the student's parents or persons in parental relation as to the existence of such disability or condition. If the parents or persons in parental relation are unable or unwilling to provide the necessary relief and treatment for such students, such fact shall be reported by the Principal or Principal's office, who then has the duty to provide relief for such students.

Health Screenings

The District will provide:

a) Scoliosis screening at least once each school year for all girls in grades 5 and 7, and all boys in 9th grade. The positive results of any such screening examinations for the presence of scoliosis shall be provided in writing to the student's parent or person in parental relation within ninety (90) days after such finding;

b) Vision screening to all students who enroll in school including at a minimum color perception, distance acuity, near vision and hyperopia within six (6) months of admission to the school. In addition, all students shall be screened for distance acuity in grades Pre K or K, 1, 3, 5, 7 and 11 and at any other time deemed necessary. The results of all such vision screening examinations shall be in provided in writing to the student's parent or person in parental relation and to any teacher of the student. The vision report will be kept in a permanent file of the school for at least as long as the minimum retention period for such records;

c) Hearing screening to all students within six months of admission to the school and in grades Pre K or K, 1, 3, 5, 7 and 11, as well as at any other time deemed necessary. Screening shall include, but not be limited to, pure tone and threshold air conduction screening. The results of any such hearing tests shall be provided in writing to the student's parent or person in parental relation and to any teacher of the student.

(Continued)
SUBJECT: STUDENT PHYSICALS (Cont'd.)

The results of all health screenings (dental, hearing, vision and scoliosis) shall be recorded on appropriate forms signed by the health professional making the examination, include appropriate recommendations, and be kept on file in the school. The health records of individual students will be kept confidential in accordance with the federal Family Educational Rights and Privacy Act (FERPA) and any other applicable federal and State laws.

Accommodation for Religious Beliefs

No health examinations, health history, examinations for health appraisal, screening examinations for sickle cell anemia and/or other health screenings shall be required where a student or the parent or person in parental relation to such student objects thereto on the grounds that such examinations, health history and/or screenings conflict with their genuine and sincere religious beliefs. A written and signed statement from the student or the student's parent or person in parental relation that such person holds such beliefs shall be submitted to the Principal or Principal's designee, in which case the Principal or Principal's designee may require supporting documents.

Family Educational Rights and Privacy Act of 1974 (FERPA)
20 United States Code (USC) Section 1232(g)
Education Law Sections 901-905, 912 and 3217
8 New York Code of Rules and Regulations (NYCRR)
Part 136

Board of Education Approval: 9/18/06; Update 6/18/18
SUBJECT: ADMINISTRATION OF MEDICATION

Under certain circumstances, when it is necessary for a student to take medication (prescription and non-prescription) during school hours, the school's registered professional nurse may administer the medication if the parent or person in parental relation submits a written request accompanied by a written request from a physician indicating the frequency and dosage of prescribed medication. The parent or person in parental relation must assume responsibility to have the medication delivered directly to the Health Office in a properly labeled original container.

All medication orders (prescription and non-prescription) must be reviewed annually or when there is a change in dosage.

Procedures for receipt, storage and disposal of medications as well as procedures for taking medications off school grounds or after school hours while participating in a school-sponsored activity will be in accordance with State Education Department Guidelines.

If a medication regimen is changed or discontinued, or there is medication left at the end of the school year, the medication must be returned to the parent or be properly disposed. Parents should be notified of options such as:

1) Disposal of medication by flushing in the presence of a witness; or
2) Parent/responsible designee picking up medication from Health Office.

Emergency Medication

The administration of emergency medication (injectable, including "epi-pens," and/or oral) to a student for extreme hypersensitivity may be performed by a school staff member responding to an emergency situation when such use has been prescribed by a licensed prescriber. However, a registered professional nurse/nurse practitioner/physician/physician's assistant must have trained the staff member to administer the emergency medication for that particular emergency situation (e.g., "epi-pen") and given him/her approval to assist the student in the event of an emergency anaphylactic reaction. Such a response would fall under the Good Samaritan exemption for rendering emergency care during a life-threatening situation.

Use of Inhalers in Schools

In accordance with law, the School District must permit students who have been diagnosed by a physician or other duly authorized health care provider as having a severe asthmatic condition to carry and use a prescribed inhaler during the school day. Prior to permitting such use, the School Health Office must receive the written permission of the prescribing physician or other duly authorized health care provider, and parental consent, based on such physician's or provider's determination that the student is subject to sudden asthmatic attacks severe enough to debilitate that student. In addition, upon the written request of a parent or person in parental relation, the Board shall allow such pupils to maintain an extra inhaler in the care and custody of the school's registered professional nurse employed by the District. However, the law does not require the District to retain a school nurse solely for the purpose of taking custody of a spare inhaler, or require that a school nurse be available at all times in a school building for such purpose.

A record of such physician or health care provider/parental permission shall be maintained in the school health office.

(Continued)
SUBJECT: ADMINISTRATION OF MEDICATION (Cont'd.)

Health Office personnel will maintain regular parental contact in order to monitor the effectiveness of such self-medication procedures and to clarify parental responsibility as to the daily monitoring of their child to ensure that the medication is being utilized in accordance with the physician's or provider's instructions. Additionally, the student will be required to report to the Health Office on a periodic basis as determined by Health Office personnel so as to maintain an ongoing evaluation of the student's management of such self-medication techniques, and to work cooperatively with the parents and the student regarding such self-care management.

Students who self-administer medication without proper authorization, under any circumstances, will be referred for counseling by school nursing personnel. Additionally, school administration and parents will be notified of such unauthorized use of medication by the student, and school administration may also be involved in determining the proper resolution of such student behavior.

Education Law Sections 902(b), 916, 6527(4)(a) and 6908(1)(a)(iv)
Public Health Law Section 3000-a

Board of Education Approval 5/3/04
Revised and Board of Education Approval: 8/17/09
SUBJECT: THE USE OF INHALERS IN SCHOOLS

The School District permits students who have been diagnosed by a physician as having a severe asthmatic condition to carry and use a prescribed inhaler during the school day. Prior to permitting such use, the school health office must receive the written permission of the prescribing physician, and parental consent, based on such physician’s determination that the student is subject to sudden asthmatic attacks severe enough to debilitate that student.

A record of such physician/parental permission shall be maintained in the school health office.

Health office personnel will maintain annual parental contact in order to monitor the effectiveness of such self-medication procedures and to clarify parental responsibility as to the daily monitoring of their child to ensure that the medication is being utilized in accordance with the physician’s instructions. Additionally, the student will be required to report to the health office on a periodic basis as determined by health office personnel so as to maintain an ongoing evaluation of the student’s management of such self-medication techniques, and to work cooperatively with the parents and the student regarding such self-care management.

Students who self-administer medication without proper authorization, under any circumstances, will be referred for counseling by school nursing personnel. Additionally, school administration and parents will be notified of such unauthorized use of medication by the student, and school administration may also be involved in determining the proper resolution of such student behavior.

Education Law Section 916

Board of Education Approval 3/1/99
SUBJECT: CONCUSSION MANAGEMENT

The Board of Education recognizes that concussions and head injuries are the most commonly reported injuries in children and adolescents who participate in sports and recreational activities. The physical and mental well-being of our students is a primary concern. Therefore, the Panama Central School District adopts the following Policy to support the proper evaluation and management of concussion injuries.

A concussion is a mild traumatic brain injury (MTBI). A concussion occurs when normal brain functioning is disrupted by a blow or jolt to the head or body that causes the head and brain to move rapidly back and forth. Recovery from concussion and its symptoms will vary. Avoiding re-injury and over-exertion until fully recovered are the cornerstones of proper concussion management. Concussions can impact a student's academics as well as their athletic pursuits.

Concussion Management Team (CMT)

In accordance with the Concussion Management and Awareness Act, the School District is authorized, at its discretion, to establish a Concussion Management Team (CMT) which may be composed of the certified athletic director, a school nurse, the school physician, a coach of an interscholastic team, a certified athletic trainer or such other appropriate personnel as designated by the School District. The Concussion Management Team shall oversee and implement the School District's concussion policy and regulations, including the requirement that all school coaches, physical education teachers, nurses and certified athletic trainers who work with and/or provide instruction to pupils engaged in school-sponsored athletic activities complete training relating to mild traumatic brain injuries. Furthermore, every concussion management team may establish and implement a program, which provides information on mild traumatic brain injuries to parents and persons in parental relation throughout each school year.

Staff Training/Course of Instruction

Each school coach, physical education teacher, school nurse and certified athletic trainer who works with and/or provides instruction to students in school-sponsored athletic activities (including physical education class and recess) shall complete a course of instruction every two (2) years relating to recognizing the symptoms of concussions or MTBIs and monitoring and seeking proper medical treatment for students who suffer from a concussion or MTBI.

Components of the training will include:

a) The definition of MTBI;

b) Signs and symptoms of MTBI;

c) How MTBIs may occur;

d) Practices regarding prevention; and

e) Guidelines for the return to school and school activities for a student who has suffered an MTBI, even if the injury occurred outside of school.

The course can be completed by means of instruction approved by SED, which include, but are not limited to, courses provided online and by teleconference.

Information to Parents

The District shall include the following information on concussion in any permission or consent form or similar document that may be required from a parent/person in parental relation for a student's participation in interscholastic sports. Information will include:

(Continued)
SUBJECT: CONCUSSION MANAGEMENT (Cont'd.)

a) The definition of MTBI;
b) Signs and symptoms of MTBI;
c) How MTBIs may occur;
d) Practices regarding prevention; and
e) Guidelines for the return to school and school activities for a student who has suffered an MTBI, even if the injury occurred outside of school.

The District will provide a link on its website, if one exists, to the above list of information on the State Education Department's and Department of Health's websites.

Identification of Concussion and Removal from Athletic Activities

The District shall require the immediate removal from all athletic activities of any student who has sustained, or is believed to have sustained, a mild traumatic brain injury (MTBI) or concussion. Any student demonstrating signs, symptoms or behaviors consistent with a concussion while participating in a class, extracurricular activity, or interscholastic athletic activity shall be removed from the class, game or activity and must be evaluated as soon as possible by an appropriate health care professional. Such removal must occur based on display of symptoms regardless of whether such injury occurred inside or outside of school. If there is any doubt as to whether the student has sustained a concussion, it shall be presumed that the student has been injured until proven otherwise. The District shall notify the student's parents or guardians and recommend appropriate evaluation and monitoring.

The School District may choose to allow credentialed District staff to use validated Neurocognitive computerized testing as a concussion assessment tool to obtain baseline and post-concussion performance data. These tools are not a replacement for a medical evaluation to diagnose and treat a concussion.

Return to School Activities and Athletics

The student shall not return to physical activity (including athletics, physical education class and recess) until he/she has been symptom-free for not less than twenty-four (24) hours, and has been evaluated and received written authorization from a licensed physician. In accordance with Commissioner's Regulations, the School District's Medical Director will give final clearance on a return to activity for extra-class athletics. All such authorizations shall be kept on file in the student's permanent health record. The standards for return to athletic activity will also apply to injuries that occur outside of school. School staff should be aware that students may exhibit concussion symptoms caused by injuries from outside activities and that these visible symptoms also indicate a removal from play.

The District shall follow any directives issued by the student's treating physician with regard to limitations and restrictions on school and athletic activities for the student. The District's Medical Director may also formulate a standard protocol for treatment of students with concussions during the school day.

In accordance with NYSED guidelines, this Policy shall be reviewed periodically and updated as necessary in accordance with New York State Education Department guidelines. The Superintendent, in consultation with the District's Medical Director and other appropriate staff, may develop regulations and protocols for strategies to prevent concussions, the identification of concussions, and procedures for removal from and return to activities or academics.

Education Law Sections 207; 305(42), and 2854
8 NYCRR 135.4 and 136.5

Guidelines for Concussion Management in the School Setting, SED Guidance Document, June 2012

Board of Education Approval: 8/6/2012
SUBJECT: ATHLETIC PROGRAM - SAFETY

The District will take reasonable steps to see that physical risks to students participating in the interscholastic athletic program shall be kept at a minimum by:

a) Requiring medical examinations of participants;

b) Obtaining certificated officials to coach all varsity, junior varsity, and modified games.

c) Ensuring that equipment is both safe and operative within approved guidelines.
SUBJECT: ACCIDENTS

Procedures shall be established and maintained by the Superintendent for the handling of student injuries that occur on school property and during school activities.
SUBJECT: STUDENT EMERGENCY TREATMENT

All staff members of the School District are responsible to obtain first-aid care of students who are injured or become ill while under school supervision.

In most instances first aid should be rendered, and then the parent should be contacted to come to school and transport the student to the family physician. Beyond first aid, the medical care of the student is the parent's responsibility. However, the student's welfare is always the primary concern, and it is the responsibility of school personnel to exercise good judgment and care under all circumstances.

The Board of Education encourages all staff members to become qualified to give emergency treatment through instruction in first aid and Cardiopulmonary Resuscitation (CPR).
SUBJECT: TRANSPORTING AN ILL OR INJURED STUDENT

In the event of an illness or injury to a student, an ambulance may be called if warranted. This solution will be used after other alternatives, including parent/legal guardian contact, have been made.
SUBJECT: INSURANCE

The Board of Education shall approve provisions for all students to be covered by group insurance.

Such student accident insurance policies are to be a co-insurance with family coverage(s) as primary.

Education Law Sections 1604 and 1709
SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT

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

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

a) Mandatory reporting of suspected child abuse or neglect/maltreatment;

b) Reporting procedures and obligations of persons required to report;

c) Provisions for taking a child into protective custody;

d) Mandatory reporting of deaths;

e) Immunity from liability and penalties for failure to report;

f) Obligations for provision of services and procedures necessary to safeguard the life of a child; and

g) Provision of information in recognizing signs of unlawful methamphetamine laboratories for all current and new school officials (i.e., "mandated reporters") who, as part of their usual responsibilities, visit children's homes.

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

School Officials Required to Report

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

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

Any report shall include the name, title and contact information for every staff member who is believed to have direct knowledge of the allegations in the report.
SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT (Cont'd.)

Prohibition of Retaliatory Personnel Action

Social Services Law Section 413(1) also prohibits a school from taking any retaliatory personnel action against an employee because such employee believes that he/she has reasonable cause to suspect that a child is an abused or neglected/maltreated child and that employee makes a report to SCR pursuant to Social Services Law. Further, no school or school official shall impose any conditions, including prior approval or prior notification, upon any staff member specifically designated a mandated reporter.

Pursuant to Labor Law Section 740(1)(e), "retaliatory personnel action" means the discharge, suspension or demotion of an employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

Report Form

The Revised May 2007 New York State Office of Children and Family Services "Report of Suspected Child Abuse or Maltreatment" Form LDSS-2221A may be accessed at: http://www.ocfs.state.ny.us/main/cps/

Education Law Section 3209-a
Family Court Act Section 1012
Labor Law Section 740(1)(e)
Social Services Law Sections 411-428

Board of Education Approval 1/7/08
SUBJECT: CHILD ABUSE IN AN EDUCATIONAL SETTING AND PROHIBITION OF SILENT RESIGNATIONS

Child Abuse in an Educational Setting

The School District is committed to the protection of students in educational settings from abuse and maltreatment by employees or volunteers as enumerated in law.

"Child abuse" shall mean any of the following acts committed in an educational setting by an employee or volunteer against a child:

a) Intentionally or recklessly inflicting physical injury, serious physical injury or death; or

b) Intentionally or recklessly engaging in conduct which creates a substantial risk of such physical injury, serious physical injury or death; or

c) Any child sexual abuse, defined as conduct prohibited by Article 130 or 263 of the Penal Law; or

d) The commission or attempted commission against a child of the crime of disseminating indecent materials to minors pursuant to Article 235 of the Penal Law.

"Educational setting" shall mean the building(s) and grounds of the School District; the vehicles provided by the School District for the transportation of students to and from school buildings, field trips, co-curricular and extracurricular activities both on and off School District grounds; all co-curricular and extracurricular activity sites; and any other location where direct contact between an employee or volunteer and a child has allegedly occurred.

In any case where an oral or written allegation is made to a teacher, school nurse, school guidance counselor, school psychologist, school social worker, school administrator, School Board member, or other school personnel required to hold a teaching or administrative license or certificate, that a child (defined in the law as a person under the age of 21 years enrolled in a school district in this state) has been subjected to child abuse by an employee or volunteer in an educational setting, that person shall upon receipt of such allegation:

a) Promptly complete a written report of such allegation including the full name of the child alleged to be abused; the name of the child’s parent; the identity of the person making the allegation and their relationship to the alleged child victim; the name of the employee or volunteer against whom the allegation was made; and a listing of the specific allegations of child abuse in an educational setting. Such written report shall be completed on a form as prescribed by the Commissioner of Education.
b) Except where the school administrator is the person receiving such an oral or written allegation, the employee completing the written report must promptly personally deliver a copy of that written report to the school administrator of the school in which the child abuse allegedly occurred (subject to the following paragraph).

In any case where it is alleged the child was abused by an employee or volunteer of a school other than a school within the school district of the child’s attendance, the report of such allegations shall be promptly forwarded to the Superintendent of Schools of the school district of the child’s attendance and the school district where the abuse allegedly occurred.

Any employee or volunteer who reasonably and in good faith makes a report of allegations of child abuse in an educational setting in accordance with the reporting requirements of the law shall have immunity from civil liability which might otherwise result by reason of such actions.

Upon receipt of a written report alleging child abuse in an educational setting, the school administrator or Superintendent must then determine whether there is “reasonable suspicion” to believe that such an act of child abuse has occurred. Where there has been a determination as to the existence of such reasonable suspicion, the school administrator or Superintendent must follow the notification/reporting procedures mandated in law and further enumerated in administrative regulations. When the school administrator receives a written report, he/she shall promptly provide a copy of such report to the Superintendent.

Where the school administrator or Superintendent has forwarded a written report of child abuse in an educational setting to law enforcement authorities, the Superintendent shall also refer such report to the Commissioner of Education where the employee or volunteer alleged to have committed such an act of child abuse holds a certification or license issued by the State Education Department.

Any school administrator or Superintendent who reasonably and in good faith makes a report of allegations of child abuse in an educational setting, or reasonably and in good faith transmits such a report to a person or agency as required by law, shall have immunity from civil liability which might otherwise result by reason of such actions.

Reports and other written material submitted pursuant to law with regard to allegations of child abuse in an educational setting, and photographs taken concerning such reports that are in the possession of any person legally authorized to receive such information, shall be confidential and shall not be redisclosed except to law enforcement authorities involved in an investigation of child abuse in an educational setting or as expressly authorized by law or pursuant to a court-ordered subpoena. School administrators and the Superintendent shall exercise reasonable care in preventing such unauthorized disclosure.
SUBJECT: CHILD ABUSE IN AN EDUCATIONAL SETTING AND PROHIBITION OF SILENT RESIGNATIONS (cont’d.)

Additionally, teachers and all other school officials shall be provided an annual written explanation concerning the reporting of child abuse in an educational setting, including the immunity provisions as enumerated in law. Further, the Commissioner of Education shall furnish the District with required information, including rules and regulations for training necessary to implement District/staff responsibilities under the law.

Prohibition of "Silent" (Unreported) Resignations

The Superintendent and other school administrators are prohibited from withholding from law enforcement authorities, the Superintendent or the Commissioner of Education, where appropriate, information concerning allegations of child abuse in an educational setting against an employee or volunteer in exchange for that individual’s resignation or voluntary suspension from his/her position.

Superintendents (or a designated administrator) who reasonably and in good faith report to law enforcement officials information regarding allegations of child abuse or a resignation as required pursuant to the law shall have immunity from any liability, civil or criminal, which might otherwise result by reason of such actions.

Education Law Article 23-B and Section 3028-b
Penal Law Article 130, 235 and 263
8 New York Code of Rules and Regulations (NYCRR) Part 83

Board of Education Approval 8/20/01
SUBJECT: SEXUAL HARASSMENT OF STUDENTS

The Board of Education affirms its commitment to provide an environment free from sex-based discrimination and sexual harassment, including sexual violence and intimidation. The Board, therefore, prohibits all forms of sexual harassment against students by other students, employees, school volunteers, and non-employees such as contractors and vendors, which occur on school grounds or at school-sponsored events, programs, or activities, including those that take place at locations off school premises.

Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. For the purposes of this policy, sexual harassment also includes sexual violence. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes, but is not limited to: rape, sexual assault, sexual battery, and sexual coercion.

Sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from students, District employees, or third parties such as visitors or school volunteers.

Prohibited Conduct

Sexual harassment can be verbal, non-verbal, or physical. Examples of such conduct may include, but are not limited to, the following:

a) Verbal abuse or ridicule, including innuendoes, stories and jokes that are sexual in nature and/or gender-related. This might include inappropriate sex-oriented comments on appearance, including dress or physical features.

b) Direct or indirect threats or bribes for unwanted sexual activity.

c) Asking or commenting about a person's sexual activities.

d) Unwelcome and unwanted physical contact of a sexual nature including, but not limited to, physical acts such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement.

e) Displaying or distributing pornographic or other sexually explicit materials such as magazines, pictures, internet material, cartoons, etc.

f) The use of profanity and/or other obscenities that are sexually suggestive or degrading in nature.

(Continued)
SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)

g) Unwelcome staring, leering, or gesturing which is sexually suggestive in nature.

h) Unwelcome and/or offensive public displays of sexual/physical affection.

i) Clothing that reflects sexually obscene and/or sexually explicit messages, slogans, or pictures.

j) Demanding sexual favors of a student, insinuating that refusal to acquiesce in such favors will adversely affect a student's grades, references, academic/scholastic placement, and/or participation in extracurricular activities.

k) Engaging in sexual conduct with an individual who is unable to consent due to his/her age, use of drugs or alcohol, intellectual disability, or other disability.

l) Any other unwelcome and unwanted sexually oriented and/or gender-based behavior which is sexually demeaning, belittling, intimidating, or perpetrates sexual stereotypes and attitudes.

Investigation of Complaints and Grievances

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any student who believes he/she has been a victim of sexual harassment in the school environment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, should immediately report such alleged harassment. The District recognizes that sexual harassment is a sensitive issue and that students may choose to inform any trusted staff member of suspected discrimination or harassment. Staff members who receive such complaints will immediately inform the Civil Rights Compliance Officer. Where appropriate, the Civil Rights Compliance Officer may seek the assistance of the relevant Dignity Act Coordinator in investigating, responding to, and remedying student complaints of discrimination and/or harassment. In the event that the Civil Rights Compliance Officer is the alleged offender, the report will be directed to another Civil Rights Compliance Officer, if the District has designated an additional individual to serve in such capacity, or to the Superintendent.

The School District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of sexual harassment and will promptly take appropriate action to protect individuals from further sexual harassment. All such complaints will be handled in a manner consistent with the District's policies, procedures, and/or regulations regarding the investigation of discrimination and harassment complaints, including Policy #3221 -- Non-Discrimination and Anti-Harassment in the School District; and Administrative Regulation #3221R -- Non-Discrimination and Anti-Harassment in the School District.

(Continued)
SUBJECT: SEXUAL HARASSMENT OF STUDENTS (Cont'd.)

Additional information regarding the District's discrimination and harassment complaint and grievance procedures, including but not limited to the designation of the Civil Rights Compliance Officer, knowingly making false accusations, and possible corrective actions, can be found in Policy #3221 -- Non-Discrimination and Anti-Harassment in the School District and Administrative Regulation #3221R -- Non-Discrimination and Anti-Harassment in the School District.

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment. Complaints of retaliation may be directed to the Civil Rights Compliance Officer. In the event the Civil Rights Compliance Officer is the alleged offender, the report will be directed to another Civil Rights Compliance Officer, if the District has designated another individual to serve in such a capacity, or to the Superintendent.

Where appropriate, follow-up inquiries will be made to ensure that sexual harassment has not resumed and that all those involved in the investigation of sexual harassment have not suffered retaliation.

Civil Rights Act of 1991, 42 USC Section 1981(a)
Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.
34 CFR Section 100 et seq.
Education Law Section 2801(1)
OCR Dear Colleague Letter, April 4, 2011
SUBJECT: SEXUAL AND OTHER HARASSMENT, DISCRIMINATION AND RETALIATION (STUDENTS) continued

Complainants or witnesses experiencing retaliation from anyone should report it to a Compliance Officer immediately.

The District encourages the filing of good faith complaints. However, the filing of knowingly false complaints is prohibited. A student who knowingly makes a false complaint of any form against any other person shall be subject to discipline, including, but not limited to, a warning, detention, in or out of school suspension, transfer to an alternative school, or other disciplinary action by the District, consistent with the requirements of applicable procedures of the Handbook and the Education Law.

The Board directs the Compliance Officers to develop and maintain regulations for resolving harassment complaints by employees. The Superintendent and/or her designees shall affirmatively discuss the topic of harassment with all students and employees, express the District's condemnation of such conduct and explain the sanctions for harassment. A copy of this policy and its accompanying regulation shall be posted in appropriate places and be made available to all students and employees.

NOTE: Refer to Policies
#3221 – Public Complaints
#6121 – Sexual Harassment of District Personnel
SUBJECT: STUDENT DIRECTORY INFORMATION

Directory information is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.

The District shall publish an annual public notice informing parents or eligible students (i.e., a student eighteen (18) years of age or older or who is attending an institution of post-secondary education) of the District's definition of directory information, the parent/eligible student's right to refuse the release of student directory information and indication of the time period for their response. Following such public notice and a reasonable response period, the District may release such information to an outside group without individual consent.

The Family Educational Rights and Privacy Act (FERPA) defines student directory information as any of the items as indicated in the following list. The Panama Central School District will release the following defined directory information as checked below:

- name
- address
- telephone listing
- date and place of birth
- major field of study
- grade level
- participation in sports and activities
- weight and height (for members of athletic teams)
- dates of attendance
- honors, degrees and awards
- e-mail address
- photograph
- name of educational institution previously attended

Directory information does not include:

a) A student's social security number; or

b) A student's identification (ID) number, except as provided below.

Directory information includes a student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems, or that is displayed on a student ID card or badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user. Parents and eligible students may not, by opting out of disclosure of directory information, prevent a school from requiring a student to wear or present a student identification card or a badge that displays information that may be directory information.

(Continued)
SUBJECT: STUDENT DIRECTORY INFORMATION (Cont'd.)

Limited Directory Information Disclosure

Limited Directory Information Disclosure means that that the District may limit disclosure of its designated directory information to specific parties, for specific purposes, or both. Allowing limited directory information disclosure may permit the District to use student directory information for such limited purposes as school yearbooks, honor roll lists, graduation programs, playbills and other similar uses, without obtaining individual consent. Limiting the disclosure of such information may be beneficial when the District perceives such disclosure as putting students at risk of becoming targets of marketing campaigns, news media or possible victims of criminal acts. The District shall limit its disclosure of its designated directory information as specified in its public notice to parents and eligible students.

Military Recruiter Access

The release of student directory information is not to be confused with the release of names, addresses and telephone listings of eligible students (i.e., a student seventeen (17) years of age or older or in the eleventh grade (or its equivalent) or higher) to Military Recruiters. In compliance with the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act of 2001 (NCLB), and the National Defense Authorization Act, the School District shall notify parents that by law it routinely releases this information to Military Recruiters upon request subject to a parents'/eligible students' written request not to disclose such information.

Family Educational Rights and Privacy Act of 1974, 20 United States Code (USC) Section 1232(g)

NOTE: Refer also to Policies #7360 -- Student Records: Access and Challenge
#7642 -- Military Recruiters’ Access to Secondary School Students and Information on Students
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS

U.S. Department of Education-Funded Surveys

In compliance with the Protection of Pupil Rights Amendment (PPRA), the School District is committed to protecting the rights and privacy interests of parents/guardians and students with regard to surveys funded in whole or part by any program administered by the U.S. Department of Education (DOE).

The District shall make instructional materials available for inspection by parents/guardians if those materials will be used in connection with a DOE-funded survey, analysis, or evaluation in which their children participate. In addition, the School District shall obtain prior written parental/guardian consent before minor students are required to participate in any DOE-funded survey, analysis, or evaluation that reveals information concerning:

a) Political affiliations or beliefs of the student or the student's parent/guardian;
b) Mental or psychological problems of the student or the student's family;
c) Sex behavior or attitudes;
d) Illegal, anti-social, self-incriminating, or demeaning behavior;
e) Critical appraisals of other individuals with whom respondents have close family relationships;
f) Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
g) Religious practices, affiliations, or beliefs of the student or student's parent/guardian; or
h) Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Surveys Funded by Sources Other than U.S. Department of Education

The School District has developed and adopted this Board policy, in consultation with parents/guardians, regarding the following:

a) The right of the parent/guardian to inspect, upon request, a survey created by a third party (i.e., by a party other than the DOE) before the survey is administered or distributed by the school to a student. Requests by parents/guardians to inspect such surveys are to be submitted to, in writing, to the building principal at least 10 days prior to the administration or distribution of any survey. Further, the District shall grant a request by the parent/guardian for reasonable access to such survey within a reasonable period of time after the request is received by the District.

(Continued)
b) Arrangements shall be provided by the District to protect student privacy in the event of the administration or distribution of a survey to a student containing one or more of the following items (including the right of the parent/guardian of the student to inspect, upon request, any survey containing one or more of such items):

1. Political affiliations or beliefs of student toward the student's parent/guardian;
2. Mental or psychological problems of the student or the student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian;
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents/guardians have the right to inspect, upon request, any survey containing one or more of such items. Such requests must be submitted by the parent/guardian, in writing, to the building principal at least 10 days prior to the administration or distribution of any survey.

c) Parents/guardians shall be granted, upon request, reasonable access and the right to inspect instructional materials used as part of the educational curriculum for the student within a reasonable period of time (defined by the School District, for the purposes of this policy, as 30 days) after such request is received by the District. Requests shall be submitted by parents/guardians, in writing, to the building principal. The term “instructional material” means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

d) The administration of physical examinations or screenings that the School District may administer to a student.

Further, this law does not apply to any physical examination or screening that is permitted or required by State law, including physical examinations or screenings that are permitted without parental notification.
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS (Cont’d.)

In the implementation of this provision regarding the administration of physical examinations or screenings that the school may administer to the student, the School District incorporates by reference Board policies that address student health services, as applicable, including but not limited to policies regarding the administration of medication, immunization of students, and student physicals.

e) Unless mandated/authorized in accordance with Federal or State law and/or regulation, it is policy of the Board of Education, to not permit the collection, disclosure, or use of personal information (the term "personal information" is defined as individually identifiable information including a student's or parent/guardian's first and last name; home address; telephone number; or Social Security number) collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), unless otherwise exempted pursuant to law as noted below. Questions regarding the collection, disclosure, or use of personal information collected from students for such marketing purposes may be referred to the school attorney as deemed necessary by the Superintendent/designee.

These requirements do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

a) College or other postsecondary education recruitment, or military recruitment;
b) Book clubs, magazines, and programs providing access to low-cost literary products;
c) Curriculum and instructional materials used by elementary schools and secondary schools;
d) Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate others statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
e) The sale by students of products or services to raise funds for school-related or education-related activities;
f) Student recognition programs.


(Continued)
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS (Cont’d.)

This law is not intended to preempt applicable provisions of State law that require parental/guardian notification.


The School District shall provide for reasonable notice of the adoption or continued use of this policy directly to the parents/guardians of students enrolled in the District. At a minimum, the District shall provide such notice at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy.

Further, in the notification, the District shall offer an opportunity for parents/guardians to opt their child out of participation in the following activities:

a) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

b) The administration of any survey containing one or more of the eight items of information listed above in the subheadings referencing DOE-funded surveys as well as non-DOE-funded surveys.

c) Any non-emergency, invasive physical examination or screening that is required as a condition of attendance; administered by the school and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening.

Notification of Specific Events

In the notification, the School District shall directly notify parents/guardians, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the above activities are scheduled or expected to be scheduled.

General Provisions

The requirements of PPPRA do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA). Further, PPRA does not supersede any of the requirements of FERPA.

(Continued)
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS (Cont'd.)

The rights provided to parents/guardians under PPRA transfer from the parent/guardian to the student when the student turns 18 years old or is an emancipated minor under applicable State law.

The School District may use funds provided under Part A of Title V of the Elementary and Secondary Education Act of 1965 to enhance parental/guardian involvement in areas affecting the in-school privacy of students.

20 United States Code (U.S.C.) Section 1232h(b) and (c), as amended by the No Child Left Behind Act of 2001
SUBJECT: STUDENT HEALTH RECORDS

The School shall keep a convenient, accurate, and up-to-date health record of every student. Insofar as the health records include confidential disclosures or findings, they shall be kept confidential.

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of students' "education records." For Pre-K through grade 12 students, health records maintained by the School District, including immunization records and school nurse records, generally are considered "education records" subject to FERPA. In addition, records that the District or School maintains on special education students, including records on services provided to students under the Individuals with Disabilities Education Act (IDEA) are considered "education records" under FERPA because they are:

a) Directly related to a student;
b) Maintained by the School or a party acting for the School; and
c) Not excluded from the definition of "education records."

Since student health and medical information in education records is protected by FERPA, the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule excludes such information from its coverage.

Generally, these records may not be shared with third parties without written parental consent unless the disclosure meets one of the exceptions to FERPA's general consent requirement. One exception permits the disclosure of education records, without parental consent, to appropriate parties in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

Parents have a right under FERPA to inspect and review those health and medical records that are considered "education records" under FERPA. Individual records may be interpreted by the school's registered professional nurse to administrators, teachers and other school officials, consistent with law.

Family Educational Rights and Privacy Act of 1974 (FERPA), 20 United States Code (USC) Section 1232g
45 Code of Federal Regulations (CFR) Parts 160, 162 and 164 Education Law Sections 902(b) and 905
8 New York Code of Rules and Regulations (NYCRR) Part 136
SUBJECT: SUICIDE

The suicide of a student has an extremely disturbing effect on the school and the local community. Unfortunately, there has been a significant increase in the number of adolescents who choose suicide as a way to resolve their problems. It is the intent of this district to alert school personnel to the implications of suicide by a student, to help the school and the community cope with the aftermath of such a tragic event should it occur, to recommend ways of identifying children and adolescents at risk of attempting suicide and to suggest ways to prevent such occurrences.

Suicide prevention will be incorporated into the curriculum to make students aware of this growing problem. This will be done in a manner so as not to glamorize the situation but to educate students in regard to this policy.

The administration is responsible for informing staff of regulations and procedures of suicide prevention, intervention, and post-intervention that have been developed by the administration.
SUBJECT: OPEN DOOR POLICY

All students are entitled to walk to any door that they feel can best help them resolve a problem whether that door leads to a teacher, guidance director, principal or Superintendent.

They are encouraged, whenever possible or advisable, to follow the line of authority but this is not necessary.

If the door is closed because of a conference or because the person is out of the building, the student should inform the secretary and set up a meeting at the earliest possible time.

In like manner, teachers and parents are free to walk to any door to resolve their problems whether it be the door of another teacher, principal, guidance director or Superintendent. They shall be encouraged to follow the chain of authority.

Neither teacher nor student should ever be criticized or reprimanded for employing the conditions of this open door policy. However, all standards of ethics and professionalism should prevail.
SUBJECT: NOTIFICATION OF SEX OFFENDERS

In accordance with the Sex Offender Registration Act ("Megan's Law"), the Board of Education supports the New York State Department of Criminal Justice Service (DCJS) in its effort to inform the community in certain circumstances of the presence of individuals with a history of sex offenses, particularly against children, in the school locality. This policy is enacted in order to minimize the possibility that the sex offender will come in contact with school-age children, and to assist law enforcement agencies in preventing further criminal activity from occurring. Furthermore, the District shall cooperate with local police authorities and the local community in promoting and protecting the safety and well being of its students.

It is the policy of the Board of Education to disseminate all information which the District receives from local police authorities in conjunction with Megan's Law to designated staff members who might have possible contact with the offender during the course of their school duties including but not limited to, building principals, supervisors, teachers, office personnel, coaches, custodians, bus drivers, and security personnel. The Superintendent reserves the right to automatically disseminate such information to additional members of the staff, designated supervisors of non-school groups that regularly use District facilities and have children in attendance, and community residents who, in the opinion of the Superintendent, have an immediate need to be notified of such data in order to protect the safety of our students.

All staff members shall be informed of the availability of the information received by the District pursuant to Megan's Law upon written request to the applicable building principal/designee or supervisor. Community residents shall be notified of the availability of this information, with written requests directed to the District Office.

Staff members shall inform their immediate supervisor if they observe within the school building, on school grounds, at school activities, or at or near bus routes any individual whose description matches the information which was provided to the District by local law enforcement authorities. Such law enforcement officials will be notified of this information by the District as appropriate.
SUBJECT: NOTIFICATION OF SEX OFFENDERS

Dissemination of Information to Public

Information that is disseminated to the School District pursuant to Megan's Law may be disclosed or not disclosed by the District in its discretion according to District policy and/or regulation.

Any information which the School District receives regarding a sex offender from a source other than the Sex Offender Registry, and which is maintained independent of the requirements of Megan's Law, will be available from the District, upon written request, in accordance with the requirements of the Freedom of Information Law.

Implementation

Administrative regulations shall be developed to implement this policy.

Correction Law Article 6-C
Public Officers Law Section 84 et seq.
SUBJECT: CONSTITUTIONALLY PROTECTED PRAYER IN THE PUBLIC SCHOOLS

In accordance with the most recent Guidance Document issued by the U.S. Department of Education implementing the requirements of the No Child Left Behind Act of 2001, the Board of Education affirms the responsibilities of the School District, consistent with applicable statutory/case law pertaining to the First Amendment of the United States Constitution, to allow students and staff to engage in constitutionally protected prayer within the District schools.

Accordingly, no Board of Education policy shall prevent, or otherwise deny participation in, constitutionally protected prayer in District schools, consistent with the Guidance Document and applicable law as enumerated above.

The Board rescinds any other policy that may be inconsistent with the mandates of this policy, which shall supersede any and all Board policies to the contrary.

Section 9524 of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001
United States Constitution, First Amendment
Equal Access Act,
20 United States Code (U.S.C.) Sections 4071-4074
SUBJECT: LEAST RESTRICTIVE ENVIRONMENT

Least restrictive environment means that placement of students with disabilities in special classes, separate schools or other removal from the regular educational environment occurs only when the nature or severity of the disability is such that even with use of supplementary aids and services, education in regular classes cannot be satisfactorily achieved. The placement of an individual student with a disability in the least restrictive environment shall:

a) Provide the special education and related services, as well as supplementary aids and services, needed by the student;

b) Provide for education of the student to the maximum extent appropriate to the needs of the student with other students who do not have disabilities; and

c) Be as close as possible to the student's home.

The District has an obligation, pursuant to law, and regulation, to educate students with disabilities in the least restrictive environment. The School District shall ensure that:

a) Each student with a disability shall be educated with nondisabled students to the maximum extent appropriate;

b) Each student with a disability shall be removed from the regular educational environment only when the nature or severity of the student’s disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily; and

c) To the maximum extent appropriate to the student's needs, each student with a disability shall participate with nondisabled students in nonacademic and extracurricular services and activities.

The District shall ensure that a continuum of alternative placements, in accordance with law and/or regulation, will be available to meet the needs of students with disabilities for special education and related services. To enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate, specially designed instruction and supplementary services may be provided in the regular class. Such services may include, but are not limited to, consultant teacher services and other group or individual supplemental or direct special education instruction.

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

Board of Education Approval 5/1/00
SUBJECT:  PREREFERRAL INTERVENTION STRATEGIES

The District will implement school-wide approaches and prereferral interventions in order to remediate a student's performance within the general education setting prior to referral to the Committee on Special Education (CSE) for special education. The determination of prevention and prereferral intervention strategies or services will take into consideration the student's strengths, environment, social history, language, and cultural diversity, in addition to the teacher's concerns. The District may also provide a Response to Intervention (RtI) program to eligible students that is developed in accordance with Commissioner's regulations as part of its school-wide approach to improve a student's academic performance prior to a referral for special education.

The provision of programs and/or services for students starts with consideration and implementation of instruction in the general education curriculum, with appropriate supports, or modifications as may be necessary. In implementing prereferral intervention strategies, the District may utilize resources or strategies already in place for qualified students including, but not limited to, services available through Section 504 of the Rehabilitation Act of 1973 and Academic Intervention Services (AIS) as defined in Education Law and/or Commissioner's regulations. The District will ensure that there is a system in place, with qualified, appropriately certified personnel, for developing, implementing, and evaluating prereferral intervention strategies.

If a student is identified as needing additional instructional support, the District will establish formal Response to Intervention Teams (RTI) in accordance with law, regulations, and District guidelines, as may be applicable, to review information from the student's work, screenings, and assessments. The RTI Team will include representatives from general and special education as well as other disciplines and include individuals with classroom experience, who may then recommend which type of instructional support the student requires and the frequency with which he or she should receive these services or supports. The building administrator will further ensure that all staff are familiar with intervention procedures and procedures for operating an RTI Team. Parents or persons in parental relation to students will be involved in developing prereferral strategies to address the educational needs of the child. Additionally, the District will seek collaboration between outside agencies and the school prior to a referral of the student to the CSE in order to address necessary student support services.

District administration will also ensure that opportunities exist for collaboration between general educators and special educators, and that consultation and support are available to teachers and other school personnel to assist parents or persons in parental relation to students and teachers in exploring alternative approaches for meeting the individual needs of any student prior to formal referral for special education.

Prereferral/Intervention Instructional Support Plans will be designed so as to set forth proactive strategies to meet the broad range of individual student needs and to improve student performance. Prereferral/Intervention strategies and/or Instructional Support Plans will be reviewed and evaluated to determine their effectiveness and modified as appropriate. Appropriate documentation of the prevention and/or intervention strategies implemented will be maintained.

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SUBJECT:  PREREFERRAL INTERVENTION STRATEGIES (Cont'd.)

If a referral is made to the CSE during the course of implementing prereferral/intervention instructional support services, the CSE is obligated to fulfill its duties and functions, and must meet mandatory time lines in evaluating the student for special education services and implementation of an individualized education program (IEP), if applicable.

Academic Intervention Services

The Board will provide to students at risk of not achieving state standards with AIS. AIS means additional instruction which supplements the instruction provided in the general education curriculum and assists students in meeting those state learning standards as defined in Commissioner's regulations and/or student support services which may include guidance, counseling, attendance, and study skills which are needed to support improved academic performance. The District will identify students to receive AIS through a two-step identification process set forth in Commissioner's regulations.

The District will provide AIS to students who are limited English proficient (LEP) and are determined, through uniformly applied District-developed procedures, to be at risk of not achieving state learning standards in English language arts, mathematics, social studies and/or science, through English or the student's native language.

The District has developed a description of the AIS offered to grades K through 12 students in need of these services. The description includes any variations in services in schools within the District and specifically sets forth:

a) The District-wide procedure(s) used to determine the need for AIS;

b) Academic intervention instructional and/or student support services to be provided;

c) Whether instructional services and/or student support services are offered during the regular school day or during an extended school day or year; and

d) The criteria for ending services, including, if appropriate, performance levels that students must obtain on District-selected assessments.

The District will review and revise this description every two years based on student performance results.

Parental Notification

a) Commencement of Services: Parents or persons in parental relation to a student who has been determined to need AIS will be notified in writing by the building principal. This notice will be provided in English and translated into the parent's native language or mode of communication, as necessary. The notice will also include a summary of the AIS to be provided to the student, why the student requires these services, and the consequences of not achieving expected performance levels.

(Continued)
SUBJECT: PREREFERRAL INTERVENTION STRATEGIES (Cont'd.)

b) Ending of AIS: Parents or persons in parental relation will be notified in writing when AIS is no longer needed. This notice will be provided in English and translated to the parent's native language or mode of communication, as necessary.

Parents will be provided with ongoing opportunities to consult with the student's teachers and other professional staff providing AIS, receive reports on the student's progress, and information on ways to work with their child to improve achievement.

§ 504 of the Rehabilitation Act of 1973, 29 USC § 794 et seq.
Education Law §§ 3602, 4401, and 4401-a
8 NYCRR §§ 100.1(g), 100.1(p), 100.1(r), 100.1(s), 100.1(i), 100.2(v), 100.2(dd)(4), 100.2(ee), 200.2(b)(7), 200.4(a)(2), 200.4(a)(9); 200.4(c), and Part 154

NOTE: Refer also to Policy #7315 -- Response to Intervention (RtI) Process

Board of Education Approval 12/17/18
SUBJECT: STUDENTS WITH DISABILITIES PARTICIPATING IN SCHOOL DISTRICT PROGRAMS

All students with disabilities residing in the District, including those of preschool age, shall be provided with full access and opportunity to participate in School District programs, including extracurricular programs and activities, that are available to all other students enrolled in the public schools of the District. Parents/legal guardians of students with disabilities, including those students placed in out-of-District programs, shall receive timely notice of such District programs and activities.

8 New York Code of Rules and Regulations (NYCRR) Section 200.2(b)(1)

Revised: 01/22/96
SUBJECT: SECTION 504 OF THE REHABILITATION ACT OF 1973

The Board of Education affirms its compliance with those sections of the Rehabilitation Act of 1973 dealing with program accessibility.

Section 504 of the Rehabilitation Act prohibits discrimination against qualified individuals with disabilities in federally assisted programs or activities solely on the basis of disability. The District shall make its program and facilities accessible to all its students with disabilities.

The District shall also identify, evaluate and extend to every qualified student with a disability under Section 504 a free, appropriate public education, including modifications, accommodations, specialized instruction or related aids and services, as deemed necessary to meet their educational needs as adequately as the needs of non-disabled students are met.

The District official responsible for coordination of activities relating to compliance with Section 504 is the Superintendent of Schools. This official shall provide information, including complaint procedures, to any person who feels his or her rights under Section 504 have been violated by the District or its officials.

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

Revised: 01/22/96; 10/20/97
SUBJECT: SPECIAL EDUCATION: DISTRICT PLAN

A District plan shall be developed and updated every two (2) years describing the Special Education program in the Base School District. The District plan shall include the following:

a) A description of the nature and scope of special education programs and services currently available to students residing in the District, including but not limited to descriptions of the District's resource room programs and each special class program provided by the District in terms of group size and composition.

b) Identification of the number and age span of students (school age and preschool) to be served by type of disability and recommended setting.

c) The method to be used to evaluate the extent to which the objectives of the program have been achieved.

d) A description of the policies and practices of the Board of Education to ensure the allocation of appropriate space within the District for special education programs that meet the needs of students and preschool children with disabilities.

e) A description of the policies and practices of the Board of Education to ensure that appropriate space will be continually available to meet the needs of resident students and preschool students with disabilities who attend special education programs provided by Boards of Cooperative Educational Services.

f) A description of how the District intends to ensure that all instructional materials to be used in the schools of the District will be made available in a usable alternative format for each student with a disability at the same time as such instructional materials are available to non-disabled students.

g) The estimated budget to support such plan.

h) The date on which such plan was adopted by the Board of Education.

The District plan, with personally identifiable student information deleted, shall be filed and available for public inspection and review by the Commissioner.

8 New York Code of Rules and Regulations (NYCRR) Section 200.2(c)
SUBJECT: THE ROLE OF THE BOARD OF EDUCATION IN IMPLEMENTING A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM

Committee on Special Education

The Board of Education shall, upon completion of its review of the student's Individualized Education Program (IEP), arrange for the appropriate special education programs and services to be provided to a student with a disability as recommended by the Committee on Special Education (CSE). The Board shall notify the parent/guardian of its action in accordance with federal and state law and regulations.

For a student not previously identified as having a disability, the CSE shall provide a recommendation to the Board which shall arrange for the appropriate special education programs and services to be provided within 60 days of the date of receipt of consent to evaluate. For a student with a disability referred for review, a recommendation shall be provided to the Board which shall arrange for the appropriate special education programs and services to be provided within 60 days of the referral for review. However, if such recommendation of the CSE is for placement in an approved in-state or out-of-state private school, the Board shall arrange for such special education programs and services for students with disabilities within 30 days of the Board’s receipt of the recommendation of the CSE.

If on review of the recommendation of the CSE, the Board of Education disagrees with such recommendation, the Board shall follow one of the following procedures:

a) The Board may remand the recommendation to the CSE with a statement of the Board’s objections or concerns and a request that a timely meeting be held to review and consider such objections or concerns. The CSE shall consider the Board’s objections or concerns, revise the IEP where appropriate, and resubmit a recommendation to the Board. If the Board continues to disagree with the recommendation of the CSE, the Board may continue to remand the recommendation to the original committee for additional review of its objections or concerns, or establish a second CSE to develop a new recommendation in accordance with the following paragraph, provided that the Board arranges for the programs and services in accordance with the student's IEP within the timelines as outlined above; or, in the alternative,

b) The Board may establish a second CSE to develop a new recommendation for the student. If the Board disagrees with such new recommendation, the Board may remand the recommendation to the second CSE with a statement of the Board's objections or concerns and a request that a timely meeting be held to review and consider such objections or concerns. The second CSE shall consider the Board's objections or concerns, revise the IEP where appropriate, and resubmit a recommendation to the Board. If the Board continues to

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disagree with the recommendation of the second CSE, the Board may continue to remand the recommendation for additional reviews of its objections or concerns by the second CSE, provided that the Board arranges for the programs and services in accordance with the student's IEP, as developed by the second CSE, within the timelines as outlined above.

Pursuant to Commissioner's Regulations, the Board may not select the recommendation of the original CSE once it has established a second CSE.

The Board shall provide the student's parents/guardians a copy of the statement of its objections or concerns and notice of due process rights in accordance with Section 200.5 of the Regulations of the Commissioner.

Committee on Preschool Special Education

Upon receipt of the recommendation of the Committee on Preschool Special Education (CPSE), the Board of Education shall arrange for the preschool student with a disability to receive such appropriate programs and services in accordance with the student's IEP, commencing with the July, September or January starting date for the approved program, unless such services are recommended by the CPSE less than 30 days prior to, or after, the appropriate starting date selected for the preschool student with a disability; in that case, such services shall be provided no later than 30 days from the recommendation of the CPSE.

If the Board disagrees with the recommendation of the CPSE, the Board shall send the recommendation back to the CPSE with notice of the need to schedule a timely meeting to review the Board's concerns and to revise the IEP as deemed appropriate. The Board of Education shall provide such notice as required by federal and state law and regulations.
SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION

Development of Individualized Education Program

The Board of Education directs that the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) shall have prepared a written statement (program) for each child with a disability.

Such an Individualized Education Program (IEP) will be developed by the CSE or CPSE upon referral, and reviewed or revised, whichever is appropriate, for every child with a disability at least annually or in the event that the program no longer appears to be appropriate to meet the student's needs and ability level.

Provision of Individualized Education Program

The Board of Education directs that the Superintendent/designee(s) establish administrative practices and procedures to ensure that each regular education teacher, special education teacher, related service provider and/or other service provider who is responsible for the implementation of a student's IEP is provided a paper or electronic copy of such student's IEP prior to the implementation of such program. For purposes of this policy, "other service provider" means a representative of another public school district, charter school, Board of Cooperative Educational Services (BOCES) or school enumerated in Articles 81, 85 or 89 of the Education Law where the student receives or will receive IEP services. Further, the District will designate at least one school official who shall be responsible for maintaining a record of the personnel who have received IEP copies for each student.

Any copy of a student's IEP shall remain confidential in compliance with the Individuals with Disabilities Education Act, the Family Educational Rights and Privacy Act, and District policy regarding confidentiality of student records; and shall not be disclosed to any other person other than the parent of such student, except in accordance with federal and state laws and/or regulations. Appropriate training and information will be provided to designated school personnel, as applicable, to ensure the confidentiality of such information. Procedures will be established to ensure that copies of students' IEPs are stored in secure locations and retrieved or destroyed when such professionals are no longer responsible for implementing a student's IEP.

The Chairperson of the CSE, CSE subcommittee, or CPSE shall designate for each student one or, as appropriate, more than one professional employee of the School District with knowledge of the student's disability and education program who will be responsible to, prior to the implementation of the IEP, inform each regular education teacher, special education teacher, related service provider, other service provider, paraprofessional (i.e., a teaching assistant or a teacher aide as defined in Commissioner's Regulations), and other provider and support staff person of his/her responsibility to implement the recommendations on a student's IEP, including the responsibility to provide specific accommodations, program modifications, supports and/or services for the student in accordance with the IEP. In selecting the professional staff person(s), the Chairperson could select him/herself for this responsibility, another administrator, or a teacher, related service provider or other professional based on the particular circumstances of the student's disability and education program.
SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP): DEVELOPMENT AND PROVISION (Cont’d.)

The School District shall also ensure that each teaching assistant, teacher aide and each other provider responsible for assisting in the implementation of a student's IEP has the opportunity to review a copy of the student's IEP prior to the implementation of such program. Further, each teaching assistant, teacher aide and such other provider responsible for assisting in the implementation of a student's IEP shall have ongoing access to a copy of the IEP, which may be the copy provided to the student's special education teacher or the teacher or related service provider under whose direction the paraprofessional or other provider works. However, the District may, at its discretion, provide a copy of the IEP to teaching assistants and/or teacher aides.

A copy of a student's IEP shall be provided to the student's parents at no cost to the student's parents.

Individual Re-evaluations of Individualized Education Program

A committee on special education (CSE/CPSE) shall arrange for an appropriate re-evaluation of each student with a disability if conditions warrant a re-evaluation, or if the student's parent or teacher requests the re-evaluation; however, a re-evaluation must take place at least once every three years. The re-evaluation will be conducted by a multi-disciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of the student's disability. The re-evaluation shall be sufficient to determine the student's individual needs, educational progress and achievement, the student's ability to participate in instructional programs in regular education and the student's continuing eligibility for special education. The results of any re-evaluations must be addressed by the committee on special education in reviewing, and as appropriate, revising the student's IEP.

Use of Recording Equipment at IEP Meetings

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

Education Law Section 4402(7)
Education Law Articles 81, 85 and 89
8 New York Code of Rules and Regulations (NYCRR)
Sections 200.1(hh), 200.2(b)(11), 200.4(b)(4),
200.4(e)(3), 200.4(f), and 200.16(e)(6)
SUBJECT: PRESCHOOL SPECIAL EDUCATION PROGRAM

The Board recognizes the need for educational programs for three (3) and four (4) year old children with disabilities and directs that administrative practices and procedures be developed to:

a) Ensure the timely evaluation and placement of each preschool child with a disability residing in the District so the child has the opportunity to participate in preschool programs.

b) Establish a Committee on Preschool Special Education (CPSE), which shall be comprised in accordance with applicable federal and state law and regulation.

c) Ensure that parents have received and understand the request for consent for evaluation and re-evaluation of a preschool aged child.

Evaluations for Preschool Children with Disabilities

The District is required to collect entry assessment data in the three (3) outcome areas on all preschool children who receive an initial evaluation. As currently required by Commissioner's Regulation Section 200.5, a parent must be fully informed about the proposed initial evaluation and must provide consent for an initial evaluation. This would include a description of the proposed evaluation.

The CPSE will receive entry-level assessment results in the three (3) outcome areas from approved preschool evaluators conducting initial evaluations on all preschool children suspected of having disabilities. The CPSE will then meet to determine the child's eligibility for preschool education programs and/or services and complete the Child Outcomes Summary Form to determine the child's entry level of functioning in the three (3) outcome areas for all preschool children evaluated and found to be eligible. The form is be kept in the student's record until the exit assessment information is due as a way to summarize complex assessment information in a format so that the data can be aggregated and reported to the State Education Department (SED).

Individuals with Disabilities Act (IDEA), 20 United States Code (USC) Section 1400 et seq. 
Education Law Section 4410
8 New York Code of Rules and Regulations (NYCRR) Sections 200.2(b)(2),
200.2(b)(5) and 200.5

NOTE: Refer also to Policy #7731 -- Appointment and Training of Committee on Preschool Special Education (CPSE) Members

Revised and Board of Education Adoption: 2/25/08
SUBJECT: GROUPING BY SIMILARITY OF NEEDS

The Board of Education will provide appropriate special education and related services to students with disabilities. For those students for whom an appropriate education requires that they be placed together for purposes of special education, the following guidelines shall apply:

a) That each student with a disability shall be identified, evaluated and placed as determined by the Committee on Special Education (CSE).

b) The Committee shall determine written goals and corresponding short-term instructional objectives for each student with a disability by considering the special and individual needs of each student with a disability.

c) The Committee shall recommend to the Board of Education appropriate educational programs and services for each student with a disability based upon the CSE evaluation.

d) The CSE shall provide information to those teachers and professionals who arrange instructional groups for students with disabilities. Information shall include physical, psychological and social information as well as achievement test results.

e) The curriculum and instruction provided to students with disabilities who are grouped by similarity of needs shall be consistent with the individual needs of each student in the group.

f) Students with disabilities may be grouped according to (1) academic or educational achievement and learning characteristics; (2) social needs; (3) physical development; and (4) management needs.

g) When grouping students by similarity of needs, the social needs or physical development of a student shall not be the sole determinant for placement of a student in a special education program.

h) A student's range of needs should be limited to the extent that one student's needs do not infringe on another student's ability to learn.

8 New York Code of Rules and Regulations
(NYCRR) Sections 200.2(b)(3) and 200.6(a)(3)

Revised: 01/22/96
SUBJECT: QUALIFIED PERSONNEL

The Board of Education of Panama Central School, as a matter of policy, requires that all personnel responsible for carrying out the provisions of the Part 200 regulations shall be qualified, certified and appropriately trained for all positions.
SUBJECT: TEMPORARY PLACEMENT OF STUDENTS WITH DISABILITIES

The Board of Education authorizes the Chairperson for the Committee on Special Education to make an immediate, temporary placement of a student with a disability in an appropriate educational program, contingent upon obtaining written parental approval to do so, to prevent such student from being denied the benefit of the program while the Committee on Special Education is in the process of reviewing the referral documents and formulating their recommendation. Temporary placement may not exceed a thirty (30) day period from the date of the student's initial registration.

Upon completion of the review, a recommendation shall be submitted to the Board from the Committee on Special Education for each case whereby temporary placement will be made.

8 New York Code of Rules and Regulations (NYCRR) Section 200.4(d)(1)

Adopted: 01/11/93
Revised: 01/22/96
SUBJECT: PREREFERRAL INTERVENTION STRATEGIES

The District will implement school-wide approaches and prereferral interventions in order to remediate a student's performance within the general education setting prior to referral to the Committee on Special Education (CSE) for special education. The determination of prevention and prereferral intervention strategies or services will take into consideration the student's strengths, environment, social history, language, and cultural diversity, in addition to the teacher's concerns. The District may also provide a Response to Intervention (RtI) program to eligible students that is developed in accordance with Commissioner's regulations as part of its school-wide approach to improve a student's academic performance prior to a referral for special education.

The provision of programs and/or services for students starts with consideration and implementation of instruction in the general education curriculum, with appropriate supports, or modifications as may be necessary. In implementing prereferral intervention strategies, the District may utilize resources or strategies already in place for qualified students including, but not limited to, services available through Section 504 of the Rehabilitation Act of 1973 and Academic Intervention Services (AIS) as defined in Education Law and/or Commissioner's regulations. The District will ensure that there is a system in place, with qualified, appropriately certified personnel, for developing, implementing, and evaluating prereferral intervention strategies.

If a student is identified as needing additional instructional support, the District will establish formal Response to Intervention Teams (RTI) in accordance with law, regulations, and District guidelines, as may be applicable, to review information from the student's work, screenings, and assessments. The RTI Team will include representatives from general and special education as well as other disciplines and include individuals with classroom experience, who may then recommend which type of instructional support the student requires and the frequency with which he or she should receive these services or supports. The building administrator will further ensure that all staff are familiar with intervention procedures and procedures for operating an RTI Team. Parents or persons in parental relation to students will be involved in developing prereferral strategies to address the educational needs of the child. Additionally, the District will seek collaboration between outside agencies and the school prior to a referral of the student to the CSE in order to address necessary student support services.

District administration will also ensure that opportunities exist for collaboration between general educators and special educators, and that consultation and support are available to teachers and other school personnel to assist parents or persons in parental relation to students and teachers in exploring alternative approaches for meeting the individual needs of any student prior to formal referral for special education.

Prereferral/Intervention Instructional Support Plans will be designed so as to set forth proactive strategies to meet the broad range of individual student needs and to improve student performance. Prereferral/Intervention strategies and/or Instructional Support Plans will be reviewed and evaluated to determine their effectiveness and modified as appropriate. Appropriate documentation of the prevention and/or intervention strategies implemented will be maintained.

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SUBJECT: PREREFERRAL INTERVENTION STRATEGIES (Cont'd.)

If a referral is made to the CSE during the course of implementing prereferral/intervention instructional support services, the CSE is obligated to fulfill its duties and functions, and must meet mandatory time lines in evaluating the student for special education services and implementation of an individualized education program (IEP), if applicable.

Academic Intervention Services

The Board will provide to students at risk of not achieving state standards with AIS. AIS means additional instruction which supplements the instruction provided in the general education curriculum and assists students in meeting those state learning standards as defined in Commissioner's regulations and/or student support services which may include guidance, counseling, attendance, and study skills which are needed to support improved academic performance. The District will identify students to receive AIS through a two-step identification process set forth in Commissioner's regulations.

The District will provide AIS to students who are limited English proficient (LEP) and are determined, through uniformly applied District-developed procedures, to be at risk of not achieving state learning standards in English language arts, mathematics, social studies and/or science, through English or the student's native language.

The District has developed a description of the AIS offered to grades K through 12 students in need of these services. The description includes any variations in services in schools within the District and specifically sets forth:

a) The District-wide procedure(s) used to determine the need for AIS;
b) Academic intervention instructional and/or student support services to be provided;
c) Whether instructional services and/or student support services are offered during the regular school day or during an extended school day or year; and
d) The criteria for ending services, including, if appropriate, performance levels that students must obtain on District-selected assessments.

The District will review and revise this description every two years based on student performance results.

Parental Notification

a) Commencement of Services: Parents or persons in parental relation to a student who has been determined to need AIS will be notified in writing by the building principal. This notice will be provided in English and translated into the parent's native language or mode of communication, as necessary. The notice will also include a summary of the AIS to be provided to the student, why the student requires these services, and the consequences of not achieving expected performance levels.

(Continued)
SUBJECT: PREREFERRAL INTERVENTION STRATEGIES (Cont'd.)

b) Ending of AIS: Parents or persons in parental relation will be notified in writing when AIS is no longer needed. This notice will be provided in English and translated to the parent's native language or mode of communication, as necessary.

Parents will be provided with ongoing opportunities to consult with the student's teachers and other professional staff providing AIS, receive reports on the student's progress, and information on ways to work with their child to improve achievement.

§ 504 of the Rehabilitation Act of 1973, 29 USC § 794 et seq.
Education Law §§ 3602, 4401, and 4401-a
8 NYCRR §§ 100.1(g), 100.1(p), 100.1(r), 100.1(s), 100.1(t), 100.2(v), 100.2(dd)(4), 100.2(ee), 200.2(b)(7), 200.4(a)(2), 200.4(a)(9); 200.4(c), and Part 154

NOTE: Refer also to Policy #7315 -- Response to Intervention (RtI) Process
SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON SPECIAL EDUCATION (CSE)/SUBCOMMITTEE ON SPECIAL EDUCATION MEMBERS

Committee on Special Education (CSE) Membership

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

a) The parent(s) of the student;

b) At least one (1) regular education teacher of such student (if the student is, or may be, participating in the regular education environment);

c) At least one (1) special education teacher of the student, or, where appropriate, at least one (1) special education provider (i.e., related service provider) of such student;

d) A representative of the School District who is qualified to provide or administer or supervise special education and who is knowledgeable about the general curriculum and about the availability of resources of the District;

e) An individual who can interpret the instructional implications of evaluation results, who may be a CSE member selected from the regular education teacher, the special education teacher or provider, the school psychologist, or the School District representative described above, or a person having knowledge or special expertise regarding the student as determined by the District;

f) At the discretion of the parent or the District, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate. The determination of knowledge or special expertise shall be made by the party (parents or School District) who invited the individual to be a member of the committee;

g) Whenever appropriate, the student with a disability;

h) A school psychologist;

i) A school physician, if requested in writing at least seventy-two (72) hours prior to the meeting by the parents of the student or the School District; and

j) A parent of a student with a disability residing in the District or a neighboring school district, provided that the parent shall not be employed by or under contract with the School District; and provided further that such parent shall not be a required member if the parents of the student request, in writing, that the additional parent member not participate in the meeting.
SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON SPECIAL EDUCATION (CSE)/SUBCOMMITTEE ON SPECIAL EDUCATION MEMBERS (Cont’d.)

Subcommittee on Special Education Membership

The Membership of each subcommittee shall include, but not be limited to, the following members:

a) The parent(s) of the student;

b) At least one (1) regular education teacher of such student (if the student is, or may be, participating in the regular education environment);

c) At least one (1) special education teacher, of the student, or where appropriate, at least one (1) special education provider (i.e., related service provider) of such student;

d) A representative of the School District who is qualified to provide or administer or supervise special education and who is knowledgeable about the general curriculum and about the availability of resources of the District;

e) A school psychologist, whenever a new psychological evaluation is reviewed or a change to a program option with a more intensive staff/student ratio, as set forth in Section 200.6(t)(4) of the Regulations of the Commissioner, is considered;

f) At the discretion of the parent or the Committee, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate. The determination of knowledge or special expertise shall be made by the party (parents or School District) who invited the individual to be a member of the subcommittee;

g) An individual who can interpret the instructional implications of evaluation results, who may be a member described in letters "b" through "f" of this subheading; and

h) Whenever appropriate, the student with a disability.

Training

The training of qualified personnel is essential to the effective implementation of the Regulations of the Commissioner of Education regarding the education of all students with disabilities.
SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON SPECIAL EDUCATION (CSE)/SUBCOMMITTEE ON SPECIAL EDUCATION MEMBERS (Cont'd.)

The Director of Special Education shall be responsible to the Superintendent for establishing administrative practices and procedures for training all District personnel responsible for carrying out the provisions of Part 200 of the Commissioner's Regulations as well as members of the Committee on Special Education and members appointed by the Board of Education to the Committee on Preschool Special Education.

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

NOTE: Refer also to Policy #7731 -- Appointment and Training of Committee on Preschool Special Education Members

Board of Education Approval
SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE) MEMBERS

Committee on Preschool Special Education (CPSE) Membership

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

a) The parent(s) of the child;

b) At least one (1) regular education teacher of such child (if the child is, or may be, participating in the regular education environment);

c) At least one (1) special education teacher of the child or, where appropriate, at least one (1) special education provider (i.e., related service provider) of such child;

d) A representative of the School District who is qualified to provide, or supervise the provision of, special education and who is knowledgeable about the general curriculum and about the availability of preschool special education programs and services and other resources of the District (who shall serve as Chairperson of the CPSE);

e) An individual who can interpret the instructional implications of evaluation results, who may be a member of the team selected from the regular education teacher, the special education teacher or provider, the school psychologist, the School District representative described above, or a person having knowledge or special expertise regarding the student as determined by the District;

f) At the discretion of the parent or the District, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate. The determination of knowledge or special expertise shall be made by the party (parents or School District) who invited the individual to be a member of the committee;

ɡ) A parent of a child with a disability who resides in the School District or a neighboring school district, and whose child is enrolled in a preschool or elementary level education program provided that such parent shall not be employed by or under contract with the School District or municipality; and provided further that such parent shall not be a required member if the parents of the child request, in writing, that the additional parent member not participate in the meeting.

h) For a child's transition from early intervention programs and services (Infant and Toddler Programs), the appropriately licensed or certified professional from the County Early Intervention Program. This professional must attend all meetings of the CPSE conducted prior to the child's initial receipt of services; and

(Continued)
SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE) MEMBERS (Cont'd.)

i) An appropriately certified or licensed professional from the municipality.
   Attendance of the appointee of the municipality is not required for a quorum.

Training

The training of qualified personnel is essential to the effective implementation of the Regulations of the Commissioner of Education regarding the education of all students with disabilities.

The Director of Special Education shall be responsible to the Superintendent for establishing administrative practices and procedures for training all District personnel responsible for carrying out the provisions of Part 200 of the Commissioner's Regulations as well as members of the Committee on Special Education and members appointed by the Board of Education to the Committee on Preschool Special Education.

Education Law Section 4410
34 Code of Federal Regulations (C.F.R.) Part 300
8 New York Code of Rules and Regulations (NYCRR) Sections 200.2(b)(3) and 200.3

NOTE: Refer also to Policies #7713 -- Preschool Special Education Program
      #7730 -- Committee on Special Education/Subcommittee on Special Education Members

Board of Education Approval
SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM

The Board of Education directs that the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) shall have prepared a written statement (program) for each child with a disability.

Such an Individualized Educational Program will be developed by the CSE or CPSE upon referral, and reviewed or revised, whichever is appropriate, for every child with a disability at least annually or in the event that the program no longer appears to be appropriate to meet the student's needs and ability level.

The Use Of Recording Equipment at IEP Meetings

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

Upon request by the parent/legal guardian prior to the IEP meeting, a written transcript shall be furnished to provide a complete record of the meeting. A reasonable copying fee may be charged.

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

Revised: 01/22/96
SUBJECT: ALTERNATIVE TESTING PROCEDURES FOR STUDENTS WITH DISABILITIES

Students identified by the Committee on Special Education as having disabilities may be provided with alternative testing procedures based on their individual needs and the type of test administered. Alternative testing procedures shall be specified in a student's individual educational plan and made available to a student consistently throughout his/her regular and special education classes.

A report shall be filed at the prescribed time with the State Education Department indicating the use of alternative testing procedures.

8 New York Code of Rules and Regulations (NYCRR) Section 100.2(g)

Revised: 01/22/96
SUBJECT: TRANSITION SERVICES

The Board of Education will provide transition services for students with disabilities who are 15 and older (and at a younger age if determined appropriate). As defined by the Commissioner's Regulations, transition services means a coordinated set of activities for a student with a disability, designed within an outcome-oriented process, that promotes movement from a school to post-school activities. Post-school activities include, but are not limited to, post-secondary education, vocational training, integrated competitive employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities must be based on the individual student's needs, taking into account the student's preferences and interests and shall include needed activities in the following areas:

a) Instruction;

b) Community experiences;

c) The development of employment and other post-school adult living objectives; and

d) If appropriate, acquisition of daily living skills and functional vocational evaluation.

Regulations shall be developed by the administration to implement this policy.

Sections 1400-1485, Individuals With Disabilities Education Act (IDEA)
Education Law Section 4401

Adopted: 03/04/96
SUBJECT: TWELVE MONTH SPECIAL SERVICES AND/OR PROGRAMS

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

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

Revised: 01/22/96; 10/20/97
SUBJECT: IDENTIFICATION AND REGISTER OF CHILDREN WITH DISABILITIES

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

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

Register of Children With Disabilities

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

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

NOTE: Refer also to Policy #7270 -- School Census.

Revised: 01/22/96
SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES

The School District shall establish and implement a plan for the appropriate declassification of students with disabilities which must include:

a) The regular consideration for declassifying students when appropriate;

b) A reevaluation of the student prior to declassification; and

c) The provision of educational and support services to the student upon declassification.

Eligibility Determinations

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

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

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

Individual Evaluation

As part of any reevaluation, a group that includes the CSE and other qualified professionals, as appropriate, shall review existing evaluation data on the student including evaluations and information provided by the parents of the student, current classroom-based assessments and observations, and observations by teachers and related services providers.
SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES cond't.

On the basis of that review, and input from the student's parents, the CSE and other qualified professionals, as appropriate, shall identify what additional data, if any, are needed to determine:

a) In the case of a reevaluation of a student, whether the student continues to have such a disability;

b) The present levels of performance and educational needs of the student;

c) In the case of a reevaluation of a student, whether the student continues to need special education; and

d) Whether any additions or modifications to the special education services are needed to enable the student to meet the measurable annual goal set out in the Individualized Education Program (IEP) of the student and to participate, as appropriate, in the general curriculum.

If additional data are not needed, the District must notify the parents of that determination and the reasons for it and of the right of the parents to request an assessment to determine whether, for purposes of services provided in accordance with law and Commissioner's Regulations, the student continues to be a student with a disability. The District is not required to conduct the assessment unless requested to do so by the student's parents.

The CSE shall arrange for an appropriate reevaluation of each student with a disability at least every three (3) years by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of the student's disability. The reevaluation shall be sufficient to determine the student's individual needs, educational progress and achievement, the student's ability to participate in instructional programs in regular education and the student's continuing eligibility for special education. The results of any reevaluations must be addressed by the CSE in reviewing and, as appropriate, revising the student's IEP.

Recommendation for Declassification

If the student has been receiving special education services, but it is determined by CSE that the student no longer needs special education services and can be placed in a regular educational program on a full-time basis, the recommendation shall:

a) Identify the decategorization support services, if any, to be provided to the student; and/or the student's teachers; and

b) Indicate the projected date of initiation of such services, the frequency of provision of such services, and the duration of these services, provided that such services shall not continue for more than one year after the student enters the full-time regular education program.

continued
SUBJECT: DECLASSIFICATION OF STUDENTS WITH DISABILITIES cond't.

Declassification Support Services

When appropriate, the District shall provide declassification support services to students who have moved from special education to a full-time regular educational program in accordance with the recommendation of the CSE.

_Declassification support services_ means those services provided by persons appropriately certified pursuant to Part 80 of Commissioner's Regulations, or holding a valid teaching license in the appropriate area of service, to a student or the student's teacher to aid in the student's move from special education to full-time regular education, including:

a) For the student, psychological services, social work services, speech and language improvement services, noncareer counseling, and other appropriate support services; and

b) For the student's teacher, the assistance of a teacher aide or a teaching assistant, and consultation with appropriate personnel. Procedural Safeguards Notice

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

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

Board of Education Approval 10/16/00
SUBJECT: PARENT INVOLVEMENT

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

All due process procedures for parents/legal guardians and children in the Commissioner's Regulations shall be observed by the School District.

Surrogate Parents

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

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

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

Revised: 01/22/96
SUBJECT: DUE PROCESS RIGHTS FOR PARENTS OF CHILDREN WITH DISABILITIES

In accordance with the Individuals With Disabilities Education Act (IDEA) as well as Part 200 of the Regulations of the Commissioner of Education, a procedural safeguards notice must be provided to parents, as required by Section 1410(d)(1) of IDEA, upon:

a) Initial referral for evaluation for the provision of special education services;

b) Each notice of an individualized education program (IEP) meeting

c) Reevaluation of the child;

d) Registration of a request for a due process proceeding (mediation or an impartial hearing);

e) A decision to remove a child from his/her current educational placement for more than ten (10) cumulative or consecutive days in a given school year as the result of disciplinary action [20 United States Code (USC)1415(k)(4)(A)].

New York State Regulations also require the procedural safeguards notice to be provided to parents when:

a) The Committee on Special Education/Committee on Preschool Special Education notifies the parent of its recommendation and/or

b) The recommendation is reviewed by the Board of Education.

Individuals With Disabilities Education Act (IDEA)
United States Code (U.S.C.) Sections 1400-1485
Education Law Sections 4401-4407
8 New York Code of Rules and Regulations (NYCRR) Part 200
SUBJECT: IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING OFFICERS

The School District is committed to making every effort to amicably resolve differences involving the educational programs for students with disabilities. When outside assistance is needed to aid in resolving a disagreement about the identification, evaluation, educational placement or provision of a free appropriate education for a student with a disability, mediation is encouraged. For those exceptional circumstances where a more formal method is required, the impartial hearing process will be utilized. The impartial hearing officer (IHO) renders a written decision after the parties present and refute evidence before him/her. The decision of the IHO is final and binding on both parties unless appealed to the State Review Officer (SRO).

Impartial Hearing Process

The following is an overview of the Impartial Hearing process:

a) Either the parent or the School District may request an impartial hearing. If a parent makes the request it must be in writing to the Board of Education describing the nature of the dispute and a proposed resolution of the problem. The District will provide a form for this purpose. However, the District may not deny or delay a parent's right to an impartial hearing if the written request is not complete.

If the District is the party initiating an impartial hearing, the District will provide prior written notice to the parent including a statement of the action proposed and any explanation of why the District proposes to take such action.

b) Upon receipt of or initiation of a request for an impartial hearing, the District will inform the parent of the availability of mediation, of any free or low-cost legal and other relevant services available in the area, and provide them with a copy of the District's Procedural Safeguards Notice.

c) The District must immediately [but not later than two (2) business days after receipt of the written request] initiate the process to select an IHO. The District selects the IHO through a rotational selection process in accordance with regulatory timelines. The Superintendent's Secretary/District Clerk will be responsible for contacting IHOs and maintaining appropriate records.

d) The IHO must be certified by the Commissioner of Education, be independent and have access to the support and equipment necessary to perform the duties of an IHO. When the selected IHO indicates availability, the Board of Education must immediately appoint him/her. To expedite this process the Board may designate one or more of its members to appoint the IHO on behalf of the Board.

(Continued)
SUBJECT: IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING OFFICERS (CONT’D.)

   e) The impartial hearing will be conducted at a location that is reasonable and convenient to the parent and the student involved. The hearing shall be closed to the public unless the parent requests an open hearing.

   f) The IHO presides over the hearing at which the parties have an opportunity to present evidence and testimony.

   g) The student remains in his/her current placement during the pendency of the impartial hearing unless both parties agree and except as otherwise provided for expedited impartial hearings for certain disciplinary suspensions or removals of a student.

   h) The IHO renders and forwards the finding of fact and decision to the parties and to the State Education Department in accordance with regulatory timelines.

   i) The decision of the IHO is final and binding on both parties unless appealed to the State Review Officer (SRO).

Recordkeeping And Reporting

The District will maintain an alphabetical list of the names of each IHO who is certified in New York State and available to serve in the District. The District will record and report to the State Education Department required information relating to the selection of IHOs and the conduct of impartial hearings according to the manner and schedule specified by the department.

Compensation Of Impartial Hearing Officers

The District will be responsible for compensating the IHO for pre-hearing, hearing and post-hearing activities at the rate agreed upon at the time of the IHO’s appointment. The rate of compensation may not exceed the maximum rate approved by the Director of the Division of the Budget. The District will also reimburse the IHO for travel and other hearing-related expenses (e.g., duplication and telephone costs) pursuant to an annually determined schedule. On an annual basis, the District will forward a copy of its compensation rates to each IHO on the District’s rotational list.

Mediation

Mediation is voluntary and does not deny or delay a parent’s right to an impartial hearing. If mediation is initiated after a request for an impartial hearing has been received, the impartial hearing must continue unless the request for the impartial hearing is withdrawn. However, a party may request an extension to an impartial hearing in order to pursue mediation.
SUBJECT: IMPARTIAL HEARINGS/SELECTION OF IMPARTIAL HEARING OFFICERS (CONT'D.)

Guardians ad Litem at Impartial Hearings

Unless a surrogate parent has been previously appointed, the IHO must appoint a guardian ad litem when he/she determines that the interests of the parent(s) are opposed to or inconsistent with those of the student or whenever the interests of the student would be best protected by such appointment.

Confidentiality

All issues relating to a request for and conduct of an Impartial Hearing must be kept confidential by all District staff.

Administrative Procedures

Administrative procedures will be developed for the selection and appointment of an IHO consistent with regulatory requirements.

Education Law Sections 4404(1) and 4410(7)
SUBJECT: INDEPENDENT EDUCATIONAL EVALUATIONS

Parents of children with disabilities have the right under Federal and State regulations to obtain an independent educational evaluation (IEE) at public expense under certain conditions. Regulatory standards are outlined in New York State Regulations of the Commissioner of Education Part 200.5(g). Additionally, the Federal Regulations (34 Code of Federal Regulations [CFR] 300.502) specify requirements for an independent evaluation.

A parent is entitled to only one IEE at public expense each time the District conducts an evaluation with which the parent disagrees.

Administrative regulations on independent evaluations will be developed in order to explain the rights of parents and the responsibilities of school districts with regard to independent evaluations, and also to avoid any misunderstandings.

34 Code of Federal Regulations (CFR) Sections 300.12 and 300.502
8 New York Code of Rules and Regulations (NYCRR) Sections 200.1(z) and 200.5(g)

Board of Education Approval: 10/5/2009
SUBJECT: SPECIAL EDUCATION MEDIATION

The District will offer mediation as an alternative to the impartial hearing process in disputes regarding the provision of a free, appropriate public education for students identified by the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) as having a disability, or students suspected of having a disability. Such mediation shall be conducted by mediators furnished by a Community Dispute Resolution Center under Article 21-A of the Judiciary Law.

Parents or persons in parental relationship to students suspected of or having disabilities will receive written notice of the availability of the mediation program each time they receive notice of their entitlement to the impartial hearing procedures in accordance with Federal and State law and regulations.

Mediation will not operate to diminish or limit any rights provided for in law, including the right of the parent or person in parental relationship to request an impartial hearing subsequent to mediation. Parents or persons in parental relationship to students suspected of or having disabilities continue to have full access to all rights, including due process procedures, provided for in 34 Code of Federal Regulations Sections 300.500-300.515 and in 8 New York Code of Rules and Regulations Section 200.5(c). Similarly, mediation shall not be construed to limit a parent or person in parental relationship from requesting an impartial hearing without having first utilized mediation procedures set forth in Education Law.

Education Law Section 4404-a
SUBJECT: EQUAL EDUCATIONAL OPPORTUNITIES

The Panama Central School District provides equal opportunity for students and does not discriminate against any student enrolled in (or any candidate for admission to) its programs and activities on the basis of actual or perceived race, color, national origin, sex, disability, or age. Further, the District does not discriminate on the basis of weight, ethnic group, religion, religious practice, sexual orientation, gender, or any other basis prohibited by state or federal non-discrimination laws, and provides equal access to its facilities to the Boy Scouts and other designated youth groups.

Educational Services for Married/Pregnant Students

Public schools may not discriminate against students based on their parental and/or marital status. The opportunity to participate in all of the services, programs, and activities of the school district shall not be restricted or denied because of pregnancy, parenthood, or marriage.

Pregnant students shall be encouraged to remain and participate in District programs. The forms of instruction provided to such students may include any or all of the following:

a) Remain in school with provisions for special instruction, scheduling, and counseling as needed;

b) Receive home instruction;

c) Attend BOCES programs.

In this regard, the Superintendent or his/her designee, in consultation with student services staff, the school physician and the student's personal physician, may make program modifications which are feasible and necessary to accommodate the special needs of such students.

Investigation of Complaints and Grievances

The School District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of discrimination and will promptly take appropriate action to protect individuals from further discrimination. All such complaints will be handled in a manner consistent with the District's policies, procedures, and/or regulations regarding the investigation of discrimination and harassment complaints, including Policy #3221 -- Non-Discrimination and Anti-Harassment in the School District; Policy #7631 -- Sexual Harassment of Students; and Administrative Regulation #3221R -- Non-Discrimination and Anti-Harassment in the School District.

Additional information regarding the District's discrimination and harassment complaint and grievance procedures, including but not limited to the designation of the Civil Rights Compliance Officer, knowingly making false accusations, and possible corrective actions, can be found in Policy #3221 -- Non-Discrimination and Anti-Harassment in the School District and Administrative Regulation #3221R -- Non-Discrimination and Anti-Harassment in the School District.

(Continued)
SUBJECT: EQUAL EDUCATIONAL OPPORTUNITIES (Cont'd.)

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Complaints of retaliation may be directed to the Civil Rights Compliance Officer. In the event the Civil Rights Compliance Officer is the alleged offender, the report will be directed to another Civil Rights Compliance Officer, if the District has designated another individual to serve in such a capacity, or to the Superintendent.

Where appropriate, follow-up inquiries will be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination have not suffered retaliation.

Americans With Disabilities Act, 42 USC Section 12101 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
Title VI of the Civil Rights Act of 1964, 42 USC Section 2000d et seq.
Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.
20 USC Section 1701, et seq.
45 CFR Section 84.40
SUBJECT: CURRICULUM DEVELOPMENT

The Board of Education supports and encourages development of a District wide, articulated curriculum that conforms to state mandates and is responsive to the needs of children in a rapidly changing society. The principals of the elementary and secondary schools shall be responsible to the Superintendent for developing District-wide efforts toward the short and long-range improvement of curriculum and instruction.

Education Law Sections 1709, 3204
SUBJECT: CURRICULUM RESOURCES

There are many resources for curriculum development which exist in our School District, and the instructional staff, under the guidance of the administration, is expected to delve into those resources for possible improvement of the instructional program. Each teacher has the privilege of being an initiator of improvement, as well as a reactor to changing conditions, and the principals shall be involved in curriculum development.

From the staff, the Superintendent may appoint curriculum study committees, and their findings, as well as the collective judgments of the staff about the pertinence of various possible changes, shall be submitted by the Superintendent to the Board of Education for consideration in the forming of curriculum policy.
SUBJECT: CURRICULUM EVALUATION

The Board of Education shall direct a continuing evaluation of the curriculum as part of a program of instructional improvement.

All aspects of the curriculum shall be subjected to a searching and critical analysis in an attempt to improve the learning and growth of students.

The administrative staff shall evaluate the curriculum in a systematic manner, involving school personnel and others as appropriate.

The administrative staff shall make periodic recommendations for action by the Board. The Board of Education from time to time may invite teachers or others to discuss the curriculum.

Education Law Section 1709
SUBJECT: COURSES OF STUDY

It is the responsibility of the Board of Education through the Superintendent of Schools to organize and include in the curriculum, grades kindergarten (K) through twelve (12), those courses of study mandated by the New York State Education Law.

Education Law Sections 1707, 3204
SUBJECT: EFFECTIVE SCHOOL POLICY

The Panama Central School District Board of Education in concurrence with the District's mission and in recognition of the Effective Schools literature supports the administration and faculty in the implementation of the School Improvement Process.
SUBJECT: REQUEST FOR PART 100 VARIANCE OR PART 200 INNOVATIVE PROGRAM WAIVER FROM COMMISSIONER'S REGULATIONS

Consistent with the purposes of A New Compact for Learning, the Board of Education encourages collaboration by teachers, administrators, parents and students of the District in developing innovative educational programs and practices that will lead to greater achievement for all students.

Requests for a variance or waiver from the requirements in Part 100 and Sections 200.1/200.6, respectively, of the Commissioner's Regulations must be approved by the local Board of Education and signed by the Superintendent of Schools. An application may also be submitted by several districts, or a combination of districts, BOCES and/or private schools, applying as a consortium. Consortium applications must be approved by each participating local Board of Education and Superintendent of Schools.

Subsequent to Board of Education approval, all applications must be forwarded to the District Superintendent of Schools of which the local district is a part for review, consultation, and recommendation prior to submission to the State Education Department. The District Superintendent may provide technical assistance to the applicant and make recommendations to the State Education Department. Interested applicants may also request technical assistance through their Regional Education Coordinator.

8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(n) and 200.6(k)

Revised: 01/22/96
SUBJECT: SAFETY CONDITIONS AND PROGRAMS

The practice of safety will be considered an integral part of the instructional program through fire prevention, emergency procedures and drills, driver education, and traffic and pedestrian safety.

Each principal will be responsible for the supervision of a safety program for his/her school.

The safety program may include, but not be limited to, in-service training, plant inspection, fire prevention, accident recordkeeping, driver and vehicle safety programs, emergency procedures and drills, and traffic safety programs relevant to students, employees and the community.

It shall be the duty of the Board of Education to provide inspections and supervision of the health and safety aspects of the school facilities.

Eye safety devices are to be provided by the School District for the protection of employees, students and visitors, and worn in the technology education classes and labs when activities present a potential eye hazard. The Superintendent or his/her designee will insure that these devices are properly repaired, cleaned and stored to prevent the spread of germs or diseases after individuals use them.

Education Law Sections 409, 409-a, 807-a, and 906
8 New York Code of Rules and Regulations
(NYCRR) Part 136

Revised: 01/22/96
SUBJECT: PREVENTION INSTRUCTION

AIDS Instruction In Health Education

The Board of Education shall provide a health education program that will include appropriate instruction for all students concerning Acquired Immune Deficiency Syndrome (AIDS). Accurate information concerning the nature of the disease, methods of transmission, and means of prevention shall be provided in an age-appropriate manner and shall be consistent with community values and will stress that abstinence is the most appropriate and effective premarital protection against AIDS.

A representative community advisory group consisting of appropriate school personnel, School Board members, parents, religious representatives, and other community members shall be established in order to make recommendations for curriculum content, implementation, and evaluation of an AIDS instructional program. Appropriate training will be provided for instructional staff.

Parents/legal guardians shall have the right to exclude their children from those portions of a school's health education program that address AIDS prevention instruction. A statement must be completed and filed with the District declaring that the parent/legal guardian will be responsible for seeing that the student receives prevention instruction outside of the classroom.

AIDS instruction in the elementary school grades, K-6, shall be taught by the regular classroom teacher, while such instruction in grades 7-12 shall be a part of the required health education course.

Substance Abuse-Prevention Instruction

The Board of Education recognizes the need to educate students on the hazards of alcohol, tobacco and/or drug abuse. A prevention program will be developed to inform students of:

a) Causes for substance abuse;

b) Physical and psychological damage associated with substance abuse;

c) Avoidance of alcohol, tobacco and drugs.

d) Dangers of driving while under the influence of alcohol or drugs.

Environmental Conservation Instruction

The Board of Education supports and encourages the development of a District-wide, articulated curriculum of environmental conservation integrated into other program disciplines.

(Continued)
SUBJECT: PREVENTION INSTRUCTION (Cont'd.)

Fire and Arson Prevention Instruction

The Board of Education directs the administration to provide instruction in fire and arson prevention for all students in each school for a period of not less than forty-five (45) minutes each month that school is in session.

Student Safety

Instruction in courses in technology education, science, home and career skills, art and physical education, health, and safety shall include and emphasize safety and accident prevention.

Safety instruction shall precede the use of materials and equipment by students in applicable units of work in the courses listed above, and instructors shall teach and enforce all safety procedures relating to the particular courses. These shall include the wearing of protective eye devices in appropriate activities.

Emergency Planning

The School District shall maintain updated plans and operating procedures to be followed in the event of natural or manmade disasters or enemy attack. Students shall be provided instruction to respond effectively in emergency situations.

Instruction on Prevention of Child Abduction

All students in grades K through 8 in District schools shall receive instruction designed to prevent the abduction of children. Such instruction shall be provided by or under the direct supervision of regular classroom teachers and the Board of Education shall provide appropriate training and curriculum materials for the regular classroom teachers who provide such instruction. However, at the Board's discretion, such instruction may be provided by any other public or private agency.

The Commissioner of Education will provide technical assistance to assist in the development of curricula for such courses of study which must be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness skills, information, self-confidence, and support to aid in the prevention of child abduction.

For purposes of developing such courses of study, the Board of Education may establish local advisory councils or utilize the school-based shared decision making and planning committee established pursuant to the Regulations of the Commissioner to make recommendations concerning the content and implementation of such courses. Alternatively, the District may utilize courses of

(Continued)
SUBJECT: PREVENTION INSTRUCTION (Cont'd.)

instruction developed by consortia of school districts, boards of cooperative educational services, other school districts, or any other public or private agency. Such advisory council shall consist of, but not be limited to, parents, school trustees and Board members, appropriate school personnel, business and community representatives, and law enforcement personnel having experience in the prevention of child abduction.

AIDS Instruction: 8 New York Code of Rules and Regulations (NYCRR) Section 135.3(b)(c)
Substance Abuse: Education Law Section 804
8 New York Code of Rules and Regulations (NYCRR) Section 135.3(a)
Student Safety: Education Law Section 808
8 New York Code of Rules and Regulations (NYCRR) Sections 107 and 155
Fire and Arson: Education Law Section 808
Civil Preparedness: New York State Office of Disaster Preparedness
Prevention of Child Abduction:
Education Law Section 803-a

Revised: 01/22/96
SUBJECT: FIRE DRILLS, BOMB THREATS AND BUS EMERGENCY DRILLS

Fire Drills

The administration of each school building shall instruct and train students, through fire drills, in procedures for leaving the building in the shortest possible time and without confusion or panic.

Fire drills shall be held at least twelve (12) times in each school year; eight (8) of these shall be held between September 1 and December 1. At least one (1) of the twelve (12) drills shall be held during each of the regular lunch periods, or shall include special instruction on the procedures to be followed if a fire occurs during a student's lunch period.

At least two (2) additional drills shall be held during summer school in buildings where summer school is conducted and one of these drills shall be held during the first week of summer school.

After-School Programs

The building principal or his/her designee shall require those in charge of after-school programs, attended by any individuals unfamiliar with the school building, to announce at the beginning of such programs the procedures to be followed in the event of an emergency.

Bomb Threats

The building principals will follow established procedures to insure the safety of students and maximize the chance of apprehending the caller.

Bus Emergency Drills

The Board of Education directs the administration to conduct a minimum of three (3) emergency drills to be held on each school bus during the school year. The first drill is to be conducted during the first week of the fall term, the second between November 1st and December 31st, and the third between March 1st and April 30th.

Each drill shall include instruction in all topics mandated by the Education Law and the Commissioner's Regulations and shall include, but will not be limited to, the following:

a) Safe boarding and exiting procedures;

(Continued)
SUBJECT: FIRE DRILLS, BOMB THREATS AND BUS EMERGENCY DRILLS (Contd..)

b) The location, use and operation of the emergency door, fire extinguishers, ax, first-aid equipment and windows as a means of escape in case of fire or accident;

c) Orderly conduct as bus passengers.

8 New York Code of Rules and Regulations (NYCRR) Section 156.3(h)(2)
Education Law Sections 807 and 3623
SUBJECT:  CIVILITY, CITIZENSHIP AND CHARACTER EDUCATION/ INTERPERSONAL VIOLENCE PREVENTION EDUCATION

Civility, Citizenship and Character Education

The Board of Education recognizes that teaching students respect, civility and understanding toward others, as well as the practice and reinforcement of appropriate behavior and values of our society, is an important function of the School System.

The School District wishes to foster an environment where students exhibit behavior that promotes positive educational practices, allows students to grow socially and academically, and encourages healthy dialogue in respectful ways. By presenting teachers and staff as positive role models, the District stresses positive communication and discourages disrespectful treatment. This policy is not intended to deprive and/or restrict any student of his/her right to freedom of expression but, rather, seeks to maintain, to the extent possible and reasonable, a safe, harassment free and educationally conducive environment for our students and staff.

Furthermore, the District shall ensure that the course of instruction in grades K through 12 includes a component on civility, citizenship and character education in accordance with Education Law, with an emphasis on discouraging acts of harassment, bullying and/or discrimination. Character education is the deliberate effort to help students understand, care about, and act upon core ethical values.

Character education shall instruct students on the principles of:

a) Honesty;
b) Tolerance;
c) Personal responsibility;
d) Respect for others;
e) Awareness and sensitivity to discrimination and/or harassment as defined in the Dignity for All Students Act;
f) Civility in relation to people of different races, weights, national origins, ethnic groups, religions, religious practices, physical or mental abilities, sexual orientations, genders or sexes;
g) Observance of laws and rules;
h) Courtesy;
i) Dignity, and other traits which will enhance the quality of students' experiences in, and contributions to, the community; and
j) Safe and responsible use of the Internet and electronic communications.

As determined by the Board of Regents, and as further enumerated in Commissioner's Regulations, the components of character education shall be incorporated in existing School District curricula as applicable.

The District encourages the involvement of staff, students, parents and community members in the implementation and reinforcement of character education in the schools.

Education Law Sections 801 and 801-a

Continued
SUBJECT: CIVILITY, CITIZENSHIP AND CHARACTER EDUCATION/INTERPERSONAL VIOLENCE PREVENTION EDUCATION (Cont’d.)

Interpersonal Violence Prevention Education

The District will utilize the interpersonal violence prevention education package provided by the State Education Department. These materials will be incorporated as part of the health or other related curricula or programs for students in grades K through 12.

Education Law Section 801-a, 804(4)
8 NYCRR 100.2(c)(2)

Board of Education Approval and Update: 8/6/12, 8/5/13
SUBJECT: OCCUPATIONAL EDUCATION

The Board of Education reaffirms its recognition of the need for occupational education and, therefore, the Board reaffirms its policy of strengthening the local high school occupational program through utilization of any available federal and state funds for that purpose and of supporting the BOCES program.

It is not the intention of the Board of Education to pay for courses at BOCES that can be taken at Panama Central School, unless a scheduling conflict exists. Therefore, this School District will not pay for added tuition to take occupational-related courses such as Introduction to Occupations, Occupational Related Math or Occupational Related Science because of the student's failure of that course at Panama Central School.

Any exceptions to these requirements has to be approved by the Board of Education.

Equal Opportunity

The Board of Education prohibits discrimination on the basis of sex, race, color, national origin or disability in any occupational program or activity of this District.

The occupational program and/or activities shall be readily accessible to students with disabilities.

Public Notification

Prior to the beginning of each school year or academic semester, the District shall issue an appropriate public announcement which advises students, parents, employees and the general public that occupational education opportunities will be offered without regard to sex, race, color, national origin or disability. Included in such announcement will be the name, address, and telephone number of the person designated to coordinate Title IX/Section 504/ADA activities.

Grievance Procedure

Grievance procedures for resolving complaints regarding discrimination based on sex and/or disability shall be disseminated to adequately inform students, parents and employees of the existence of these procedures.

(Continued)
SUBJECT: OCCUPATIONAL EDUCATION (Cont'd.)

BOCES Advisory Council

In accordance with Education Law, the Advisory Council of the BOCES is designated as the local Advisory Council for occupational education in the School District.

Education Law Article 93
8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(h) and 141 et seq.

Revised: 01/22/96
SUBJECT: GUIDANCE PROGRAM

A District plan for the K-12 guidance program shall be filed in the District office and made available for public review. This plan shall be subject to annual review and revised as necessary in the following areas:

a) Identification of guidance program objectives;
b) Activities to accomplish the objectives;
c) Identification of staff members and other resources to accomplish the objectives;
d) Provisions for the annual assessment of program results.

Guidance Program (K-6)

A coordinated guidance program in grades K-6 shall be developed and implemented to:

a) Prepare students to participate effectively in their current and future educational programs;
b) Help those students exhibiting any attendance, academic, behavioral or adjustment problems;
c) Educate students concerning avoidance of child sexual abuse; and

d) Encourage parental involvement.

Guidance Program (7-12)

A coordinated guidance program in Grades 7-12 shall be developed and implemented including the following activities and services:

a) Each student's educational progress and career plans will be reviewed annually;
b) Instruction at each grade level to help students learn about various careers and career planning skills;
c) Other advisory and counseling assistance which will benefit students such as: helping students develop and implement postsecondary education and career plans; helping those students exhibiting any behavioral or adjustment problems; and encouraging parental involvement;

(Continued)
SUBJECT: GUIDANCE PROGRAM (Cont'd.)

d) Employment of personnel certified or licensed as school counselors.

8 New York Code of Rules and Regulations (NYCRR) Section 100.2
SUBJECT: DRIVER EDUCATION

A driver education course may be offered under the conditions set forth by the New York State Education Department.
SUBJECT: GIFTED AND TALENTED STUDENTS

The Board of Education will provide appropriate educational programs for students identified as being gifted and talented.

Education Law Section 3602(c)
SUBJECT: PHYSICAL EDUCATION CLASS

All students, except those with medical excuses, shall participate in physical education in accordance with the Commissioner's Regulations. Any student whose condition precludes participation in a regular program shall be provided with adaptive physical education approved by the Commissioner of Education.

Education Law Sections 803 and 3402
8 New York Code of Rules and Regulations
(NYCRR) Section 135.4

Revised: 01/22/96
SUBJECT: ANIMALS IN THE SCHOOL

The Board of Education, in recognizing the educational uses of animals in the classroom, requires that permission be obtained from the building principal before animals are brought to the school or classrooms. It is the principal's responsibility to ensure that there is appropriate educational purpose if any animal is housed in a classroom. Animals are not to be transported on school buses.

Animals brought to school must be properly housed, handled, and cared for in glass or screened cages. Only the teacher or those students designated by the teacher are to handle the animals.

It shall be the responsibility of the principal or his/her designee to develop a plan of care for those animals housed in school in the event of an emergency school closing or in the event that the animals remain in the classroom on days when school is not in session.

All experiments using live animals must have prior approval of the principal and be conducted in accordance with educationally approved guidelines.

Participation In Experiments Involving Animals

The Board of Education recognizes that a student may have a moral, religious and/or philosophical objection to the dissection of animals. A written request from the parent/legal guardian of the student wishing an exemption from dissection activities will be submitted to the teacher, indicating the reasons for the exemption. A committee comprising of the principal, guidance counselor and classroom teacher will review the request and may seek an interview with the student and/or parent/legal guardian in order to secure additional information to better act on the request. Students will not be discriminated against because of their decision to refrain from dissection activities.

If the student's request for exemption is granted, an appropriate alternative educational activity, which is closely related to and of equal rigor as the exempted activity, will be assigned in lieu of the classroom dissection; and the student will be responsible for and evaluated on the material covered in the alternate activity. The alternate activity will carry the same credit as the laboratory dissection.

Education Law Section 809

Adopted: 03/15/93
SUBJECT: PATRIOTISM, CITIZENSHIP AND HUMAN RIGHTS EDUCATION

In order to promote a spirit of patriotic and civil service and obligation, as well as to foster in students of the District moral and intellectual qualities which are essential in preparing them to meet the obligations of citizenship, the Board requires students attending District schools, over the age of eight years, to attend instructional courses in patriotism, citizenship, and human rights issues, with particular attention to the study of the inhumanity of genocide, slavery, the Holocaust, and the mass starvation in Ireland from 1845 to 1850 (the "Irish Potato Famine").

The Board also directs that all students attending District schools in grades eight through twelve receive instruction in the history, meaning, significance and effect of the United States Constitution, the New York Constitution, and the Declaration of Independence.

The curricula for such courses must include the subjects specified by the Board of Regents and be for the period of instruction, as mandated by the Regents, which is necessary in these subjects in each of the appropriate grades.

One week during each school year a uniform course of exercises shall be provided to teach students, in an age appropriate manner, the purpose, meaning and importance of the Bill of Rights Articles in the United States and New York State Constitutions. These exercises shall be in addition to the above required courses.

The Board directs that the above named subjects, as mandated by law, be addressed in the instructional curricula provided by the District.

Education Law Section 801

Adopted: 03/04/96
Revised: 03/03/97
SUBJECT: INSTRUCTION RELATING TO GENERAL ELECTIONS/USE OF SAMPLE BALLOTS

At least one week before each general election, the District shall post in convenient places, in each school providing 9th through 12th grade instruction, sample and/or facsimile ballots provided by the Board of Elections.

In those school buildings which provide instruction at grade levels other than ninth through twelfth grade, such sample and/or facsimile ballots may be posted in convenient places within the school building at the discretion of the building administrator.

Additionally, all teachers in the District shall utilize such a sample and/or facsimile ballot when providing instruction in the electoral process relating to an on-going general election, for which a sample or facsimile ballot has been created, or when holding mock elections.

Education Law Section 802-a
Election Law Section 7-118

Adopted: 12/02/96
SUBJECT: EVALUATION OF THE INSTRUCTIONAL PROGRAM

Evaluation may be concerned with the extent to which:

a) Each student achieves in accordance with his/her ability;

b) Each staff member performs at full potential;

c) The total learning environment, including institutional processes, physical facilities, and the educational program, remains consistent with the needs of students and the larger society and contributes to the accomplishment of the goals of the school.

The Board of Education expects staff members to maintain a continual program of evaluation at every level to determine the extent of progress toward the schools' objectives. The Board of Education will periodically request the Superintendent to present factual information which it considers necessary to evaluate the effectiveness of the school system.

8 New York Code of Rules and Regulations (NYCRR) Section 100.2(m)
SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT

The District will collaborate with parents and other family members to help students participating in Title I programs reach their full academic potential and to improve the District's overall academic quality. As part of its collaboration, the District will conduct outreach; plan and implement programs, activities, and procedures for parent and family member engagement; and consult meaningfully with parents and family members.

District-Wide Parent and Family Engagement

To facilitate parent and family participation, the District will:

a) Involve parents and family members in jointly developing this policy, its Title I Plan, and its support and improvement plans. If the parents or family members indicate that the Title I plan is not satisfactory, the District will submit their comments to the State Education Department along with the plan;

b) Improve student academic achievement and school performance through coordination, providing technical assistance, and giving support necessary to assist and build the capacity of all participating schools in planning and implementing effective parent and family engagement activities, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in;

c) Coordinate and integrate parent and family engagement strategies with other relevant federal, state, and local programs including but not limited to, reading night, Homework Club, and the CDEP Committee;

d) Conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of its Title I schools. The evaluation will include identifying: Barriers to greater participation by parents and family members in Title I activities, with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background; the needs of parents and family members to assist with their child's learning, including engaging with school personnel and teachers; and strategies to support successful school and family interactions. (Annual Title I Planning Meeting);

e) Use the evaluation's findings to design evidence-based strategies for more effective parent and family member engagement, and to revise the policy, if needed;

f) Involve parents in Title I activities, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members served by the District to adequately represent the students' needs, to develop, revise, and review the parent and family engagement policy; attend reading nights; PARP;

(Continued)
SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT (Cont'd.)

g) Involve parents and family members in decisions regarding how it spends funds reserved for parent and family engagement activities. Attend Title I Planning Meeting, reading incentives, PARP.

School-Level Parent and Family Member Engagement

The Board directs each school receiving Title I funds to develop a building-level parent and family member engagement plan with that school's parents and family members. In addition to the content included above, each school building-level plan will:

a) Describe how to convene an annual meeting, at a convenient time, to inform parents and family members of their school's participation in Title I programs, to explain Title I requirements, and to identify the right of the parents and family members to be involved. All parents and family members of these children will be invited and encouraged to attend the meeting;

b) Offer flexibility in scheduling meetings, and may provide transportation, child care, or home visits related to parent and family member engagement, using Title I funds;

c) Involve parents and family members in an organized, ongoing, and timely way in planning, reviewing, and improving Title I programs, including this policy;

d) Provide parents and family members with timely information about programs, a description and explanation of the curriculum in use, the forms of academic assessment used to measure student progress, the achievement levels of the challenging state academic standards, and, if requested by parents or family members, opportunities for regular meetings to formulate suggestions and to participate in decisions relating to their child's education. The District will respond to any suggestions as soon as practicably possible; and

e) Develop a compact jointly with parents and family members that outlines how they, school staff, and students will share responsibility for improved student academic achievement. The compact will also detail the means by which the school and parents and family members will build and develop a partnership to help all children achieve the state's standards.

f) Have a compact that:

1. Describes the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment to enable these students to meet the challenging state academic standards;

2. Describes the ways in which each parent or family member will be responsible for supporting the child's learning, volunteering in the child's classroom, and participating, as appropriate, in decisions relating to the child's education and positive use of extracurricular time; and

(Continued)
SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT (Cont'd.)

3. Addresses the importance of communication between teachers and parents or family members on an ongoing basis through, at a minimum:

   (a) Parent or family member-teacher conferences in elementary schools, at least annually, during which the compact will be discussed as it relates to the individual child's achievement;

   (b) Frequent reports to parents or family members on the child's progress;

   (c) Reasonable access to staff, opportunities to volunteer and participate in the child's class, and observing their classroom activities. Communication through Elementary and district newsletters, website, email, parent portal, Open Houses, and parent-teacher conferences.

   (d) Ensuring regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.

If the parents or family members believe that the building-level parent and family engagement plan is not satisfactory, the school will submit their comments when it makes the plan available to the District.

To ensure effective involvement of parents or family members and to support a partnership among the school involved, parents or family members, and the community, to improve student academic achievement, the District and each school will:

   a) Provide assistance to parents or family members of children served by the District or school to understand topics such as the challenging state academic standards, state and local academic assessments, the requirements of this part, and how to monitor a child's progress and work with educators to improve the achievement of the children; Venues for this assistance might include: RTI Parent Meetings, and child study teams;

   b) Provide materials and training to help parents or family members to work with the children to improve their achievement, such as literacy training and using technology (including education about the harms of copyright piracy) to foster parent and family member engagement; including: Math Night; Ipad training; book fairs; PARP; game nights and movie nights.

   c) Educate teachers, specialized instructional support personnel, principals, and other school leaders, with the assistance of parents or family members, in the value and utility of parent or family member contribution, and in how to reach out to, communicate with, and work with parents or family members as equal partners; implement and coordinate parent or family member programs; and build ties between parents or family members and the school; This includes: professional development topics at staff inservice day, faculty meeting discussions;
SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT (Cont'd.)

d) Coordinate and integrate, to the extent feasible and appropriate, parent and family member engagement programs and activities with federal, state, and local programs, including public preschool programs that encourage and support parents and family members in more fully participating in the education of the children; Universal Prekindergarten Program that serves all eligible students in our district; and reading programs;

e) Ensure that information related to school and parent and family member programs, meetings, and other activities is sent to the parents or family members of participating children in a format and, to the extent practicable, in a language the parents or family members can understand;

f) Provide other reasonable support for parent and family member engagement activities as parents or family members may request.

In addition, the District and each school may:

a) Involve parents or family members in developing training for teachers, principals, and other educators to improve the effectiveness of this training;

b) Provide necessary literacy training from funds received under this part if the District has exhausted all other reasonably available sources of funding for the training;

c) Pay reasonable and necessary expenses associated with local parent and family member engagement activities, including transportation and childcare costs, to enable parents and family members to participate in school-related meetings and training sessions;

d) Train parents or family members to enhance the involvement of other parents or family members;

e) Arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents or family members who are unable to attend these conferences at school, to maximize parent and family engagement and participation;

f) Adopt and implement model approaches to improving parent and family engagement;

g) Establish a District-wide parent and family member advisory council to provide advice on all matters related to parent and family member engagement in supported programs; and

h) Develop appropriate roles for community-based organizations and businesses in parent and family member engagement activities.

(Continued)
SUBJECT: TITLE I PARENT AND FAMILY ENGAGEMENT (Cont'd.)

In carrying out the parent and family member engagement requirements, the District and its schools, to the extent practicable, will provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports in a format and, to the extent practicable, in a language they understand.

Procedures for Filing Complaints/Appeals

The District will disseminate free of charge to parents and family members of children in Title I programs, and to appropriate private school officials or representatives, adequate information regarding the District's written complaint procedures for resolving Title I issues.

Comparability of Services

The District will ensure equivalence among its schools of the same grade span and levels of instruction with regard to teachers, administrators, and auxiliary personnel, as well as equivalence in providing curriculum materials and instructional supplies in Title I programs.

Title I of the Elementary and Secondary Education Act of 1965 (ESEA), as reauthorized by the Every Student Succeeds Act of 2015
20 USC §§ 6318 and 6321
34 CFR Parts 74-86, 97-99, and 200

Board of Education Approval 3/20/17
SUBJECT: INSTRUCTIONAL TECHNOLOGY

The Board of Education recognizes its responsibility to further the District's educational goals through the use of appropriate and high quality technological materials and equipment. For the purpose of this policy, technology refers to computers, interactive videodiscs, Compact Disc-Read Only Memory (CD-ROM) devices, local area networks, satellite transmission and other telecommunications equipment.

Continuing advances in technology are bringing about changes that have an increasing impact on the way we obtain, process, evaluate and use information. Therefore, the District is committed to:

a) A comprehensive staff development program to ensure appropriate and effective use of technology.

b) The preparation of students to utilize multiple types of technology.

c) The integration of technology within and across all curriculum areas.

d) The equitable distribution and access to technological equipment and materials for all students.

e) The promotion of technology as an alternative to traditional methods of gathering, organizing and synthesizing information.

f) The provision of sufficient funds, within the budgetary constraints of the Board, for the implementation of technology instruction.

The Board directs the Superintendent or his/her designee to assess the technological needs of the District's instructional program, research and review current materials and make recommendations to the Board.

Revised: 05/06/96
SUBJECT: INSTRUCTION FOR ENGLISH LANGUAGE LEARNERS OR STUDENTS WITH LIMITED ENGLISH PROFICIENCY

The Board of Education recognizes its responsibility to ensure that students of foreign birth or ancestry, who have limited English proficiency, are provided with an appropriate program of bilingual transitional education or a free-standing program of instruction composed of English as a Second Language component. Regulations and procedures shall be developed pursuant to the Regulations of the Commissioner to:

a) Identify those students who are English language learners or who have limited English proficiency by means of a diagnostic screening of new entrants and provide a program of bilingual education or English as a Second Language for eligible students. A plan shall be developed to meet the educational needs of each student and proficiency will be measured annually by a language assessment instrument in order to determine further participation by a student. The plan will include assessment of each student's performance in content areas to measure the student's academic progress. State mandated tests may be offered in a student's native language.

b) Ensure that such students have access to appropriate instructional and support services, including guidance programs pursuant to Commissioner's Regulations and the opportunity to participate in District educational programs, including all existing extracurricular programs and activities, which are available to all other students enrolled in the public schools of the District.

The instructional programs and services available to limited English proficient pupils to help them acquire English proficiency may include, pursuant to Commissioner's Regulations, bilingual education programs, free-standing English as a second language programs, appropriate support services, transitional services, in-service training and parental notification.

A student whose score on an English language assessment instrument as specified in Section 154.2(a) of the Commissioner's Regulations is a result of a disability shall be provided special education programs and services in accordance with the individualized education program (IEP) developed for such student and shall also be eligible for services pursuant to Part 154 of the Commissioner's Regulations when these services are recommended in the IEP.

The parent/guardian of a student identified as an English language learner or as limited English proficient shall be informed in his/her native language, if necessary, of the student's identification for and/or participation in an English language learner instructional program.

The Superintendent shall ensure that all data required by the Commissioner's Regulations is submitted to the State Education Department in a timely manner.

Title I of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, Sections 1112(g) and 3302(a)
Education Law Sections 207, 215, 2117, 3204(2)(2-a), 3602, and 3713
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(g) and Parts 117 and 154

Board of Education Approval 5/3/04
SUBJECT: PURPOSES OF INSTRUCTIONAL MATERIALS

The purpose of instructional materials shall be to implement, enrich, and support the educational program of the school.

Instructional materials should contribute to the development of positive social and intellectual values of the students.

The Board of Education shall provide the faculty and students in the District with such instructional materials as are educationally needed and financially feasible to make the instructional program meaningful to students of all levels of ability.

Education Law Sections 701, 703, 704
SUBJECT: SELECTION OF LIBRARY AND AUDIOVISUAL MATERIALS

Philosophy

The purpose of the Panama Central School Library is to widen, deepen and intensify learning.

a) To establish this purpose, we wish to provide materials that will enrich the curriculum, considering the varied interests, abilities and maturity levels of all the pupils served.

b) To provide materials that will stimulate growth, through factual knowledge, literary appreciation, aesthetic values and ethical standards.

c) To provide for the implementing of the media program and orienting students to its proper use.

d) To provide a background of information that will enable students to make intelligent judgments in their daily lives.

e) To provide materials on opposing sides of controversial issues so that young citizens may develop, under guidance, the practice of critical reading and thinking.

f) To provide materials representative of the many religious, ethnic, and cultural groups and their contribution to our American heritage.

g) To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

h) The building principal is responsible for the development of all the materials in the library collection. The selection of books should be done using the best judgment of the School Librarian in consultation with the administration, faculty, students and parents.

In interpreting these principles, the following will apply:

a) Broad and varied collections will be developed systematically by the librarian and the audiovisual specialist, based on recommendations of the professional staff and suggestions of students and parents. Final approval will be made by the building principal.

b) Qualitative standards of selection involving factual accuracy, authoritativness, artistic quality and appeal will be applied by librarians and audiovisual specialists before purchases are made.
SUBJECT: SELECTION OF LIBRARY AND AUDIOVISUAL MATERIALS (Cont'd.)

c) Materials will not be excluded because of the race, nationality, political opinions or religious views of the author.

d) Materials will be continuously re-evaluated in relation to changing curriculum and instructional needs. Worn out, out-dated materials will be discarded.

Rules of the Board of Regents
Section 21.4

Objection To Instructional Materials

When a book (text, instructional or library) or other instructional material is questioned by an individual or outside party, the following shall occur:

a) The complaint should be presented in writing.

b) The complaint shall then be acknowledged promptly and politely.

c) The building principal shall select a committee to evaluate the challenged material and the complainant shall be asked to complete the appropriate form. The committee will investigate and judge the challenged material according to the principles and qualitative standards stated above.

If the complainant continues to object, the committee and the complainant shall discuss his/her objection. The administration and any interested Board members may be present as observers.

The final decision and disposition of the challenged material will be with the Board of Education upon one recommendation of the committee and recommendation of the Superintendent.

Revised: 01/22/96; 10/20/97
SUBJECT: CONTROVERSIAL ISSUES

Controversial issues may be studied as part of the curriculum and teachers shall present these issues in their classrooms in an impartial and objective manner.

Teachers wishing to call upon outside speakers in the presentation of controversial issues are required to obtain the approval of the principal who shall keep in mind the obligation for presenting opposing views as well, and who shall inform the Superintendent prior to the presentation.

It is recognized that parents and citizens of the community have a right to protest to the school administration when convinced that unfair and prejudiced presentations are being made by the teacher. In considering such protests, the Superintendent of Schools shall provide for a hearing so that both parties may fairly express their views. If requested, the Superintendent's decision may be appealed to the Board of Education.
SUBJECT: CURRICULUM AREAS IN CONFLICT WITH RELIGIOUS BELIEFS

A student may be excused from the study of specific materials if these materials are in conflict with the religion of his/her parents or guardian. Alternatives may be provided which are of instructional value.

Education Law Section 3204
SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING POLICY

In compliance with the Children's Internet Protection Act (CIPA) and Regulations of the Federal Communications Commission (FCC), the District has adopted and will enforce this Internet safety policy that ensures the use of technology protection measures (i.e., filtering or blocking of access to certain material on the Internet) on all District computers with Internet access. Such technology protection measures apply to Internet access by both adults and minors with regard to visual depictions that are obscene, child pornography, or, with respect to the use of computers by minors, considered harmful to such students. The District will provide for the education of students regarding appropriate online behavior including interacting with other individuals on social networking Web sites and in chat rooms, and regarding cyberbullying awareness and response. Further, appropriate monitoring of online activities of minors, as determined by the building/program supervisor, will also be enforced to ensure the safety of students when accessing the Internet.

Further, the Board of Education's decision to utilize technology protection measures and other safety procedures for staff and students when accessing the Internet fosters the educational mission of the schools including the selection of appropriate teaching/instructional materials and activities to enhance the schools' programs; and to help ensure the safety of personnel and students while online.

However, no filtering technology can guarantee that staff and students will be prevented from accessing all inappropriate locations. Proper safety procedures, as deemed appropriate by the applicable administrator/program supervisor, will be provided to ensure compliance with the CIPA.

In addition to the use of technology protection measures, the monitoring of online activities and access by minors to inappropriate matter on the Internet and World Wide Web may include, but shall not be limited to, the following guidelines:

a) Ensuring the presence of a teacher and/or other appropriate District personnel when students are accessing the Internet including, but not limited to, the supervision of minors when using electronic mail, chat rooms, instant messaging and other forms of direct electronic communications. As determined by the appropriate building administrator, the use of e-mail, chat rooms, as well as social networking Web sites, may be blocked as deemed necessary to ensure the safety of such students;

b) Monitoring logs of access in order to keep track of the web sites visited by students as a measure to restrict access to materials harmful to minors;

c) In compliance with this Internet Safety Policy as well as the District's Acceptable Use Policy, unauthorized access (including so-called "hacking") and other unlawful activities by minors are prohibited by the District; and student violations of such policies may result in disciplinary action; and

d) Appropriate supervision and notification to minors regarding the prohibition as to unauthorized disclosure, use and dissemination of personal identification information regarding such students.

The determination of what is "inappropriate" for minors shall be determined by the District and/or designated school official(s). It is acknowledged that the determination of such "inappropriate" material may vary depending upon the circumstances of the situation and the age of the students involved in online research.

(Continued)
SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING POLICY (Cont’d.)

The terms "minor," "child pornography," "harmful to minors," "obscene," "technology protection measure," "sexual act," and "sexual contact" will be as defined in accordance with CIPA and other applicable laws/regulations as may be appropriate and implemented pursuant to the District's educational mission.

Under certain specified circumstances, the blocking or filtering technology measure(s) may be disabled for adults engaged in bona fide research or other lawful purposes. The power to disable can only be exercised by an administrator, supervisor, or other person authorized by the School District.

The School District shall provide certification, pursuant to the requirements of CIPA, to document the District's adoption and enforcement of its Internet Safety Policy, including the operation and enforcement of technology protection measures (i.e., blocking/filtering of access to certain material on the Internet) for all School District computers with Internet access.

Internet Safety Instruction

In accordance with New York State Education Law, the School District may provide, to students in grades K through 12, instruction designed to promote the proper and safe use of the Internet. The Commissioner shall provide technical assistance to assist in the development of curricula for such course of study, which shall be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness, skills, information and support to aid in the safe usage of the Internet.

Under the Protecting Children in the 21st Century Act, students will also be educated on appropriate interactions with other individuals on social networking Web sites and in chat rooms, as well as cyberbullying awareness and response.

Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices

Despite the existence of District policy, regulations and guidelines, it is virtually impossible to completely prevent access to content or material that may be considered inappropriate for students. Students may have the ability to access such content or material from their home, other locations off school premises and/or with a student's own personal technology or electronic device on school grounds or at school events.

The District is not responsible for inappropriate content or material accessed via a student's own personal technology or electronic device or via an unfiltered Internet connection received through a student's own personal technology or electronic device.

Notification/Authorization

The District's Acceptable Use Policy and accompanying Regulations will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and student's obligations when accessing the Internet.

(Continued)
SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING POLICY (Cont’d.)

The District has provided reasonable public notice and has held at least one (1) public hearing or meeting to address the proposed Internet Safety/Internet Content Filtering Policy prior to Board adoption. Additional public notice and a hearing or meeting is not necessary when amendments are made to the Internet Safety Policy in the future.

The District's Internet Safety/Internet Content Filtering Policy must be made available to the FCC upon request. Furthermore, appropriate actions will be taken to ensure the ready availability to the public of this policy as well as any other District policies relating to the use of technology.

The Internet Safety/Internet Content Filtering Policy is required to be retained by the school for at least five (5) years after the funding year in which the policy was relied upon to obtain E-rate funding.

47 United States Code (USC) Sections 254(h) and 254(l)
47 Code of Federal Regulations (CFR) Part 54
Education Law Section 814

NOTE: Refer also to Policy #7424 -- Student Use of Computerized Information Resources (Acceptable Use Policy)
District Code of Conduct on School Property
SUBJECT: TEXTBOOKS/WORKBOOKS

The term "textbook" shall refer to a book supplied to a student for a fixed period of time for his/her personal use and basic to the study of a subject.

The Board of Education shall make provision for funds to be budgeted for the purchase of textbooks and related instructional materials.

Upon the recommendation of the Superintendent of Schools, the Board of Education shall designate the textbooks to be used.

Students will be required to pay for lost books or for excessive damage to books.

Textbooks For Resident Students Attending Private Schools

Resident students attending private schools will be supplied non-sectarian textbooks in accordance with the requirements of Education Law.

Workbooks

The Board of Education shall approve the expenditure of funds for the purchase of workbooks and manuals.

The term "workbook" shall refer to the type of book that provides spaces to write in and is consumed each year. It is usually paper-covered and designed to be used in connection with a textbook.

Education Law Section 701 et seq.

Revised: 01/22/96
SUBJECT: USE OF COPYRIGHTED MATERIALS

It is the intent of the Board of Education to abide by the provisions of the United States Copyright Law (Title 17, United States Code, Sections 101, et seq.).

All employees are prohibited from copying materials not specifically allowed by the copyright law, fair use guidelines, licenses or contractual agreements, or the permission of the copyright proprietor.

Any employee who willfully disregards the copyright policy shall be in violation of Federal Copyright Laws and District policy and shall assume all liability.

A copyright officer may be appointed by the Superintendent to provide information for all personnel regarding current copyright law and to maintain copyright records.

Regulations and procedures shall be developed by the administration detailing what can and cannot be copied. Appropriate copyright notices will be placed on or near all equipment used for duplication.

Title 17, United States Code (U.S.C.)
Section 101 et seq.

Revised: 01/22/96
SUBJECT: USE OF THE COPY MACHINE

The Board of Education requires the following of all users of the school copy machines:

a) Users are to abide by the current copyright laws.

b) School employees are only to copy materials pertaining to their responsibilities as teachers or staff members.

c) Persons using the copy machines who willfully violate the copyright law are liable for their own actions.

d) The copier may be used by members of the community or by District employees and/or students for school-related purposes only. Private and/or personal use of the copier is strictly prohibited.

Revised: 01/22/96
SUBJECT: SCHOOL CALENDAR AND SCHOOL DAY

School Calendar

The Superintendent shall be responsible for the preparation of a school calendar to be presented to the Board for adoption.

School Day

The school day shall be set by the Superintendent with approval of the Board.

Education Law Sections 3204(7) and 3604(7)(8)
8 New York Code of Rules and Regulations (NYCRR) Section 175.5
SUBJECT: OPENING EXERCISES

The Board directs the administration to include the Pledge of Allegiance as part of the opening exercises in all the schools. Under certain circumstances, such as religious conviction, students may be excused from this requirement as a protection of their Constitutional rights.

Education Law Section 802
8 New York Code of Rules and Regulations
(NYCRR) Section 108.5
SUBJECT: INDEPENDENT STUDY

Independent study, for credit, will be available to meet special individual needs of students in grades nine (9) through twelve (12). Credit shall be granted only for courses in the approved curriculum.

Regulations to implement this policy shall be developed under the direction of the high school principal.

8 New York Code of Rules and Regulations
(NYCRR) Section 100.5(d)(1)
SUBJECT: HOMEWORK

The Board of Education acknowledges the educational value of homework as an adjunct to and extension of the instructional program of the schools. For the purposes of this policy, "homework" shall refer to those assignments to be prepared by the student outside of the school or independently while in attendance at school.
SUBJECT: HOME TUTORING (TEMPORARY INSTRUCTION)

Resident children attending public or non-public schools who qualify for home tutoring due to a long term illness shall be provided with such instruction in accordance with New York State Education Law and Commissioner's Regulations.

Procedures for students requiring home tutoring shall be developed under the direction of the Superintendent or his/her designee.

Education Law Sections 1604(20), 1709(24), 3202 and 4401
SUBJECT: FIELD TRIPS

The Board of Education recognizes that field trips are an educationally sound and important ingredient in the instructional program of the schools.

For purposes of this policy, a field trip shall be defined as any journey by a group of students away from the school premises, under the supervision of a teacher, which is an integral part of an approved course of study and conducted for the purpose of affording a first-hand educational experience not available in the classroom.

Field trips are a part of the curriculum of the schools and attendance on field trips is governed by the same rules as attendance at regular classroom activities. The school system shall obtain written permission for students going on school-sponsored field trips.

The Superintendent shall prepare procedures for the operation of a field trip activity. Field trip support shall be determined annually by the Board during its budget deliberations. Regardless of the fiscal support for field trips, the rules of the School District for approval and conduct of such trips shall apply.

Reviewed & Board of Education Approved: 7/11/05
SUBJECT: HOME INSTRUCTION (HOME SCHOOLING)

From time to time, parents will choose to instruct their children at home. Although New York State law does not recognize home schools as private elementary or secondary schools, the School District will attempt to cooperate with parents who wish to provide home schooling for their children realizing that the child who is educated at home should receive an education in a manner consistent with an educational plan and at least substantially equivalent to that given to students of like age and attainments in the local public schools. The required subjects should be taught in a competent, systematic, and sequential manner, specifically in relation to the required courses as enumerated in Commissioner's Regulation Section 100.10.

Primary responsibility for determining compliance with Commissioner's Regulations addressing home instruction rests with the Superintendent of Schools of the school district in which a home-instructed student resides.

Provision of Services to Home-Instructed Students

They are not awarded a high school diploma. A high school diploma may only be awarded to a student enrolled in a registered secondary school who has completed all program requirements set by the Board of Regents, the school or the District.

a) Extracurricular Participation
Students instructed at home are not eligible to participate in interscholastic sports. Commissioner’s Regulations mandate that only students enrolled in the public school are allowed to participate in interscholastic sports. Further, the District does not permit home-instructed students to participate in any extracurricular activities.

b) Textbooks and Materials
The District is not required to loan available textbooks and other materials (e.g., library materials, microscopes, computer software, movie projectors) to home-instructed students. However, the superintendent may approve such loans if the materials are requested and available.

c) Health Services
The School District is not required to furnish health services.

d) Remedial Programs
The District is not responsible for providing remedial programs.

e) Career and Technical/Gifted Education
The District is not authorized to provide Occupational and Vocational Education programs (career and technical education) nor programs for the Gifted to home-instructed students.

(Continued)
f) Special Education Services

The District is not authorized to provide individualized education program (IEP) services to home-instructed students as home schools are not recognized in New York State as private elementary or secondary schools pursuant to Section 3602-c of the Education Law.

While the Public School District may not provide special education services to students that are home schooled, the Committee on Special Education (CSE) of the Public School District must, if parental consent is obtained, conduct an individual evaluation of a home schooled student and who is suspected of having a disability and develop an IEP for such child, which would be the District’s offer of a free appropriate public education (FAPE) to the student if the parents choose to enroll their child in a public or private school. However, the parents of a home schooled student may refuse consent to an initial evaluation and, if they do so or if they do not respond to a request for such consent, the School District may not seek to compel the parent to have their child evaluated to determine eligibility for special education services.

g) Use of School Facilities

Students instructed at home shall not be allowed to use school facilities, except as provided for community organizations in Policy #3260 -- Use of School Facilities, Materials and Equipment.

Education Law Sections 3204, 3205, 3210(2), 3212(2), 3240-42, 3602-c and 4402
8 New York Code of Rules and Regulations (NYCRR) Sections 100.10, 135.4(c)(7)(ii)(b)(2) and 200.2(a)

Board of Education Approval and Adoption: 3/24/08
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