**\*\*Our Policy Manual is being reviewed and will be updated by Erie 1 BOCES.\*\***

**Webster Central School District**

119 South Avenue

Webster, NY 14580

**POLICY MANUAL**

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Webster Central School District

Policy Manual

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Webster Central School District

Policy Manual

# Board Governance Section 1000

Legal Status – Policy 1010

## Legal Status 1010

The School District was organized under the Education Law of New York State by order of the Commissioner of Education on April 27, 1948 and by the voters of the District on May 26, 1948. The School District exercises powers delegated directly and indirectly to it by the New York State Legislature.

The official, corporate name of the School District is “Webster Central School District,” pursuant to an order of the Commissioner of Education dated April 19, 1973.

Reviewed by the Board of Education November 2017

Reviewed by the Board of Education December 2020

Board Member Authority – Policy 1020

## **Board Member Authority 102**0

Board members have no individual authority over school affairs. They have authority only when acting as a body duly called in session, with limited exceptions provided by law or by board resolution. Board members exercise their authority by voting in open sessions of Board meetings (except when a vote in executive session is authorized by law).

Reviewed by the Board of Education November 2017

Reviewed by the Board of Education December 2020

Number of Members and Terms of Office – Policy 1030

## Number of Members and Terms of Office 1030

The Board of Education of the Webster Central School District consists of seven members. A full term for Board Members is three years beginning July 1 following their election.

Reviewed by the Board of Education November 2017

Reviewed by the Board of Education December 2020

Nomination and Elections of Board Members – Policy 1040

## Nomination and Elections of Board Members 1040

Vacancies on the Board of Education are not considered separate specific offices. All such vacancies are filled on an “at large” basis. Therefore, nominating petitions must not describe any specific vacancy on the Board for which the candidate is nominated.

Voting in District elections is by electronic voting device with provisions made for the election by “write-in vote” of any candidate not previously nominated. In the event that electronic voting machines are not available or operational, the District will conduct the vote by paper ballot.

The hours of voting will be as designated by Board resolution, within the limits provided by law.

Revised by the Board of Education June 2017

Revised by the Board of Education January 2018

Reviewed by the Board of Education December 2020

Voter Proof of Residency – Policy 1050

## Voter Proof of Residency 1050

Every voter is required to provide one form of proof of residency in order to vote in any annual or special school district election or vote. Acceptable forms of identification must indicate the name and address of the voter. By way of example, the following are forms of proof, which are considered acceptable by the District:

* Valid driver’s license;
* Non-driver identification card;
* Utility bill;
* Voter registration card.

The District Clerk decides any questions concerning the validity of the proof of residency presented.

Where a prospective voter presents no proof of residency or the proof offered is otherwise unacceptable, the individual will be permitted to vote only if he/she signs the declaration of voter eligibility stating that he/she is a qualified voter of the Webster Central School District.

Reviewed by the Board of Education November 2017

Reviewed by the Board of Education December 2020

Submission of Propositions at Annual/Special District Meetings – Policy 1060

## Submission of Propositions at Annual/Special District Meetings 1060

Voters may submit propositions to appear on the ballot at annual and special district elections/votes. All propositions must be submitted by petition to the District Clerk. Those petitions must be signed by at least 25 qualified voters, or five percent of the number of voters in the previous annual election of Board members, whichever is greater. Each qualified voter who signs the petition must also include the address of his/her residence. A separate petition is required for each proposition. Petitions must be filed at least 30 days before the vote. However, if the proposition must be included in the legal notice of the vote, the petition must be submitted to the District Clerk at least 60 days before the vote.

Propositions submitted in accordance with these rules and accepted by the Board of Education will be printed on the ballot.

Reviewed by the Board of Education November 2017

Reviewed by the Board of Education December 2020

Indemnification of Board Members, District Employees and Volunteers – Policy 1070

## Indemnification of Board Members, District Employees and Volunteers 1070

The Board hereby confers on District Board Members, School Officials (elected or appointed), District employees and volunteers (expressly authorized to participate in a publicly-sponsored volunteer program) the benefits of Public Officers Law §18

8 and agrees to be held liable for the costs incurred under its provisions. These benefits shall supplement, and be available in addition to, defense or indemnification protection conferred by another enactment.

Reviewed by the Board of Education November 2017

Reviewed by the Board of Education December 2020

Duties of the Board President – Policy 1080

## Duties of the Board President 1080

The President of the Board of Education is responsible for:

* performing all duties assigned to that office by Board, policies, and resolutions and enforcing the laws, rules and regulations governing the Board;
* presiding at regular, special, and executive meetings of the Board;
* signing documents authorized by the Board;
* calling special meetings when he/she deems if advisable, and when requested by any Board member;
* facilitating the appointment of committees with the advice and consent of the Board;
* preparing all Board meeting agendas with the Vice-President and Superintendent of Schools; and
* acting as spokesperson of the Board on all public matters.

Reviewed by the Board of Education November 2017

Reviewed by the Board of Education December 2020

Duties of the Board Vice-President – Policy 1090

## Duties of the Board Vice-President 1090

In the absence, or in the case of the disability of the President of the Board, the Vice-President is to perform the duties of the office of President (as defined in Board Policy No. 1080) and facilitates Budget Workshops. The Vice-President will also perform such other duties as may be prescribed by the Board.

Reviewed by the Board of Education November 2017

Reviewed by the Board of Education December 2020

Annual Organization Meeting – Policy 1100

## Annual Organizational Meeting 1100

The Annual Organizational Meeting is to be held within the first 15 days of July at a date, time and place set by Board resolution. If no resolution is adopted, it will be held on the first Thursday in July at 7:00 P.M. If the first Thursday is a legal holiday, it will be held on the first Wednesday in July at the same time.

Reviewed by the Board of Education November 2017

Reviewed by the Board of Education December 2020

Appointed Board Officials – Policy 1110

## Appointed Board Officials 1110

The following is a list of Board Officials who are appointed annually by the Board during the Organizational Meeting:

|  |  |  |
| --- | --- | --- |
| District Clerk | Treasurer | Tax Collector |
| Independent Auditor | Internal Auditor | Extra-classroom Funds Auditor |
| District Treasurer | Deputy Treasurer | Deputy District Clerk |
| Attorneys for the School District | External Auditor | Claims Auditor |
| District physician | Insurance Broker and Consultant | Appointing Officer for Civil Service |
| Approval Officer for Certification of Payroll | Purchasing Agent | Deputy Purchasing Agent |
| Records Management Officer | Freedom of Information Officer | Title VII Coordinator |
| Title IX Coordinator | Section 504 Coordinator | Attendance Hearing Officer |
| Plan Administrator – Benefits Accounts | National Medical Review Officer |  |

These officials are ultimately responsible to the Board of Education. However, the day-to-day supervision of the person holding each position will be performed by the Superintendent of Schools and/or his/her designee. These officials are responsible for performing all the duties required of the position-holder by law or required by the Board of Education, the Superintendent or his/her designee.

The School Physician and School Attorney are also appointed by the Board during Organizational Meetings, however, they may not be appointed annually. The Board may enter into multi-year contracts with these appointees so long as the term of the agreement and its conditions are consistent with any applicable law and/or regulation. These officials will also be responsible to the Board and subjection to the terms of their respective contracts.

Reviewed by the Board of Education November 2017

Reviewed by the Board of Education December 2020

Board Policies – Policy 1120

## Board Policies 1120

Board Policies are the governing statements of the District. They are, in essence, the laws of our school district.

Policy statements will be considered for adoption or – in the case of existing policies – change or rescission (collectively referred to as “policy changes”) at the request of a Board member or the Superintendent of Schools. Except in the case of Board-designated emergencies, policy changes must undergo two readings before the Board in order to be approved. In other words, the Board must consider policy changes at two separate board meetings, having the opportunity to discuss the changes and to make modifications to them. If after the second reading the majority of the Board votes to approve the policy change, only then will it become effective.

Where the Board is confronted with what it deems to be an emergency situation, the Board may adopt a policy change upon a single reading. Whether a situation is an “emergency” will be determined by a majority of the Board.

Reviewed by the Board of Education November 2017

Reviewed by the Board of Education December 2020

Reviewed by the Board of Education February 2021

Administrative Regulations and Board Reference Manual – Policy 1130

## Administrative Regulations and Board Reference Manual 1130

Administrative Regulations

Administrative Regulations do not have the force or effect of Board Policy. They are the specific actions, procedures, protocols, arrangements, etc., which are necessary and proper for the implementation of Board Policies. The Superintendent is hereby given the responsibility of the creation (when necessary) and the enforcement of all administrative regulations. They must in every respect be consistent with Board Policy and all applicable laws and regulations. The Superintendent is also responsible for informing the Board periodically of changes in administrative regulations.

Reviewed by the Board of Education November 2017

Reviewed by the Board of Education December 2020

Formation of District Committees – Policy 1140

## Formation of District Committees 1140

Effective, consistent decision-making practices are an essential component to organizational functioning. The Board, therefore, recognizes that issues of significant importance (ex. facilities development, major educational program review, and transportation) need to be appropriately studied and that the process used should engage key stakeholders. When a district committee to study an aspect of district operations is formed by the Board, every effort shall be made to be sure that there is:

* An appropriate committee charge developed for review and adoption,
* Key stakeholders are identified and recommended for participation in the process,
* Appointment of a Chair (or Co-Chair where appropriate) will be part of the Board charge,
* Appropriate training (including a clear articulation of the roles and responsibilities of committee members) is provided to the committee and effective group facilitation practices are utilized throughout the process,
* Clear timelines are established for study and reporting, and
* Financial implications should be included in all final reports.

The purpose of District committees is to be sure that the Board has adequate information for making rational decisions that are highly reflective of community and stakeholder constituencies, and based on the best research and data available. It is expected that when recommendations are made, they are designed to support the District's Mission, Vision, Core Beliefs, Essential Skills, and support the Strategic Planning process.

It is the responsibility of the Superintendent of Schools to develop a corresponding regulation that helps assure successful implementation of this policy.

Approved by the Board of Education on October 27, 2004

Revised by the Board of Education January 2018

Reviewed by the Board of Education December 2020

Webster Central School District

Policy Manual

# Community Relations Section 2000

Public Access to District Information – Policy 2010

## Public Access to District Information 2010

The District provides public access for the inspection and copying of the District’s public records, in accordance with state and federal law. As a general practice, the District requires advance payment not to exceed the expense of duplication (for example, the cost of electronic storage device used for duplication). However, copies of the District’s public records may be provided without a fee or at a reduced fee when it is determined by the Board that a reduction is in the public interest. In assessing fee reductions, the Board or designee will consider the potential that the reduction will significantly contribute to public understanding of the District’s operations and will consider the degree of commercial value to be gained by the person requesting a fee reduction.

Similarly, the District will provide public access for inspection and duplication of the District’s public records maintained on audio, video, or similar media. Public access includes but is not limited to computer facilities, recordings, discs, videos, films, pictures, slides, graphics, and illustrations. The District requires advance payment for the actual cost of reproducing the record. Pursuant to New York Public Officers Law (section87(c)), in determining the actual cost of reproducing a record, the District will include: 1) an amount equal to the hourly salary attributed to the lowest paid District employee who has the necessary skill required to prepare a copy of the requested record; 2) the actual cost of the storage devices or media provided to the person making the request in complying with such request; and 3) the actual cost to the District of engaging an outside professional service to prepare a copy of the record, but only when the District’s information technology equipment is inadequate to prepare a copy, if such service is used to prepare the copy.

The cost of preparing a copy will not include search time or administrative costs. Moreover, no fee for employee time shall be charged unless at least two hours of a District employee’s time is needed to prepare a copy of the record requested. A person requesting a record will be informed of the estimated cost of preparing a copy of the record if more than two hours of a District employee’s time is needed, or if an outside professional service would be retained to prepare a copy of the record.

In order to facilitate public access to the District’s public records, the Board will appoint a custodian of records. The custodian will be responsible for maintaining the District’s public records as well as for assuring access to the District’s public records. The identity, business address, and office telephone number of the custodian of records will be published annually and will be available at the District’s administrative office.

Revised by the Board of Education on March 16, 2006

Revised by the Board of Education January 2013

Revised by the Board of Education May 2016

Reviewed by the Board of Education February 2018

Cooperation with Volunteer Fire Departments – Policy 2020

## Cooperation with Volunteer Fire Departments 2020

The Webster Central School District supports its employees’ membership in Volunteer Fire Departments. Accordingly, the Superintendent is authorized to establish regulations governing the circumstances under which an on-duty employee, who is a member of a Volunteer Fire Department, may respond to fire calls.

Reviewed by the Board of Education November 27, 2012

Reviewed by the Board of Education October 2015

Reviewed by the Board of Education February 2018

Naming of Schools – Policy 2030

## Naming of Schools 2030

It is the policy of the Board of Education to:

1. Name elementary schools in a manner that helps residents locate schools; e.g., after roads or areas.
2. Name secondary schools after persons who have made significant contributions to school and/or community life.
3. Where considered desirable as a tribute to service, name special areas in buildings or grounds after persons who have served with distinction in specific fields. Special areas are such areas in buildings as libraries, auditoriums, gymnasiums, etc.
4. Where more than one building is located on a site, the individual buildings will be named by their geographical location on the site.
5. The names of the existing and authorized schools in the Webster Central School District shall be:

ELEMENTARY SCHOOLS

1. DeWitt Road Elementary School
2. Plank Road North Elementary School
3. Plank Road South Elementary School
4. State Road Elementary School
5. Klem Road North Elementary School
6. Klem Road South Elementary School
7. Schlegel Road Elementary School

SECONDARY SCHOOLS

1. Spry Middle School (in honor of Edward W. Spry)
2. Willink Middle School (in honor of Ross J. Willink)
3. Webster Schroeder High School (in honor of Herbert W. Schroeder)
4. Webster Thomas High School (in honor of R. L. Thomas)

Revised by the Board of Education on March 16, 2006

Reviewed by the Board of Education November 27, 2012

Reviewed by the Board of Education October 2015

Reviewed by the Board of Education February 2018

Non-Discrimination – Policy 2040

## Non-Discrimination 2040

No person in the Webster School District will be unlawfully excluded from participation in, denied benefits of, or subjected to discrimination under any education program or activity, on the basis of sex, race, color, religion, national origin, political affiliation, marital status, sexual orientation, ancestry, age or disability or any other status protected by law.

Revised by the Board of Education January 11, 2007

Reviewed by the Board of Education November 27, 2012

Reviewed by the Board of Education October 2015

Reviewed by the Board of Education February 2018

Parent, Student and Teacher Organizations – Policy 2050

## Parent, Student and Teacher Organizations 2050

The Board of Education recognizes the importance of Parent, Student and Teacher Organizations and their overall purpose to make every child’s potential a reality by engaging and empowering families and communities to advocate for all children. Therefore, parents, students, staff members and members of the community are encouraged to join Parent, Student and Teacher Organizations and to participate actively in their programs.

Reviewed by the Board of Education November 27, 2012

Revised by the Board of Education March 2013

Revised by the Board of Education November 2013

Reviewed by the Board of Education October 2015

Booster Clubs – Policy 2060

## Booster Clubs 2060

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 sex, race, color, national origin, political affiliation, marital status, sexual orientation, ancestry, age or disability or any other status protected by law.

The Board requires that:

* Financial records be maintained and made available, upon request, for Board and/or public inspection;
* Fund raising activities, if students are directly involved, be approved in advance by the Superintendent; and
* 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.

Reviewed by the Board of Education November 27, 2012

Revised by the Board of Education January 2013

Reviewed by the Board of Education October 2015

Community Use of School Facilities, Property and Equipment – Policy 2070

## Community Use of School Facilities, Property and Equipment, and Animals on School Grounds 2070

**School Facilities**

School facilities may be used during non-school hours by district residents for educational, cultural, social, recreational, civic and other legitimate purposes which are open to the general public. Use of facilities, however, will be subject to the conditions set forth in this policy and in regulations developed by the Superintendent.

District facilities are preserved for the benefit of the greater District community; only community-based groups and organizations (that is, groups which are located within the geographic area covered by the District) may be granted access to District facilities. However, the District reserves the right to make exceptions on a case-by-case basis, where the organization benefits the community as a whole (e.g., Red Cross).

School activities have priority over non-school uses of the buildings on any given date. It should be understood that school events may make it necessary to cancel or postpone previously approved applications. Second priority will be given to town-supported recreation programs, as a part of the Board’s commitment to encourage and support such programs. Third priority will be given to all other approved community activities.

When admission is charged, the proceeds thereof are to be expended for an educational or charitable purpose only. School facilities may not be used for meetings or activities which are under the exclusive control of, and the proceeds of which are to be applied for the benefit of, a secret society or religious sect. School facilities may not be used to distribute partisan literature on school issues or votes to students for their parents. Any use of school building/facilities for personal profit or advantage is not permissible.

The Board or their designee reserves the right to refuse permission for use of school facilities for purposes which it deems harmful to the building, the district as a whole, or against existing law. The Board also reserves the right to refuse permission for the use of school facilities to groups whose compliance with the Board’s regulations for such use has been unsatisfactory in the past.

**School Grounds and Equipment**

All unauthorized use of school property and equipment is prohibited. The Superintendent will establish regulations for authorizing such use (e.g., application and authorization procedures, fees, insurance requirements, etc.) consistent with the following principles:

* All District property and equipment are to be used first to further the educational process of the District; any other use must not interfere with this educational process;
* Activities which might produce either hazards to people or damage to school property must be supervised by a responsible individual(s) and for instructional purposes only;
* All animals are prohibited from school grounds, athletic fields, or at public events, except as permitted by the building principal for instructional or safety purposes. Service dogs and properly identified service dogs in training will be exempt from the terms of this policy.

Revised by the Board of Education January 2013

Revised by the Board of Education June 2015

Revised by the Board of Education March 2020

Constitutionally Protected Prayer in School – Policy 2080

## Constitutionally-protected Prayer in School 2080

The District does not prevent or otherwise deny participation in “constitutionally-protected prayer” in its elementary or secondary schools. The term “constitutionally-protected prayer” is defined by guidance issued by the U.S. Department of Education (DOE) every two years. If any provision of a district policy is discovered to conflict with the DOE guidance in effect at the time of discovery, that provision will be treated as void.

Policy approved by Board of Education July 8, 2003

Revised by Board of Education March 16, 2006

Reviewed by the Board of Education November 27, 2012

Reviewed by the Board of Education October 2015

Webster Central School District

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# Human Resources Section 3000

Administrative Organization/Operation – Policy 3010

## Administrative Organization/Operation 3010

One of the Board’s primary roles is to deliberate and to establish broad policies for governing the school District. The Board delegates authority to the Superintendent who, acting as chief executive officer, directs and oversees the operations of the District in a manner consistent with these policies. Accordingly, the Superintendent is held accountable to the Board for compliance with its policies.

Administrative regulations consistent with Board policies are developed by the Superintendent in cooperation with affected or interested staff members or citizens.

The Superintendent is also 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 executive officers of school districts in New York State.

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

The obligations, duties, and responsibilities of all administrative and supervisory personnel is set forth in job descriptions issued by the Superintendent.

From time to time, problems and new questions arise for which no specific policy has been prepared. The Superintendent and members of the administrative staff are to act in a manner consistent with the existing policies of the School District and alert the Board to the possible need for additional policy development.

Reviewed by the Board of Education December 2014

Reviewed by the Board of Education February 2018

Revised by the Board of Education March 2021

Evaluation of Superintendent and Other Administrative Staff – Policy 3020

## Evaluation of Superintendent and Other Administrative Staff 3020

Superintendent

The Board of Education annually evaluates the job performance of the Superintendent. The formal procedures used to complete the evaluation are to be filed in the District Office, and to be made available for review by any individual, no later than August 1 of each year.

The formal performance evaluation procedures include written criteria, a description of the review procedures, provisions for post-conferencing, and methods used to record results of the evaluation. The Superintendent has the opportunity to respond to the evaluation in writing.

Evaluation of Administrative Staff

The Superintendent conducts an annual evaluation of all administrative personnel who report directly to him/her and verifies that all other district personnel are also evaluated:

* To determine the adequacy of administrative staffing;
* To improve administrative effectiveness;
* To encourage and promote self-evaluation by administrative personnel;
* To provide a basis for evaluative judgments by the Superintendent and the Board;
* To make decisions about continued employment with the District.

Reviewed by the Board of Education December 2014

Reviewed by the Board of Education February 2018

Superintendent of Schools – Policy 3030

## Superintendent of Schools 3030

The Superintendent shall be the Chief Executive Officer (CEO) of the District. He or she is responsible for the effective operation of the District; general administration of all instructional, business and other operations of the District; and for advising and making recommendations to the Board of Education with respect to such activities.

He or she shall perform and delegate as needed all the duties and accept all of the responsibilities usually required of a Superintendent as prescribed by the Education Laws of New York State; the rules and regulations of the Board of Regents and Commissioner of Education; laws and regulations of the United States; statutes of New York State; and the policies, rules, and regulations established by the Board of Education.

The Superintendent will submit to the Board of Education a clear and detailed explanation of any proposed procedure that would involve either departure from established policy or practice, or expenditure of substantial sums.

The Superintendent will develop and recommend to the Board long-range plans consistent with the population trends, cultural needs, and the appropriate use of District facilities, which are consistent with Board of Education objectives.

The Superintendent will be accountable to the Board of Education for the administration of the educational system and for the interpretation and fulfillment of the aforesaid functions, primary activities and responsibilities in accordance with New York State Education Law.

Revised by the Board of Education May 2016

Reviewed by the Board of Education February 2018

Reviewed by the Board of Education February 2021

Code of Ethics for all District Personnel – Policy 3100

## Code of Ethics for all District Personnel 3100

In addition to the prohibitions against conflicts of interest contained in N. Y. General Municipal Law, Art. 18, every officer and employee of the district, whether paid or unpaid, including members of the Board of Education, and their professional or nonprofessional staff and appointees (referred to collectively as “District officers and employees”), are subject to and must abide by the following standards of conduct:

Disclosure of interest in matters before the Board: District officers and employees who participate in discussions with or give official opinions to the Board on any matter being considered by the Board must publicly disclose (in writing) to the Board, and (except for Board members) to their immediate supervisor, the nature and extent of any direct or indirect financial or other private interest\* he/she has in such matter. This interest also includes any interest a District officer’s or employee’s spouse may have, will have or will later acquire in such matters. Such disclosure must be made as soon as the individual has knowledge of his/her (or his/her spouse’s) actual or prospective interest.

Investments in conflict with official duties: District officers and employees may not invest in or hold any investment directly or indirectly in any financial, business, commercial enterprise or transaction that creates a conflict\* with his/her official duties.

Private employment: District officers and employees may not engage in, solicit, negotiate for or promise to accept private employment when that employment creates a conflict with or impairs the proper discharge of his or her official duties.

Future employment: District officers and employees may not, after the termination of service or employment with the Board, appear before the Board or any panel or committee of the Board, in relation to any case, proceeding, or application in which he/she personally participated during the period of his or her service or employment or that was under his/her active consideration.

Conflicts of Interest: No District officers, employees, or agent shall have an interest in any [contract](https://www.law.cornell.edu/cfr/text/2/200.318)/purchase agreement supported by any State/Federal/Local funds. For purposes of this policy a District officer, employee or agent shall be deemed to have an “interest” in a [contract](https://www.law.cornell.edu/cfr/text/2/200.318)/purchase agreement of (a) his spouse, minor children and dependents, except a contract of employment with the District, (b) a firm, partnership or association of which such officer, employee, or agent is a member or employee, (c) a corporation of which such officer, employee, or agent is an officer, director or employee, and (d) a corporation, any stock of which is owned or controlled directly or indirectly by such officer ,employee, or agent. In this regard, the District complies fully with the federal Uniform Grant Guidance (2 CFR Part 200 et seq.) and New York State General Municipal Law, Article 18.

Code of Ethics for all District Personnel – Policy 3100

*Penalties*

In addition to any penalty provided for by law, any person who knowingly and intentionally violates any of the provisions of the Board’s Code of Ethics or Article 18 of the N. Y. General Municipal Law may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

\*The terms “interest” and “conflict” used throughout this policy have the same meanings given to those terms in N.Y. General Municipal Law, Article 18.

Reviewed by the Board of Education December 2014

Revised by the Board of Education April 2020

Reviewed by the Board of Education February 2021

Equal Employment Opportunity – Policy 3110

## Equal Employment Opportunity 3110

It is the policy of this District to provide equal opportunities for employment, retention and advancement of all people regardless of race, color, creed, national origin, political affiliation, sex, sexual orientation, age, marital status, military status, disability or any other status protected by federal, state or local law. In this same regard, the District will comply with the requirements of the Genetic Information Nondiscrimination Act (GINA). Pursuant to GINA, District officials will not ask for any “genetic information” when requesting medical information about employees (for examples, in connection with a fitness-for-duty examination).

The Superintendent or his/her designee will be responsible for publicizing and disseminating this policy, both internally and externally, and to insure its availability to interested citizens and groups.

1”Genetic information,” as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

Revised by the Board of Education June 2015

Reviewed by the Board of Education February 2018

Reviewed by the Board of Education February 2021

Employment of Related Individuals – Policy 3114

## Employment of Related Individuals 3114

No employee of the Webster Central School District will participate on an interview committee where his or her spouse, child (including stepchildren); parent; or other relative living in the employee’s household is being considered for an open position. If a spouse or child of a supervisory employee is recommended by an interview committee for employment within the department of the supervisor, the decision to hire must be reviewed and approved by the Assistant Superintendent for Human Resources and the Superintendent, before any offer of employment can be made.

Revised by the Board of Education April 2015

Reviewed by the Board of Education February 2018

Reviewed by the Board of Education February 2021

Employment of Relatives of Board of Education Members – Policy 3115

## Employment of Relatives of Board of Education Members 3115

The appointment of a staff member 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 entire Board of Education to be entered upon the proceedings of the school board meeting.

Reviewed by the Board of Education December 2014

Reviewed by the Board of Education February 2018

Reviewed by the Board of Education February 2021

Sexual/Workplace Harassment – Policy 3120

## Sexual Harassment in the Workplace Policy 3120

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**Overview**

The District is committed to creating and maintaining an environment which is free from harassment and discrimination. This policy addresses sexual harassment and gender discrimination in the workplace. It is intended to inform covered individuals of: their right to work in an environment that is free from sexual harassment and discrimination; what sexual harassment and discrimination look like; how they can prevent and report sexual harassment and discrimination; how they are protected from retaliation after taking action; and the general process for investigating a claim of sexual harassment and discrimination that falls under this policy. This policy is just one component of the District's overall commitment to maintaining a harassment and discrimination-free educational and work environment.

Under New York State Human Rights Law (NYSHRL), it is illegal for an employer to discriminate based on age, race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, status as a victim of domestic violence, or criminal history. These different identities impact an individual's perception and understanding of the world. For example, an individual's race, ability, or immigration status may impact their experience with gender discrimination in the workplace. While this policy is focused on sexual harassment and gender discrimination, the process for reporting and investigating discrimination based on other protected classes is generally the same. However, the exact process may vary depending on a number of factors including, but not limited to, who is involved. Other District policies and documents such as regulations, procedures, collective bargaining agreements, and the District's *Code of Conduct* detail the specific process for reporting and investigating discrimination based on other protected identities.

Sexual harassment is a form of workplace discrimination that subjects individuals to inferior conditions of employment due to their gender, gender identity, gender expression (perceived or actual), and/or sexual orientation. Sexual harassment is often viewed simply as a form of gender-based discrimination, but the District recognizes that discrimination can be related to or affected by other identities beyond gender.

Discrimination of any kind, including sexual harassment, is unlawful, a violation of District policy, and may subject the District to liability for the harm experienced by targets of discrimination. All individuals are required to work in a manner designed to prevent sexual harassment and discrimination in the workplace.

Harassers may also be individually subject to liability and supervisors who fail to report or act on harassment may be liable for aiding and abetting sexual harassment and discrimination. Employees at every level who engage in harassment or discrimination, including supervisory personnel who engage in harassment or discrimination or who allow such behavior to continue, will be subject to remedial and/or disciplinary action by the District.

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

The District adopts this policy as part of its effort to provide for the prompt and equitable resolution of complaints of sexual harassment in the workplace. The District will promptly respond to reports of sexual harassment in the workplace, ensure that all investigations are conducted within a reasonably prompt time frame and under a predictable fair grievance process that provides due process protections, and impose disciplinary measures and implement remedies when warranted.

Inquiries about this policy may be directed to the District's Civil Rights Compliance Officer(s) (CRCO(s)) and/or Title IX Coordinator(s).

Scope and Application

This policy applies to all instances of sexual harassment and gender discrimination perpetrated against a "covered individual" 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 individual" 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. These non-employees include persons commonly referred to as independent contractors, gig workers, and temporary workers. Also included are non-employees providing equipment repair, cleaning services, or any other service through a contract with the District.

Other District policies and documents such as regulations, procedures, collective bargaining agreements, and the District's *Code of Conduct* may address misconduct related to sexual harassment and may provide for additional, different, or more specific grievance procedures depending on a number of factors including, but not limited to, who is involved and where the alleged sexual harassment occurred. These documents must be read in conjunction with this policy.

The dismissal of a complaint under one policy or document does not preclude action under another related District policy or document.

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

**What Constitutes Sexual Harassment**

Sexual harassment is a form of gender-based discrimination that 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. Sexual harassment is not limited to sexual contact, touching, or expressions of a sexually suggestive nature. Sexual harassment includes all forms of gender discrimination including gender role stereotyping and treating individuals differently because of their gender.

Understanding gender diversity is essential to recognizing sexual harassment because discrimination based on sex stereotypes, gender expression, and perceived identity are all forms of sexual harassment. The gender spectrum is nuanced, but the three most common ways people identify are cisgender, transgender, and non-binary. A cisgender person is someone whose gender aligns with the sex they were assigned at birth. Generally, this gender will align with the binary of male or female. A transgender person is someone whose gender is different than the sex they were assigned at birth. A non-binary person does not identify exclusively as a man or a woman. They might identify as both, somewhere in between, or completely outside the gender binary. Some may identify as transgender, but not all do. Respecting an individual's gender identity is a necessary first step in establishing a safe workplace.

Under NYSHRL, sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment does not need to be severe or pervasive to be illegal. It can be any harassing behavior that rises above petty slights or trivial inconveniences. Every instance of harassment is unique to those experiencing it, and there is no single boundary between petty slights and harassing behavior. However, NYSHRL specifies that whether harassing conduct is considered petty or trivial is to be viewed from the standpoint of a reasonable victim of discrimination with the same protected characteristics. Generally, any behavior in which a covered individual is treated worse because of their gender (perceived or actual), sexual orientation, or gender expression is considered a violation of District policy. The intent of the behavior, for example, making a joke, does not neutralize a harassment claim. Not intending to harass is not a defense. The impact of the behavior on a person is what counts.

Sexual harassment includes any unwelcome conduct which is either directed at an individual because of that individual's gender identity or expression (perceived or actual), or is of a sexual nature when:

a) The purpose or effect of this behavior unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment. The impacted individual does not need to be the intended target of the sexual harassment;

b) Employment depends implicitly or explicitly on accepting such unwelcome behavior; or

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

c) Decisions regarding an individual's employment are based on an individual's acceptance to or rejection of the behavior. These decisions can include what shifts and how many hours an employee might work, project assignments, as well as salary and promotion decisions.

There are two main types of sexual harassment:

a) Hostile work environment which 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, gender identity, or gender expression. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory, or discriminatory statements which an employee finds offensive or objectionable, causes an employee discomfort or humiliation, or interferes with the employee's job performance.

b) Quid pro quo harassment which 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.

Any covered individual who feels harassed is encouraged to report the behavior so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be discrimination and is covered by this policy.

Examples of Sexual Harassment

The following describes some actions that may constitute unlawful sexual harassment and that are strictly prohibited. This list is just a sample of behaviors and should not be considered exhaustive. Any covered individual who believes they have experienced sexual harassment, even if it does not appear on this list, should feel encouraged to report it:

a) Physical acts of a sexual nature, such as:

1. Touching, pinching, patting, kissing, hugging, grabbing, brushing against another individual's body, or poking another individual's body; or

2. Rape, sexual battery, molestation, or attempts to commit these assaults, which may be considered criminal conduct outside the scope of this policy.

b) Unwanted sexual comments, advances, or propositions, such as:

1. Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits;

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

2. Subtle or obvious pressure for unwelcome sexual activities; or

3. Repeated requests for dates or romantic gestures, including gift-giving.

c) Sexually oriented gestures, noises, remarks or jokes, or questions and comments about a person's sexuality, sexual experience, or romantic history which create a hostile work environment. This is not limited to interactions in person. Remarks made over virtual platforms and in messaging apps when employees are working remotely can create a similarly hostile work environment.

d) Sex stereotyping, which occurs when someone's conduct or personality traits are judged based on other people's ideas or perceptions about how individuals of a particular sex should act or look:

1. Remarks regarding an employee's gender expression, such as wearing a garment typically associated with a different gender identity; or
2. Asking employees to take on traditionally gendered roles, such as asking a woman to serve meeting refreshments when it is not part of, or appropriate to, her job duties.

e) Sexual or discriminatory displays or publications anywhere in the workplace, such as:

1. Displaying 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;

2. This also extends to the virtual or remote workspace and can include having such materials visible in the background of one's home during a virtual meeting.

f) Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or gender expression, 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;

3. Bullying, yelling, or name-calling;

4. Intentional misuse of an individual's preferred pronouns; or

(Continued)

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

1. Creating different expectations for individuals based on their perceived identities:
2. Dress codes that place more emphasis on women's attire;
3. Leaving parents/caregivers out of meetings.

**Who Can be a Target of Sexual Harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. Harassment does not have to be between members of the opposite sex or gender. This policy applies to all instances of sexual harassment perpetrated against a "covered individual" 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.

Sexual harassment does not happen in a vacuum and discrimination experienced by an individual can be impacted by biases and identities beyond an individual's gender. For example:

* 1. Placing different demands or expectations on black women employees than white women employees can be both racial and gender discrimination;
	2. An individual's immigration status may lead to perceptions of vulnerability and increased concerns around illegal retaliation for reporting sexual harassment; or
	3. Past experiences as a survivor of domestic or sexual violence may lead an individual to feel re-traumatized by someone's behaviors in the workplace.

Individuals bring personal history with them to the workplace that might impact how they interact with certain behavior. It is especially important for all employees to be aware of how words or actions might impact someone with a different experience than their own in the interest of creating a safe and equitable workplace.

**Where Can Sexual Harassment Occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. Sexual harassment can occur on school property and at school functions which, for purposes of this policy, means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place virtually or in another state. It can occur while covered individuals are traveling for District business or at District or industry-sponsored events or parties. Calls, texts, emails, and social media usage by covered individuals can constitute unlawful workplace harassment, even if they occur away from school property, on personal devices, or during non-work hours. Accordingly, conduct or incidents of sexual harassment that create or foreseeably create a disruption within the District may be subject to this policy in certain circumstances.

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

Sexual harassment can occur when covered individuals are working remotely. Any behaviors outlined above that leave a covered individual feeling uncomfortable, humiliated, or unable to meet their job requirements constitute harassment even if the covered individual is working remotely when the harassment occurs. Harassment can happen on virtual meeting platforms, in messaging apps, and after working hours between personal cell phones.

**Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)**

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. Adverse actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

1. Demotion, termination, denying accommodations, reduced hours, or the assignment of less

desirable shifts;

b) Publicly releasing personnel files;

c) Refusing to provide a reference or providing an unwarranted negative reference;

d) Labeling an employee as "difficult" and excluding them from projects to avoid "drama";

e) Undermining an individual's immigration status; or

1. Reducing work responsibilities, passing over for a promotion, or moving an individual's desk to a less desirable office location.

Retaliation is unlawful under federal, state, and (where applicable) local law. The NYSHRL protects any individual who has engaged in "protected activity." Protected activity occurs when a person has:

a) Made a complaint of sexual harassment or discrimination, either internally or with any government agency;

b) Testified or assisted in a proceeding involving sexual harassment or discrimination under the NYSHRL or any other anti-discrimination law;

(Continued)

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

c) Opposed sexual harassment or discrimination by making a verbal or informal complaint, or by simply informing a supervisor, building principal, other administrator, or the CRCO of suspected harassment;

d) Reported that a covered individual has been sexually harassed or discriminated against; or

e) Encouraged a covered individual to report harassment.

The District prohibits all retaliation. Any individual that reports an incident of sexual harassment or discrimination, provides information, or otherwise assists in any investigation of a sexual harassment or discrimination complaint is protected from retaliation. No one should fear reporting sexual harassment or discrimination if they believe it has occurred. 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 sexual harassment or discrimination.

Any District employee who retaliates against anyone involved in a sexual harassment or discrimination investigation will face disciplinary action, up to and including termination. All covered individuals who believe they have been subject to retaliation should inform a supervisor, building principal, other administrator, or the CRCO.

All employees and covered individuals who believe they have been a target of retaliation may also seek relief from government agencies, as explained in this policy.

**Reporting Allegations of Sexual Harassment**

Anyone who experiences, witnesses, or becomes aware of potential instances of sexual harassment is encouraged to report the behavior to a supervisor, building principal, other administrator, or the CRCO. Covered individuals should not feel discouraged from reporting harassment because they do not believe it is bad enough or conversely because they do not want to see someone fired over less severe behavior. Just as harassment can happen in different degrees, potential discipline for engaging in sexual harassment will depend on the degree of harassment and could include education counseling, suspension, or termination.

Reports of sexual harassment may be made verbally or in writing. A written complaint form is posted on the District's website if a covered individual would like to use it, but the complaint form is not required. Individuals who are reporting sexual harassment on behalf of another individual may use the complaint form and note that it is being submitted on another individual's behalf. A verbal or otherwise written complaint (such as an email) on behalf of oneself or another individual is also acceptable.

(Continued)

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

Reports may be made to a CRCO in person, by using the contact information for a CRCO, or by any other means that results in a CRCO receiving the person's verbal or written report. This report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for a CRCO.

Reports of sexual harassment may also be made to any other District employee including a supervisor or building principal. All reports of discrimination and/or harassment must be immediately forwarded to the CRCO. Reports may also be forwarded to other District employees depending on the allegations.

District employees must comply with reporting requirements in any other applicable District policy or document.

Covered individuals who believe they have been a target of sexual harassment may at any time seek assistance in additional available forums, as explained in this policy.

**Supervisory Responsibilities**

Everyone must work toward preventing sexual harassment, but leadership matters. Supervisors, building principals, other administrators, and the CRCOs have a special responsibility to make sure employees feel safe at work and that workplaces are free from harassment and discrimination. All supervisors, building principals, and other administrators who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing or discriminatory behavior, or for any reason suspect that sexual harassment or discrimination is occurring, are required to report the suspected sexual harassment to the CRCO. If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason, the report will be directed to another CRCO, if the District has designated another individual to serve in that capacity. If the District has not designated another CRCO, the Superintendent will ensure that another person with the appropriate training and qualifications is appointed to act as the CRCO.

Supervisors, building principals, and other administrators should not be passive and wait for a covered individual to make a claim of harassment. If they observe such behavior, they must act.

Supervisors, building principals, and other administrators can be disciplined if they engage in sexually harassing or discriminatory behavior themselves. Supervisors, building principals, and other administrators, can also be disciplined for failing to report suspected sexual harassment or allowing sexual harassment to continue after they know about it.

While supervisors, building principals, and other administrators have a responsibility to report harassment and discrimination, they must be mindful of the impact that harassment and a subsequent investigation has on victims. Being identified as a possible victim of harassment and questioned about

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

harassment and discrimination can be intimidating, uncomfortable and re-traumatizing for individuals. Supervisors, building principals, and other administrators must accommodate the needs of individuals who have experienced harassment to ensure the workplace is safe, supportive, and free from retaliation for them during and after any investigation.

**Bystander Intervention**

Any individual witnessing harassment as a bystander is encouraged to report it. A supervisor, building principal, or other administrator that is a bystander to harassment is **required** to report it. There are five standard methods of bystander intervention that can be used when anyone witnesses harassment or discrimination and wants to help.

a) A bystander can interrupt the harassment by engaging with the individual being harassed and distracting them from the harassing behavior;

b) A bystander who feels unsafe interrupting on their own can ask a third-party to help intervene in the harassment;

c) A bystander can record or take notes on the harassment incident to benefit a future investigation;

d) A bystander might check in with the person who has been harassed after the incident, see how they are feeling and let them know the behavior was not ok; and

e) If a bystander feels safe, they can confront the harassers and name the behavior as inappropriate. When confronting harassment, physically assaulting an individual is never an appropriate response.

Though not exhaustive, and dependent on the circumstances, the guidelines above can serve as a brief guide of how to react when witnessing harassment in the workplace.

**Grievance Process for Complaints of Sexual Harassment in the Workplace**

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. An investigation of any complaint, information, or knowledge of suspected sexual harassment will be prompt, thorough, equitable, and started and completed as soon as possible. Investigations 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 individuals involved, including those making a harassment claim, witnesses, and alleged harassers deserve a fair and impartial investigation.

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

The CRCO will generally oversee the District's investigation of all complaints of discrimination and/or harassment. In the event an anonymous complaint is filed, the District will respond to the extent possible.

District employees may be required to cooperate as needed in an investigation of suspected sexual harassment. The District recognizes that participating in a harassment investigation can be uncomfortable and has the potential to retraumatize a covered individual. Individuals receiving claims and leading investigations will handle complaints and questions with sensitivity toward participants.

While the process may vary from case to case, investigations will be done in accordance with the following steps. Upon receipt of a complaint, the CRCO:

1. Will conduct a prompt review of the allegations, assess the appropriate scope of the investigation, and take any interim actions (for example, instructing the individual(s) about whom the complaint was made to refrain from communications with the individual(s) who reported the harassment), as appropriate.

If the CRCO is unavailable, including due to a conflict of interest or other disqualifying reason,

the report will be directed to another CRCO, if the District has designated another individual to

serve in that capacity. If the District has not designated another CRCO, the Superintendent will

ensure that another person with the appropriate training and qualifications is appointed to act as

the CRCO.

b) Will investigate all complaints of sexual harassment regardless of how those complaints are reported and treat all complaints with equal priority. For verbal complaints, the individual will be encouraged to complete, in writing, the complaint form. If the individual reporting prefers not to fill out the complaint form, a complaint form or equivalent documentation based on the verbal reporting will be prepared. The individual reporting the harassment will be provided a copy of the completed complaint form.

c) Will take steps to obtain, review, and preserve documents sufficient to assess the allegations, including documents, emails, or phone records that may be relevant to the investigation. The CRCO will consider and implement appropriate document request, review, and preservation measures, including for electronic communications.

d) Will seek to 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.

e) Will create written documentation of the investigation (such as a letter, memo, or email), which contains the following:

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

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 any prior relevant incidents disclosed in the investigation, reported or unreported; and

5. The basis for the decision and final resolution of the complaint, together with any corrective action(s).

f) Will keep the written documentation and associated documents in a secure and confidential location.

g) Will promptly notify the individual(s) who reported the harassment and the individual(s) about whom the complaint was made that the investigation has been completed and implement any corrective actions identified in the written document. Any corrective action taken will be in accordance with applicable law and regulation, as well as any applicable District policy, regulation, procedure, collective bargaining agreement, third-party contract, or other document such as the District's *Code of Conduct*.

h) Will inform the individual(s) who reported the harassment of the right to file a complaint or charge externally as outlined in this policy.

Other District policies and documents address sexual harassment. All complaints will be handled in accordance with the applicable District policies and/or documents.

The determination as to which District policies and/or documents are applicable is fact specific, and the CRCO may work with other District staff such as the District's Title IX Coordinator(s) to determine which District policies and/or documents are applicable to the specific facts of the complaint.

**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;

b) Examples of conduct that would constitute unlawful sexual harassment;

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

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.

**Notification**

The District will provide this policy to all employees in-person or digitally through email upon hiring and will be posted prominently in all work locations. In addition to sending the policy through email, this policy will also be available on the District's website.

At the time of hiring and at every annual sexual harassment prevention training program, the District will provide each employee a notice containing this policy and the information presented at the District's sexual harassment prevention training program.

This notice will be provided in English and in the language identified by the employee as their primary language, provided that the New York State Department of Labor Commissioner has published a template of the model materials in that language.

The notice will be delivered in writing, either in print or digitally. The notice will either link to or include, as an attachment or printed copy, the policy and training materials.

**Legal Protections and External Remedies**

Sexual harassment is not only prohibited by the District, but it is also prohibited by state, federal, and, where applicable, local law.

The District's internal process outlined in the policy above is one way for covered individuals to report sexual harassment. Covered 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, covered individuals may also seek the legal advice of an attorney.

In addition to those outlined below, individuals may have other legal protections.

(Continued)

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

New York State Division of Human Rights (NYSDHR)

The NYSHRL, NY Executive Law, Art. 15, Section 290 et seq., applies to all employers in New York State and protects covered individuals, regardless of immigration status. A complaint alleging violation of the NYSHRL may be filed either with the NYSDHR or in New York State Supreme Court.

Complaints of sexual harassment filed with NYSDHR may be submitted any time **within three years** of the harassment. If an individual does not file a complaint with NYSDHR, they can bring a lawsuit directly in state court under the NYSHRL, **within three years** of the alleged sexual harassment. An individual may not file with NYSDHR if they have already filed a NYSHRL complaint in state court.

Complaining internally to the District does not extend the time to file with NYSDHR or in court. The three years are counted from the date of the most recent incident of harassment.

Individuals do not need an attorney to file a complaint with NYSDHR, and there is no cost to file with NYSDHR.

NYSDHR will investigate the complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases receive a public hearing before an administrative law judge. If sexual harassment is found at the hearing, NYSDHR has the power to award relief. Relief varies, but it may include requiring the employer to take action to stop the harassment, or repair the damage caused by the harassment, including paying of monetary damages, punitive damages, attorney's fees, and civil fines.

NYSDHR'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](http://www.dhr.ny.gov).

Go to dhr.ny.gov/complaint for more information about filing a complaint with NYSDHR. The website has a digital complaint process that can be completed on a computer or mobile device from start to finish. The website has a complaint form that can be downloaded, filled out, and mailed to NYSDHR. The website also contains contact information for NYSDHR's regional offices across New York State.

Call the NYSDHR sexual harassment hotline at **1-800-HARASS-3 (1-800-427-2773)** for more information about filing a sexual harassment complaint. This hotline can also provide a referral to a volunteer attorney experienced in sexual harassment matters who can provide limited free assistance and counsel over the phone.

(Continued)

Policy 3120

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**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

The United States Equal Employment Opportunity Commission

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act, 42 USC Section 2000e et seq*.* An individual can file a complaint with the EEOC anytime within 300 calendar days from the most recent incident of 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. If the EEOC determines that the law may have been violated, the EEOC will try to reach a voluntary settlement with the employer. If the EEOC cannot reach a settlement, the EEOC (or the Department of Justice in certain cases) will decide whether to file a lawsuit. The EEOC will issue a Notice of Right to Sue permitting workers to file a lawsuit in federal court if the EEOC closes the charge, is unable to determine if federal employment discrimination laws may have been violated, or believes that unlawful discrimination occurred but does not file a lawsuit.

Individuals may obtain relief in mediation, settlement, or conciliation. In addition, 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. To file a complaint with the United States Equal Employment Opportunity Commission, please visit https://www.eeoc.gov/filing-charge-discrimination.

If an individual filed an administrative complaint with the NYSDHR, then NYSDHR will automatically file the complaint with the EEOC to preserve the right to proceed in federal court.

Title IX

Title IX of the Education Amendments Act of 1972 prohibits discrimination on the basis of sex in education programs and activities that receive federal financial assistance. The United States Department of Education's Office for Civil Rights (OCR) enforces Title IX of the Education Amendments Act 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 a law exists.

(Continued)

Policy 3120

16 of 16

**SUBJECT: SEXUAL HARASSMENT IN THE WORKPLACE (Cont'd.)**

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Those wishing to pursue criminal charges are encouraged to contact their local police department.

Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e et seq.

Title IX of the Education Amendments Act of 1972, 20 USC Section 1681 et seq.

29 CFR Section 1604.11(a)

34 CFR Subtitle B, Chapter I

Civil Service Law Section 75-b

New York State Human Rights Law, Executive Law Section 290 et seq.

Labor Law Sections 201-g and 740

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the District

#3421 -- Title IX and Sex Discrimination

#6122 -- Employee Grievances

#7551 -- Sexual Harassment of Students

Adoption Date: September 12, 2023



**WEBSTER CENTRAL SCHOOL DISTRICT**

**Sexual/Workplace Harassment Complaint Form**

If you believe that you have been subjected to sexual or other form of workplace harassment, you are encouraged to complete this form and submit it to **David Swinson, Assistant Superintendent for Administration and Human Resources, Webster Central School District 119 South Avenue Webster, New York 14580***.* You will not be retaliated against for filing a complaint.

If you are more comfortable reporting verbally or in another manner, your employer should complete this form, provide you with a copy and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

**For additional resources, visit: ny.gov/programs/combating-sexual-harassment-workplace**

**COMPLAINANT INFORMATION**

Name:

Work Address:       Work Phone:

Job Title:       Email:

Select Preferred Communication Method: ☐Email ☐Phone ☐In person

**SUPERVISORY INFORMATION**

Immediate Supervisor’s Name:

Title:

Work Phone:       Work Address:

**COMPLAINT INFORMATION**

1. Your complaint of Sexual or other Harassment is made about:

Name:       Title:

Work Address:       Work Phone:

Relationship to you: ☐Supervisor ☐Subordinate ☐Co-Worker ☐Other

1. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

1. Date(s) sexual or other harassment occurred:

Is the sexual or other harassment continuing? ☐Yes ☐No

1. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

*The last question is optional, but may help the investigation.*

1. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

If you have retained legal counsel and would like us to work with them, please provide their contact information.

*Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

**Instructions for Employers**

If you receive a complaint about alleged sexual harassment, follow your sexual harassment prevention policy.

An investigation involves:

* Speaking with the employee
* Speaking with the alleged harasser
* Interviewing witnesses
* Collecting and reviewing any related documents

While the process may vary from case to case, all allegations should be investigated promptly and resolved as quickly as possible. The investigation should be kept confidential to the extent possible.

Document the findings of the investigation and basis for your decision along with any corrective actions taken and notify the employee and the individual(s) against whom the complaint was made. This may be done via email.

Drug-Free Workplace – Policy 3130

## Drug-Free Workplace 3130

The unlawful possession, manufacture, use or distribution of illicit drugs and alcohol on school premises or as a part of school activities is strictly prohibited.

Employees who use or are under the influence of alcohol, drugs, or controlled substances while on duty are a serious risk to themselves, to students and to other employees. Employees, who display physical manifestations of drug or alcohol use while on duty, may be subject to drug testing. Any employee who violates this policy will be subject to disciplinary action up to and including termination as provided for by statute and/or collective bargaining agreement, as well as referral for prosecution. Employees may also be required to satisfactorily participate in rehabilitation programs.

Coaches, supervisors, chaperones, and those serving in the role of chaperone are expected to refrain from using alcohol/drugs during the event/trip, even after the students have retired for the evening.

As a condition of employment, all employees must abide by the terms of this policy. Employees who are convicted of a drug offense which occurred on school premises or while on duty must notify the Superintendent of their conviction. Notification must be made by the employee to the Superintendent within 5 days of the conviction. Within 10 days, the Superintendent will provide notice of such violation to the Impact Aid Program, United States Department of Education, or other appropriate government agency.

The District administration will institute a drug-free workplace program to inform employees of: (1) the dangers of drug and alcohol abuse in the workplace; (2) this policy of maintaining a drug-free workplace; (3) available counseling and rehabilitation; and (4) the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

Upon the request of the New York State Education Department or an agency of the United States, the District will certify that it has adopted and implemented the drug-free workplace program described in this policy, in the form required by such agency. The District will conduct a triennial review of this policy to determine its effectiveness, implement necessary changes, and to see that the disciplinary sanctions are consistently enforced.

This policy should be distributed in writing to all present and future employees.

Reviewed by the Board of Education May 2015

Updated by the Board of Education February 2018

Reviewed by the Board of Education February 2021

Certification – Policy 3140

## Certification 3140

Each employee whose employment requires certification or other licensure is required to inform the Superintendent of Schools immediately of any change in the status of his/her certification or licensure. The changes may include, but are not limited to, the granting, revocation, upgrading, expiration, conversion and/or extension of these documents as to their periods of validity or their titles.

A printout from the TEACH system, or the original certificates and/or licenses must be presented for examination to the Human Resources Office. The TEACH document, or a copy of the certificate/licenses, will be maintained in the staff member’s personnel file in support of the legitimate employment of each affected employee. The failure of any such employee to maintain the required certification or other licensure may result in the discharge of that employee.

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.

Revised by the Board of Education June 2015

Reviewed by the Board of Education February 2018

Reviewed by the Board of Education February 2021

Personnel Records – Policy 3150

## Personnel Records 3150

**Personnel Records**

The Board of Education directs the Superintendent to develop regulations and procedures governing the maintenance of personnel records for each and every individual employed by the District.

**Release of Personnel Information**

Personnel records will be kept confidential to the extent required by law. Generally, an employee’s personnel records will only be available to the employee and his/her supervisors. These records should not be shared with a third party except in the following situations:

* 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.
* When the employee grants permission to the third party in writing.
* When the third party needs to contact a particular staff member in case of an emergency.
* When the law grants the third party access to the records.

The Superintendent is directed to develop such regulations and procedures as he/she deems necessary to administer this policy.

Reviewed by the Board of Education December 2014

Reviewed by the Board of Education February 2018

Reviewed by the Board of Education February 2021

Employee Commercial Activities – Policy 3160

## Employee Commercial Activities 3160

District employees are not to engage in advertising or commercial solicitations on school time, except as authorized by the Superintendent or his/her designee.

Reviewed by the Board of Education October 2015

Reviewed by the Board of Education February 2018

Reviewed by the Board of Education February 2021

Employee Civic Activities – Policy 3170

## Employee Civic Activities 3170

When an employee is serving on a Board or similar body in another governmental or charitable organization, and if the duties thereof are occasionally required during the time the Webster Central School employee is expected to be in attendance on his/her district duties, the Superintendent of Schools may, at his/her discretion, excuse the employee from his/her Webster Central School duties with pay for up to a total of five days per year. At no time, however, will an employee be excused for more than 25 days per year (either paid or unpaid) for such activities. Each absence will be approved by the Superintendent or his/her designee, and each will be decided on an individual, non-precedent-setting basis.

Reviewed by the Board of Education December 2014

Reviewed by the Board of Education February 2018

Reviewed by the Board of Education February 2021

Family Medical Leave – Policy 3180

## Family Medical Leave 3180

The Board of Education recognizes that leaves of absence are occasionally necessary due to family or medical reasons. The Board of Education hereby authorizes the Superintendent to establish procedures to comply with the Family and Medical Leave Act of 1993 (FMLA).

Reviewed by the Board of Education October 2015

Reviewed by the Board of Education February 2018

Revised by the Board of Education June 2021

Conditional/Emergency Appointments – Policy 3190

## Conditional/Emergency Appointments 3190

If an employee is serving under a conditional appointment or emergency conditional appointment pending employment clearance from the State Education Department, the Superintendent, or designee, shall advise the employee’s immediate supervisor and/or building principal of such appointment status, and request that he/she provide enhanced supervision as deemed appropriate to address safety of children who have contact with the employee. The immediate supervisor or building principal shall, upon the commencement of the staff member’s employment, meet with the staff member to review safety considerations and expectations for any contact such staff member will have with students. The Superintendent or designee shall promptly notify the immediate supervisor or building principal of any changes in the employee’s appointment status, including receipt of clearance for employment.

Reviewed by the Board of Education October 2015

Reviewed by the Board of Education February 2018

Reviewed by the Board of Education February 2021

Webster Central School District

Policy Manual

# School District Operations Section 4000

District Investments – Policy 4010

## District Investments 4010

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 Assistant Superintendent for Business to invest such funds in accordance with all applicable laws and regulations and in conformity with the guidelines established by this policy.

**Objectives**

The objectives of this investment policy are four-fold:

1. Investments shall be made in a manner so as to safeguard the funds of the School District.
2. Bank deposits shall be made in a manner so as to safeguard the funds of the School District.
3. Investments shall be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the School District.
4. Funds shall be invested in such a way as to earn the maximum yield possible given the first three (3) investment objectives.

**Authorization**

The authority to deposit and invest funds is delegated to the Assistant Superintendent for Business. 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 Assistant Superintendent for Business 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.

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.

District Investments – Policy 4010

1. 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).
2. Cooperative municipal investment programs providing there is

collateralization as required by law.

**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.

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.

Approved by the Board of Education on March 17, 2005

Revised by the Board of Education on November 17, 2005

Reviewed by the Board of Education on November 27, 2012

Reviewed by the Board of Education on February 4, 2016

Revised by the Board of Education June 2017

Reviewed by the Board of Education February 2018

Reviewed by the Board of Education February 2019

Approved by the Board of Education June 2022

Reserve Funds – Policy 4015

## Reserve Funds 4015

Reserve funds (essentially a legally authorized savings account designated for a specific purpose) are an important component in the District's financial planning for specific expenses, future projects, acquisitions and other lawful purposes. To this end, the District may establish and maintain reserve funds in accordance with New York State Laws and Commissioner's Regulations. The District will also consider rules and/or opinions issued by the New York State Comptroller and its auditors when determining its legal obligations.

Any and all District reserve funds shall be properly established and maintained to promote the goals of creating an open, transparent and accountable use of public funds. The District may engage independent experts and professionals, including but not limited to, auditors, accountants and other financial and legal counsel, as necessary, to monitor all reserve fund activity and prepare any and all reports that the Board may require.

**GOVERNMENT FUND TYPE ASSIGNMENT (GASB Statement No. 54)**

The District will comply with the reporting requirements of Article 3 of the General Municipal Law of the State of New York and the Governmental Accounting Standards Board (GASB) issued GASB Statement Number 54, *Fund Balance Reporting and Governmental Fund Type Definitions.* The Board authorizes the Superintendent or his/her designee to assign funds to comply with the requirements of GASB Statement No. 54 with respect to the following categories:

1. Nonspendable Fund Balances: Amounts that are not in a spendable form (such as inventory) or are required to be maintained intact (such as an endowment fund).
2. Restricted Fund Balances: Restricted fund balances consist of amounts that are subject to externally enforceable legal purpose restriction imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislations.
3. Committed Fund Balances: Committed fund balances consist of amounts that are subject to a purpose constraint imposed by a formal action of the Board of Education before the end of the fiscal year, and that require the same level of formal action to remove the constraint.
4. Assigned Fund Balances: Assigned fund balances consist of amounts that are subject to a purpose constraint that represents an intended use established by the Board of Education or by its designated official. The Board authorizes the Superintendent or their designee to make a determination of the assigned amounts of fund balance. Assigned funds represent amounts intended to be used for a specific purposes. Assigned fund balances require the same level of authority to remove the constraint.
5. Reserve Funds – Policy 4015
6. Unassigned Fund Balance: Unassigned Fund Balance represents those funds that have not been assigned, committed, restricted or considered non spendable. The General Fund will be the only fund that will report unassigned fund balance unless a deficit fund balance resulting from overspending in other funds exists. Fund balances in other funds will be assigned, committed, restricted or non-spendable unless the fund reports a deficit.

**Periodic Review and Annual Report**

Formal Board of Education action that restricts or commits fund balance to a specific purpose will occur prior to the end of the reporting period, but the amount, if any, which will be subject to the constraint, may be determined in the subsequent period. Actions that assign fund balance to a specific purpose may occur after the end of the reporting period. The Board of Education will periodically review all reserve funds. The District will also prepare and submit an annual report of all reserve funds to the Board of Education.

The annual report shall include the following information for each reserve fund:

1. The type and description of the reserve fund;
2. The date the reserve fund was established and the amount of each sum paid into the fund;
3. The interest earned by the reserve fund;
4. Capital gains or losses resulting from the sale of investments of the reserve fund;
5. The total amount and date of each withdrawal from the reserve fund;
6. The total assets of the reserve fund showing cash balance and a schedule of investments; and
7. An analysis of the projected needs for the reserve fund in the upcoming fiscal year and a recommendation regarding funding those projected needs.

The Board shall utilize the information in the annual report to make necessary decisions to adequately maintain and manage the District's reserve fund balances while mindful of its role and responsibility as a fiduciary of public funds.

The Superintendent shall develop any necessary and/or appropriate regulations to implement the terms of the Board's policy.

Adopted by the Board of Education June 2017

Reviewed by the Board of Education February 2018

 Accepting Gifts – Policy 4020

## Accepting Gifts 4020

Webster school principals are authorized to accept gifts and/or donations worth $5,000.00 or less on behalf of the District. Such gifts/donations, however, must be reported to the Superintendent of Schools. Any gifts or donations which exceed a value of $5,000.00 must be approved by the Board of Education before they can be accepted.

Reviewed by the Board of Education on October 20, 2005

Revised by the Board of Education January 2013

Reviewed by the Board of Education on February 4, 2016

Reviewed by the Board of Education February 2018

Expenditure of District Funds – Policy 4030

## Expenditures of District Funds 4030

Board approval is required prior to the expenditure of District funds.

The Board of Education authorizes the Purchasing Agent to expend school funds as appropriated by the Board in its approved operational and capital budgets, by the adoption of special resolutions or in accordance with authorized transfers by the Superintendent of Schools. 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 by the District’s Internal Claims Auditor. Payment shall be made from original invoice only.

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.

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on November 27, 2012

Reviewed by the Board of Education on February 4, 2016

Reviewed by the Board of Education November 1, 2018

Purchasing Responsibility – Policy 4040

## Purchasing Responsibility 4040

The purchase of services, equipment, and supplies is centralized in the Business Office, by the Purchasing Agent, who reports to the Assistant Superintendent for Business. The Purchasing agent is authorized to sign purchase orders and enter into cooperative bidding and purchasing agreements. If the Purchasing Agent is absent for a period of a week, the Deputy Purchasing Agent is authorized to sign purchase orders and enter into cooperative bidding and purchasing agreements in his/her absence. All purchasing transactions are conducted through the business office.

Approved by the Board of Education on March 17, 2005

Revised by the Board of Education on November 17, 2005

Reviewed by the Board of Education on November 27, 2012

Reviewed by the Board of Education on February 4, 2016

Revised by the Board of Education June 2017

Reviewed by the Board of Education February 2018

Reviewed by the Board of Education November 2018

Reviewed by the Board of Education February 2019

Use of the District Credit Card -- Policy 4045

## Use of the District Credit Card 4045

The Board of Education of the Webster Central School District authorizes the use of District credit cards by specified District employees to pay for actual and necessary expenses required for and incurred in the performance of their work-related duties specifically for the District.

Credit cards may be used solely for legitimate School District business expenditures. The use of a District credit card is not intended to circumvent the District's policy on purchasing. Receipts must be obtained, itemized, and submitted to the Business Office to provide evidence that expenses are prudent and proper.

The Superintendent must approve the issuance of any new credit card and receive authorization by the Board of Education. Credit cards will be issued in the names of specific individuals authorized to possess them in order to help maintain accountability.

Three (3) categories of credit cards are permitted: general purpose cards, gas station cards, and vendor specific. Debit cards are not permitted.

The following positions are authorized for the issuance and use of a District-issued general purpose credit card:

* Superintendent of Schools
* Deputy Superintendent
* Assistant Superintendent for Business
* Assistant Superintendent for Instruction
* Assistant Superintendent for Pupil Personnel Services

All gas station credit cards are to be under the control of the Supervisor of Transportation. The Supervisor of Transportation may issue and authorize usage and shall monitor and maintain records of all gas station credit card use. Gas station credit cards shall be used only for the fueling of District-owned vehicles and equipment when in use for District business. A list of needed credit cards shall be submitted by the Assistant Superintendent for Business to the Superintendent at the beginning of each new fiscal year for approval by the Board of Education.

Vendor specific purchasing cards shall be used only for District requirements. A list of needed purchasing cards shall be submitted by the District’s Purchasing Agent to the Superintendent at the beginning of each fiscal year for approval by the Board of Education.

Use of the District Credit Card -- Policy 4045

**Regulations and Procedures**

The District shall establish a credit line not to exceed $12,500 for each card issued and an aggregate credit limit of $50,000 for all cards issued to the District.

The relationship between the District and the credit card company will be such that the District preserves its right to refuse to pay any claim or portion thereof that is not expressly authorized, does not constitute a proper District charge, or supersedes any laws, rules, regulations, or policies otherwise applicable. In addition, no claim shall be paid unless an itemized voucher/statement approved by the officer whose action gave rise or origin to the claim, shall have been presented to the Board/designee and shall have been audited and allowed.

Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature or violate the intent of this policy may result in credit card revocation and discipline of the employee.

The Treasurer and/or Purchasing Agent shall monitor the use of each credit card on a monthly basis and report any serious problems and/or discrepancies directly to the Superintendent and the Board.

Credit cards may only be used for legitimate school district business expenditures. The use of credit cards is not intended to circumvent the District’s policy on purchasing.

Users must take proper care of these credit cards and take all reasonable precautions against damage, loss, or theft. Any damage, loss, or theft must be reported immediately to the Business Office and to the appropriate financial institution. Failure to take proper care of credit cards or failure to report damage, loss, or theft may subject the employee to financial liability and/or disciplinary action in accordance with applicable laws and/or collective bargaining agreements.

Users must submit detailed documentation, including itemized receipts for commodities, services, travel and/or other actual and necessary expenses which have been incurred in connection with school-related business for which the credit card has been used. For expenditures where a vendor will not take a purchase order, one still must be created to match up with original receipts and returned to the accounts payable department.

The credit card holder and location of the credit card (fuel and purchasing cards) needs to be communicated with the Business Office. The credit card holder (Director of Facilities, Transportation, and building principals) are responsible for ensuring proper sign out procedures are followed when a district employee uses the card within their department/building. All cards must be secured in a locked cabinet in the departments in which they are issued to.

Approved by the Board of Education April 2016

Procurement of Goods and Services – Policy 4050

## Procurement of Goods and Services 4050

Goods and services which are not required by law to be procured by competitive bidding will be procured according to procedures developed by the Chief Financial Officer. These procedures must confirm to the requirements of General Municipal Law §104-b.

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on November 27, 2012

Reviewed by the Board of Education on February 4, 2016

Reviewed by the Board of Education on November 1, 2018

Accounting and Reporting – Policy 4060

## Accounting and Reporting 4060

The District will adhere to the accounting and reporting procedures required by the New York State Uniform System of Accounts for School Districts, the Board of Education, and other applicable state and federal law and/or regulations.

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on November 27, 2012

Reviewed by the Board of Education on February 4, 2016

Reviewed by the Board of Education on November 1, 2018

Online Banking – Policy 4065

## Online Banking 4065

The Board of Education, in order to provide oversight and security with regard to sound fiscal management of online banking activity, authorizes the use of electronic or wire transfers, dependent upon the safeguards and procedures listed here.

**Banking Safeguards**

The Assistant Superintendent for Business, with the assistance of the District Treasurer, shall be responsible for establishing and monitoring electronic banking transactions for the District’s banking and investment accounts, in accordance with the following transaction limits and security procedures:

1. A written wire transfer security agreement, between the bank authorized to maintain the District's account and the District, shall be signed and on file prior to the initiation of any electronic transaction with the bank. The bank shall have written instructions on file from the District, specifying that wire transfers out of the United States are forbidden. Additionally, the bank shall have in place a security procedure such as authorized pass codes, authorized fax or other such controls to ensure the validity of the transaction.
2. Bank accounts that are used for electronic payments and intra-bank transfers will be established with Electronic Payment Authorization (EPA) service and appropriate security procedures, to prevent withdrawal of funds which have not received prior authorization.
3. The security procedure for wire transfer agreements and EPA service shall be in compliance with Uniform Commercial Code Section 4-A-201, which defines "security procedure" as a procedure established by agreement between the customer (School District) and the receiving bank for the purpose of verifying that a payment order is that of the District, and for detecting errors in the transmission or the content of the payment order.
4. The bank will release funds only after the District Treasurer or his/her designee provides authorization with his/her own secure password on the District's account.
5. The bank may verify, either by telephone or in paper/email format, the outgoing wire transfer by contacting one of the designated employees who is independent of the wire transfer process. The designated employee providing the verification shall provide signed or initialed proof of verification which shall be filed with the District Treasurer's back-up paperwork.
6. Only domestic wire, ACH (Automated Clearing House) and other electronic transactions shall be permitted. NO international transactions may be executed.

Online Banking – Policy 4065

**Types of Transactions**

1. Online transactions are authorized for the following purposes: investment of funds, payments to vendors, debt service payments, non-elective payments, and payroll and fringe benefit payments to outside banks (within the U.S.) and transfers within District bank accounts (within any Board-approved District bank accounts).
2. The Board of Education authorizes receipt of revenue, via online transactions, for food service payments, state and federal grants, tax receipts and other such revenue sources as applicable for the efficient operation of the School District.

**Segregation of Duties**

The District Treasurer or his/her designee is authorized to initiate and execute electronic transactions after receiving authorization from the Assistant Superintendent for Business.

Under no circumstances shall one individual have the system rights to create and authorize an electronic transfer of funds. One or more individuals shall be assigned creation rights for electronic fund transfers, as appropriate. A second individual, or individuals, shall be assigned the rights to authorize or release a wire transfer, ACH, or other electronic transfer of funds.

**Reporting**

1. The District Treasurer shall record all electronic banking transactions in conformance with NYS accounting regulations and GAAP (Generally Accepted Accounting Practices).
2. A report of all internal transfers shall be prepared by the District Treasurer and reviewed by the Assistant Superintendent for Business that reviews the bank statements. Documentation of all electronic wire transfers shall be maintained by the District Treasurer and reviewed by the District employee who reviews the bank statements.
3. All electronic fund transfers shall be reviewed by the Internal Auditor, or other appropriate individual assigned to review the bank statements to confirm, among other things, that all transfers have appropriate signatures, verification and authorization of proper personnel.

**Technology Safeguards**

All online banking transactions must be made only on District-owned computers, located within the Business or Treasurer's Office, with up-to-date virus protection and malware detection software. If possible, the Business Office and/or Treasurer should designate a specific computer for all online banking. Other uses for this designated computer should be kept to a minimum.

Appropriate measures shall be taken to ensure that employees with electronic access to bank accounts who leave District employment are properly and promptly removed from the accounts, effective upon termination of employment.

Approved by the Board of Education April 2016

Financial Accountability: Allegations of Fraud/Misconduct – Policy 4070

## Financial Accountability: Allegations of Fraud/Misconduct 4070

Reporting and Investigations of Allegations of Fraud or Misconduct

It is the Policy of the Board to ensure that if any District officer or employee has any knowledge of any occurrence of fraud or other financial improprieties or wrongful conduct, the conduct is investigated promptly and thoroughly. Every officer and employee of the district, whether paid or unpaid, including members of the Board of Education, and their professional or nonprofessional staff and appointees (referred to collectively as “District officers and employees”), are subject to and must abide by the following standards of conduct.

Any person who in good faith has reason to believe that fraud or other financial improprieties or wrongful conduct is occurring within the District is expected to promptly report the allegation so that a proper investigation can be made. Ordinarily, employees should report this to their immediate supervisor within the chain of command or to the next level of authority if the allegation involves the supervisor.

The person receiving a report of fraud or other wrongful conduct shall immediately inform the building principal or manager, unless they are implicated. The person shall also immediately inform the Superintendent of Schools. The Superintendent shall ensure that a proper investigation is conducted and shall inform the Board of Education of the allegation and the results of the investigation.

If the person making or receiving a report believes that the chain of command is not sufficient to ensure impartial, independent investigation, or if the allegation involves the Superintendent of Schools, they may report instead to the Independent (External) Auditor, or the School Attorney, or the Board of Education, who shall be responsible for ensuring that a proper investigation is conducted.

When the report of fraud or other financial improprieties or wrongful conduct involves conduct that appears to be criminal, the Superintendent or other person conducting the investigation shall ensure that the School Attorney and appropriate law enforcement authorities are notified promptly.

The Superintendent or other person conducting the investigation shall ensure that written records of the allegation and the investigation and outcome are maintained.

To the extent appropriate within legal constraints, all reports and investigations will be treated as confidential except to the extent disclosure is necessary to complete a thorough investigation and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a “need to know” basis.

Financial Accountability: Allegations of Fraud/Misconduct – Policy 4070

**Discipline**

If the District determines upon investigation that a school employee has engaged in fraud or other financial improprieties or wrongful conduct, appropriate disciplinary measures will be applied, up to and including termination of employment, in accordance with applicable law, District policy and regulation, and any applicable collective bargaining agreement.

Consultants or other third parties who are found to have engaged in fraud or other financial improprieties or wrongful conduct will be subject to appropriate sanctions in compliance with law.

In addition to any discipline that may be imposed by the District, appropriate civil and/or criminal charges will also be pursued and restitution will be sought.

**Retaliation Prohibited**

The Board prohibits any retaliation against any who, in good faith, report allegations of suspected fraud or other financial improprieties or wrongful conduct as well as witnesses and anyone else who participates in the investigation. The Superintendent or other person conducting the investigation shall make appropriate follow-up inquiries to determine if retaliation has occurred. Any retaliatory act will be subject to appropriate disciplinary action by the district.

**Knowingly Makes False Accusations**

Any person who knowingly makes false allegations of fraud or other financial improprieties or wrongful conduct will also be subject to appropriate disciplinary action by the District.

**Staff Information**

The Superintendent of Schools shall ensure that all employees are informed of the Board’s prohibition of wrongful conduct, including fraud, and of the procedure for reporting any allegations under this policy. The Superintendent shall also ensure that written notification is provided to all employees with responsibilities for purchasing, payment or receipt of funds, accounting or other fiscal oversight or financial duties.

1:\DTB\Webster.CSD\POLICIES\WCSD allegation of fraud.doc

Approved by the Board of Education on March 17, 2005

Reviewed by the Board of Education October 20, 2005

Reviewed by the Board of Education on November 27, 2012

Reviewed by the Board of Education on February 4, 2016

Reviewed by the Board of Education 2018

Partisan Political Activity – Policy 4080

## Partisan Political Activity 4080

The Board of Education prohibits the use of any of the District’s federal, state or local funds and/or resources for partisan political purposes of any kind by any District employee.

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on January 31, 2013

Reviewed by the Board of Education on February 4, 2016

Updated by the Board of Education April 2019

Insurance – Policy 4090

## Insurance 4090

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 vehicles.

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/or under the direction of the Board.

The Superintendent or his/her designee shall establish procedures to handle all injuries that occur on school property and during school sponsored activities that would require notification to the insurance provider. The Board may also require any user of district facilities to name the district as an additionally insured on their insurance policy for the specified event.

All insurance policies, along with an inventory of the contents of the building, should be kept in a fireproof depository or with the appropriate insurance agent for safekeeping and referral purposes. The Superintendent or his/her designee shall review the District's insurance program annually and make recommendations to the Board if more suitable coverage is required.

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on January 31, 2013

Reviewed by the Board of Education on February 4, 2016

Revised by the Board of Education June 2017

Reviewed by the Board of Education 2018

Health and Dental Insurance for Board Members – Policy 4095

## Health and Dental Insurance for Board Members 4095

Current and retired Board members may voluntarily enroll in health and/or dental insurance coverage through the District’s group plan.

For the purpose of this policy, “retired Board member” means a former Board member with twenty years or more of service as a member of the District’s Board of Education.

At their option, current and retired Board members may also enroll their spouses and other eligible dependents.

The total cost of such coverage for current and retired Board members and their dependents shall be borne in its entirety by such members or former members.

Coverage shall be subject to the terms and conditions of the applicable plan.

Legal Reference:

General Municipal Law Section 92-a

Adopted by the Board of Education January 2019

Petty Cash Funds/Cash in School Buildings – Policy 4100

## Petty Cash Funds/Cash in School Buildings 4100

A petty cash fund of not more than one hundred dollars ($100) shall be maintained in the Business Office, in each school building, and in various departments. Payments from petty cash funds may be made for materials, supplies or services only when payment is required upon delivery. The Superintendent is authorized to designate a person responsible for each of these funds and the method of record keeping for each. These funds must operate according to the requirements set forth in the Commissioner’s Regulations (8 NYCRR § 170.4).

Not more than $250, 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.

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on January 31, 2013

Reviewed by the Board of Education on February 4, 2016

Reviewed by the Board of Education 2018

Extra-classroom Activities Fund – Policy 4110

## Extra-classroom Activities Fund 4110

All transactions involving student extra-classroom activity funds (as defined in 8 NYCRR Part 172) shall be on a cash basis (not accrual). In addition, no accounts shall remain unpaid at the end of the school year. The building principals, with approval of the Superintendent of Schools, shall set up procedures for receipt and payment from extra classroom activities funds in their respective buildings.

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on January 31, 2013

Reviewed by the Board of Education on February 4, 2016

Reviewed by the Board of Education 2018

Fundraising – Policy 4120

## Fundraising 4120

The purpose of this policy is for the safety of our students and to clarify the expectations and appropriateness of the fundraising activity.

All approved fundraising will be monitored and accounted for in the extra-classroom funds by the building principal or his/her designee. For athletic fundraisers, the athletic directors must approve the fundraiser, followed by the building principal. For all clubs the building principal will approve the fundraising.

Marching Band, WABO, Central PTSA and PTSA fundraisers must be approved by the appropriate administrator and accounting will take place through the organization. Administrators include: The Director of Fine Arts, Director of Athletics and Physical Education, Building Principal, Assistant Superintendent for Business, and/or Deputy Superintendent.

All fundraising conducted by student groups and other school-or District-affiliated organizations must comply with federal, state and local laws, as well as the Regents rules, particularly with regards to methods used. Participation in fundraising activities is purely voluntary.

The fundraising must be appropriate for the organization and its needs.

The appropriate administrator (i.e. building principal, athletic director) must approve the fundraiser before any activity begins. Any legally binding agreement(s) made with a vendor for the fundraising must be directed to the District’s Business Office for prior approval. Each administrator is to keep a record (form in regulation) of the fundraisers and plan future fundraisers so as not to conflict with other activities.

The fundraising form in Regulation 4121 is to be completed and kept on file with the appropriate building administrator.

Reviewed by the Board of Education September 2007

Reviewed by the Board of Education on January 31, 2013

Updated by the Board of Education May 2016

Reviewed by the Board of Education 2018

Records Management – Policy 4130

## Records Management 4130

The Superintendent is to designate a records management officer subject to the approval of the Board of Education. Such records management officer is to develop and oversee a program for the orderly and efficient management of records, including the legal disposition or destruction of obsolete records (consistent with the rules set forth in the Records Retention and Disposition Schedule ED-1 8 NYCRR Part 185 Appendix I, where applicable). The records management officer has 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.

The Superintendent shall develop appropriate regulations and procedures.

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on January 31, 2013

Reviewed by the Board of Education on February 4, 2016

Reviewed by the Board of Education 2018

Sale and Disposal of School District Property -- Policy 4140

## Sale and Disposal of School District Property 4140

**Sale of School Property**

“No school property (i.e., personal property) with an estimated resale value greater than one-thousand dollars ($1,000) shall be sold without prior approval of the Board of Education. The Superintendent approves the sale or disposal of such property valued at less than $1,000. 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 District Personal 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.

The Superintendent or their designee will be responsible for selling the equipment in such a way so as to maximize the net proceeds of sale which may include a bona fide public sale preceded by adequate public notice. If it is determined that reasonable attempts to dispose of the equipment have been made and such attempts have not produced an adequate return, the Superintendent or their designee may dispose of the equipment in any manner which he/she deems appropriate.

Textbooks

Textbooks may lose their value to the educational program because of changes in the curriculum or that 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:

1. Sale of textbooks. If reasonable attempts to dispose of surplus textbooks fail to produce monetary return to the School District; then
2. Donation to charitable organizations; or
3. Disposal as trash/recycle

Approved by the Board of Education May 2016

Reviewed by the Board of Education 2018

Loss or Destruction of Property -- Policy 4150

## Loss or Destruction of Property 4150

**Personal Property**

Students, staff and visitors are responsible for their own personal property on school grounds and are encouraged not to bring valuable items or money beyond needed amounts to school. Prudent fiscal practice prohibits the District from reimbursing individuals for loss or damage to personal property. Therefore, while the District will make all reasonable efforts to protect personal property, the District assumes no responsibility for personally owned money or items that are lost, damaged or stolen.

The District will reimburse employees for the reasonable cost of replacing dentures, eyeglasses, hearing aids, or similar bodily appurtenances damaged, destroyed or lost as the result of an assault or accident sustained by the employee while acting in the discharge of the employee's duties, provided the employee has not been negligent, unless provided otherwise in a collective bargaining agreement.

**District Property**

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

a) Has willfully, maliciously, or unlawfully damaged, defaced or destroyed real or personal property in the care, custody and/or ownership of the District; or

b) Has knowingly entered or remained in a District building, and wrongfully taken, obtained or withheld personal property owned or maintained by the District.

In instances where the District has sought and obtained a judgment from a court of competent jurisdiction, parent/guardian liability for civil damages shall not exceed $5,000. Under certain circumstances, a court may consider the parent's or guardian's inability to pay any portion or all of the amount of damages which are in excess of $500.00, and enter a judgment in an amount within the financial capacity of the parent or guardian. However, no such judgment shall be entered for an amount which is less than $500.00.

General Obligations Law Section 3-112

Adopted by the Board of Education December 2019

District Cell Phone Policy – Policy 4170

## District Cell Phone Policy 4170

When a district-owned cell phone is paid for through the district plan the following would apply:

District-owned cell phones that are assigned to individual employees

A District-owned cell phone will be issued to an employee when required by that employee’s job duties and as determined by the Superintendent or designee. The employee must reimburse the district for the cost of any personal use of the phone.

Employees may arrange with the District to pay for a reasonable amount of personal use by payroll deduction at the rate of $150.00 per year, pro-rated on a monthly basis for a cell phone. Any usage that falls outside of the District’s cell phone plan (downloads, texts, roaming, foreign country usage, etc.) for non-business purposes is also to be reimbursed by the employee monthly.

Employee-owned “iPhone” devices that are required by the district for administrative purposes

An employee owned iPhone will be purchased by an employee when required by that employee’s job duties and determined by the Superintendent or designee. The employee will reimburse the district for the device they elect to purchase. The employee must reimburse the district for the cost of any personal use of the phone. Any additional services requested by the employee will be reimbursed to the district through payroll deduction.

Employees may arrange with the District to pay for a reasonable amount of personal use by payroll deduction at the rate of $240.00 per year, pro-rated on a monthly basis for a cell phone. Any usage that falls outside of the District’s cell phone plan (downloads, texts, roaming, foreign country usage, etc.) for non-business purposes is also to be reimbursed by the employee monthly.

Employees are expected to comply with all applicable State Motor Vehicle Laws regarding the use of cell phones.

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Phone use.doc

Approved by the Board of Education on March 17, 2005

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on January 31, 2013

Revised by the Board of Education April 2015

Reviewed by the Board of Education on February 4, 2016

Reviewed by the Board of Education February 2019

Conference Travel/Meals and Meal Expense Reimbursement – Policy 4190

## Conference Travel/Meals and Meal Expense Reimbursement 4190

The Board of Education recognizes and supports the professional development of its members and its employees as being in the best interest of the district. Appropriate professional development improves decision-making, effectiveness and productivity.  Conference travel shall be for official business and shall be made utilizing a cost-effective and reasonable method of travel.

All conference travel must have a completed Travel Conference Request Form on file which has been approved by the appropriate supervisor. The Superintendent/designee approves those Travel Conference Requests which have reimbursable employee expenses. Travel Conference Request Forms are only to be used by District employees. All conference reimbursement requests must be submitted using a Travel Conference Reimbursement Form.

Expenses for overnight-approved travel will be reimbursed when accompanied by original receipts for lodging and other reimbursable expenses. Meal expenses for overnight travel or outside the person’s regular work area on official business will only be reimbursed based on the Federally/IRS approved per diem rates which are provided by the United States General Services Administration at the following link:: http://www.gsa.gov/Portal

New York State sales taxes for lodging and meals cannot be reimbursed. A Sales Tax-Exempt Form can be obtained prior to travel for hotel accommodations. Original receipts are required when submitting for parking and tolls, however official "EZ Pass" statements (not trip calculators) may be substituted with the appropriate charges highlighted.

Meals at meetings that do not involve overnight travel may be considered a proper District expense only where there is business of an immediate nature between two or more people and the meeting is required to be held at meal time due to staff or board schedules. Therefore meals will not be reimbursed or provided at District expense for meetings of employees or officers except under the following circumstances:

* The topic(s) of the meeting must be of an immediate nature, or there must be a pressing need to complete the business at hand;
* Scheduling prevents the meeting from being held at a different time;
* The meal must be provided during the meeting.

Before meal expenses for meetings with staff members can be reimbursed or paid, the following information must be provided to the Business Office:

* What was the purpose of the meeting?
* When and at what time was the meeting held?

Approved by the Board of Education on March 17, 2005

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on January 31, 2013

Reviewed by the Board of Education on February 4, 2016

Revised by the Board of Education June 2017

Reviewed by the Board of Education February 2019

Information Systems – Policy 4200

## Information Systems 4200

Employee access to the Webster Central School District’s computer network including Internet, e-mail, and other services has been established for use and support of education, research and business operations consistent with the mission and educational objectives of the District. The district will employ safeguards to protect not only the users, but also the system.

Access to the District’s Information Systems is subject to the following restrictions:

1. **Physical Access to Information Systems.**

File servers and network wiring closets will be housed in secure areas with access limited to authorized personnel only. These secure areas will be adequately ventilated and protected from unauthorized personnel.

1. **Network User Accounts**
* Strong Passwords – users will be required to use strong passwords on all accounts that can access confidential or sensitive information.
* Password Expiration – user’s passwords will expire periodically and users will be required to change their passwords.
* User Work Stations – locking screen savers will be activated on all work stations that have access to confidential or secure information.
1. **Data Back-Up**

A centralized data back-up system will be utilized and housed in an area other than the main server room with back-up tapes stored separately in a safe. Yearly tapes will be stored at the Webster Central School District’s Records Retention Room located at the District Offices.

1. **Disaster Recovery Plan**

The District will employ a plan to be developed by the Superintendent or Superintendent’s designee consisting of the precautions that need to be taken to minimize the effects of a disaster and to enable the organization to either maintain or quickly resume mission-critical operations.

1. **Regulations and Dissemination**

The Superintendent is authorized to develop and implement regulations consistent with this policy. The Superintendent will also be responsible for disseminating the policy and associated regulations to school personnel and students.

Reviewed by the Board of Education on January 31, 2013

Reviewed by the Board of Education April 2016

Reviewed by the Board of Education February 2019

Information Security Breach and Notification Policy – Policy 4210

## Information Security Breach and Notification Policy 4210

The District is required by State Technology Law, Section 208, to notify affected individuals when there has been (or is reasonably believed to have been) a security breach in the District’s computer system which compromises the individuals’ private information. “Private information” includes personal information such as:

* Social security numbers;
* Driver’s license numbers or non-driver identification card numbers; or
* Account numbers, credit or debit card numbers, 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 information that is lawfully made available to the general public from federal, state or local government records.

The Superintendent of Schools, or his/her designee(s), will comply with the requirements of State Technology Law, Section 208.

Reviewed by the Board of Education on January 31, 2013

Reviewed by the Board of Education April 2016

Smoking and Tobacco Products – Policy 4300

## Smoking and Tobacco Products 4300

The Board of Education is committed to providing a tobacco free environment for all students and employees of the Webster Central School District. The Webster Central School District believes that education has a central role in establishing patterns of behavior related to good health and shall take measures to help students and staff to resist tobacco use. Students and employees must be encouraged and supported in their efforts to abstain from tobacco use.

The possession by students and the use or distribution of tobacco products by anyone is prohibited on school grounds, in school vehicles, in any building owned or leased by the school district and at all school sponsored events.

To support this policy the Webster Central School District will:

1. Provide age-appropriate, developmentally based tobacco education and prevention programs for all students.
2. Require active prevention, intervention, and disciplinary programs, including educational awareness and cessation programs that promote a tobacco-free school environment.

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on January 31, 2013

Updated by the Board of Education in May 2016

Reviewed by the Board of Education February 2019

Infectious Disease Control Program – Policy 4310

## Infectious Disease Control Program 4310

District’s administration is required to establish an exposure control program designed to prevent and control exposure to infectious disease consistent with US Department of Labor OSHA, 29 CFR 1910.1030 (1970), and NYS Department of Labor Public Employee Safety and Health (PESH), NYSLL Art 2 §27-a.

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on January 31, 2013

Reviewed by the Board of Education April 2016

Revised by the Board of Education March 2017

Reviewed by the Board of Education February 2019

Drug and Alcohol Testing of Bus Drivers and Other Safety Personnel – Policy 4320

## Drug and Alcohol Testing of Bus Drivers and Other Safety Personnel 4320

The Omnibus Transportation Employee Testing Act of 1991 (P. L. 102-143) (the “Act”) requires employers, including School Districts, to conduct mandatory drug and alcohol testing of bus drivers and other employees performing safety-sensitive functions.  The Federal Motor Carrier Safety Administration (the “FMCSA”) regulations and other Dept. of Transportation regulations (49 C.F.R. parts 40, 382, 391 and 395) (referred to collectively as the “Regulations”) were designed to implement the Act.

It is the District’s intention to fully comply with the mandates of the Act and Regulations which are hereby incorporated into this policy.   In the event that the Act and Regulations are amended by Congress and/or the FMCSA, this Policy shall be deemed to have been amended accordingly at that time, without the need for redrafting.   In such case, the District reserves the right to apply the amended requirements immediately, and without prior notice, unless such notice is required by the amended Act, the Regulations or another applicable law.

Prior to performing required testing on covered employees, the District shall provide each covered employee with educational materials that explain the requirements of the Act, the Regulations, this policy and associated Administrative Regulations.  The Superintendent or his/her designee shall provide written notice to the bus drivers’ union of the availability of these educational materials.

Any violation of this policy, the District’s Administrative Regulations, the Act or Regulations by a covered employee shall be grounds for disciplinary action, up to and including discharge, in a manner consistent with the District’s pre-existing policies, practices, and any applicable collective bargaining agreement.

The Superintendent shall promulgate administrative regulations to implement this policy and comply with the Act and the Regulations.

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on January 31, 2013

Reviewed by the Board of Education April 2016

Reviewed by the Board of Education 2018

Reviewed by the Board of Education February 2019

Recycling Program – Policy 4400

## Recycling Program 4400

The Superintendent or his/her designee is to develop a program for the source separation and segregation of recyclable or reusable materials in the District consistent with federal, state, and local laws.

Reviewed by the Board of Education on October 20, 2005

Reviewed by the Board of Education on January 31, 2013

Reviewed by the Board of Education April 2016

Updated by the Board of Education February 2019

Safety and Security Policy -- 4500

## Safety and Security 4500

Safety and security is essential to the learning environment.  The Board of Education of the Webster Central School District directs the Superintendent or their designee to establish and carry out written safety and security regulations that will:

* Identify those staff members who will be responsible for the effective administration of the regulations;
* Provide staff time and other necessary resources for the effective administration of the regulations;
* Establish periodic written review of the activities of the staff to verify compliance with applicable laws and regulations;
* Provide an on-going mechanism for the effective review of safety and security concerns of the staff, students and affected public;
* Provide for reports to the Board of Education yearly regarding the significant aspects of safety and security of the District.

A District Safety Committee shall be established as well as School Safety Teams that shall report to the committee on a regular basis as established by the Superintendent of Schools, so that through appropriate communication, planning, and problem solving the District will provide a safe environment.

Adopted by the Board of Education June 2018

Webster Central School District

Policy Manual

# Student Achievement and Well Being Section 5000

Attendance – Policy 5010

## Attendance 5010

The educational program offered by this District is predicated upon the presence of the student and requires continuity of instruction and classroom participation. The overall objective is to improve student attendance as a means to increase learning and achievement and increase the graduation rate. The purpose of Webster’s attendance policy is to provide an adequate record verifying the attendance of all children at scheduled instruction in accordance with Education Law 3205 and 3210. In addition, definitions of excused and unexcused student absences have been developed and patterns of student absences analyzed in order to implement instructional intervention strategies. This policy will be communicated annually to students, parents, teachers, and administrators. The Webster Central School District Board of Education will review this policy annually.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in 2016

Reviewed by the Board of Education in 2018

Reviewed by the Board of Education in February 2019

Reviewed by the Board of Education in October 2019

Age of Entrance – Policy 5020

## Age of Entrance 5020

A resident child must be at least 5 years old by December 1st of the school year of entry to be admitted to kindergarten during that school year.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in 2016

Reviewed by the Board of Education in 2019

Screening of New School Entrants – Policy 5030

## Screening of New School Entrants 5030

The Board of Education directs the Superintendent to establish regulations to screen every new entrant to school to determine academic proficiency and need for customized services. The regulations are to be consistent with federal, state law and the Commissioner’s regulations.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in 2016

Reviewed by the Board of Education in 2019

Attendance Zones – Policy 5040

## Attendance Zones 5040

The Board of Education shall from time to time establish a geographic zone of attendance for each of the schools of the District.  Students residing in a given geographic area are expected to attend schools as designated.

Any student that moves on or before December 31st, must move to his/her new attendance zone.  Any student who moves on or after January 1, will be allowed to complete the year at the school they originally started, with the following exceptions.

* If during the school year, a student moves from one attendance zone to another, the student may be allowed to attend the designated school for either attendance zone for the remainder of that school year if agreed to by the principal and district administration.
* If after the start of the second semester, a 4th, 7th or 11th grader moves from one attendance zone to another, the student may be allowed to attend the school designated for the first attendance zone until the end of the 5th, 8th or 12th grade, as the case may be.

In either case, however, parents/legal guardians will be responsible for providing transportation to and from any school outside of the attendance zone in which their legal residence is located.

Guidelines for the implementation of this Policy are to be outlined in the Administrative Regulations.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in 2016

Revised by the Board of Education May 2019

Reviewed by the Board of Education in 2019

Non-Resident Students – Policy 5050

## Non-Resident Students 5050

Students residing outside the Webster Central School District will not be allowed to enroll in the School District except with specific approval of the Superintendent of schools. Acceptance will be on a yearly basis. Tuition will be computed annually according to an established formula consistent with any applicable state law and/or the Commissioner’s regulations.

If student(s) moves outside the residing district zone, the superintendent, at his/her discretion, and with the payment of tuition, may allow enrollment of said student(s) into the district.

The Superintendent also is to establish rules and regulations setting forth the conditions under which non-resident students will be admitted to the District for short periods without tuition.

There must be agreement by Superintendent that the student will benefit from such placement and that space and facilities are available for the placement.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in 2016

Reviewed by the Board of Education in 2019

Educational Services for Pregnant Students – Policy 5070

## Educational Services for Pregnant Students 5070

The Board of Education directs the Superintendent 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 appropriate form of instruction for the student. The form of instruction may be any of the following or a combination of the following:

* Remain in school with provisions for special instruction, scheduling, and counseling where needed.
* Receive home instruction.
* Attend BOCES programs

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in 2016

Reviewed by the Board of Education in 2019

The Education of Homeless Students – Policy 5080

## The Education of Homeless Students 5080

NYS Education Law Section §3209 describes the rights of students in temporary housing in New York State.  The purpose of this policy is to ensure the education of designated homeless under the McKinney-Vento Homeless Assistance Act.

It shall be the policy and practice of the Webster School District to immediately enroll homeless children and youths, even where a child or youth is unable to provide records normally required for enrollment (e.g., prior academic records, proof of residency, immunization records).  Each such homeless child or youth shall be provided services comparable to those offered to other students in the school, including transportation services, education services, programs in vocational and technical education, and school nutrition programs.

In order to ensure that children living in temporary housing residing in the Webster Central School District receive an appropriate education, the District will:

**IDENTIFICATION OF STUDENTS IN TEMPORARY HOUSING**

Under the federal McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act of 2015 (ESSA) and New York State Education Law Section §3209, as amended in 2017, all districts are obligated to affirmatively identify all students in temporary housing. Therefore, **WCSD**will determine whether there are students in temporary housing within the District by using a housing questionnaire to determine the nighttime residence of all newly enrolled students and all students whose address changes during the school year. This questionnaire asks for a description of the current living arrangements of the child or youth in order to determine whether the child or youth meets the definition of a homeless child under the McKinney-Vento Homeless Education Assistance Act. **WCSD** will also contact our local department of social services, as well as local shelters, to identify students in temporary housing, (42 § 11434A(2)) (“McKinney-Vento”) and Education Law § 3209(1)(a).

**DEFINITION OF HOMELESS CHILD AND UNACCOMPANIED YOUTH**

Pursuant to McKinney-Vento 42 USC § 11434A(2), Education Law § 3209(1)(a), and 8 NYCRR

§ 100.2(x)(1)(iii) a homeless child is defined as:

1. a child or youth who lacks a fixed, regular, and adequate nighttime residence, including a child or youth who is:
	1. sharing the housing of other persons due to loss of housing, economic hardship or similar reason (sometimes referred to as “doubled-up”);
	2. living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
	3. abandoned in hospitals; or
	4. a migratory child as defined in subsection two of section thirteen hundred nine of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015, who qualifies as homeless under any of the provisions of clauses (i) through (iii) of this subparagraph or subparagraph two of this paragraph;
	5. an unaccompanied youth, as defined in section seven hundred twenty-five of subtitle B of title VII of the McKinney-Vento Homeless Assistance Act; or
2. 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 pursuant to article nineteen-H of the executive law; 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 stations or similar setting.

An unaccompanied youth is defined as a homeless youth who is not in the physical custody of a parent or guardian due to longstanding, intense family conflict. *42 USC § 11434A(6); 8 NYCRR §100.2(x)(1)(iii)(6)*

**DUTIES OF THE MANDATED MCKINNEY-VENTO LIAISON**

The McKinney-Vento liaison for **WCSD** serves as one of the primary contacts between families experiencing homelessness and school staff, district personnel, shelter workers, and other service providers. The McKinney-Vento liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed.  Additionally, the liaison will facilitate training for all school enrollment staff, secretaries in instructional buildings, school counselors, school social workers, and administrators. Other staff members including school nutrition staff, clerical staff, school registered professional nurses, teachers, and bus drivers will receive training on homelessness that is specific to their field.  *42 USC §11432(g)(6)(A)-(B); 8 NYCRR §100.2(x)(7)(iii)(a)*

**SCHOOL OF ORIGIN**

School of origin is:

* The public school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool or a charter school;
* The designated receiving school at the next grade level for all feeder schools for a student in temporary housing who completes the final grade level served by the school of origin; and
* The public school or preschool in which such child would have been entitled or eligible to attend based on such child’s last residence before the circumstances arose which caused such child to become homeless if the child becomes homeless after such child is eligible to apply, register, or enroll in the public preschool or kindergarten or if the child is living with a school-age sibling who attends school in the school district of origin.*42 USC §11432(g)(3)(G); NY Education Law §3209(1)(i), NY Education Law §3209(1)(f), NY Education Law §3209(1)(h), NY Education Law §3209(1)(g).*

**SCHOOL AND SCHOOL DISTRICT DESIGNATIONS**

The “designator” makes an initial decision about which school and school district a student in temporary housing will attend. A designator is:

* the parent or person in parental relation (guardian) to a student in temporary housing; or
* the student in temporary housing, together with the McKinney-Vento liaison, in the case of an unaccompanied youth; or
* the director of a residential program for runaway and homeless youth, in consultation with the student in temporary housing, where such student is living in such program.

*See, NY Education Law §3209(1)(b); 8 NYCRR §100.2(x)(1)(i)*

**WCSD** will ask the designator to designate one of the following as the school district of attendance:

* **School district of current location -** the public school district within the State of New York in which the hotel, motel, shelter or other temporary housing arrangement of a student in temporary housing or the residential program for runaway and homeless youth is located, which is different than the school district of origin.
* **School district of origin** - the public school district within the State of New York in which the student in temporary housing was attending a public school on a tuition-free basis or was entitled to attend when circumstances arose that caused such child to become homeless which is different from the school district of current location. The school district of origin also includes the school district in the state of New York in which the child was residing when circumstances arose which caused such child to become homeless if such child was eligible to apply, register, or enroll in public preschool or kindergarten at the time such child became homeless, or the homeless child has a sibling who attends a school in the school district in which the child was residing when circumstances arose which caused such child to become homeless.

**WCSD** will also ask the designator to designate one of the following as the school where a student in temporary housing seeks to attend:

* the school of origin; or
* any school that permanently housed children and youth who live in the attendance area in which the child or youth is actually living are eligible to attend, including a preschool.

**Please note**: Students can maintain enrollment in the school of origin for the duration of homelessness and through the end of the school year in which the student becomes permanently housed. The student may be able to remain in the school of origin for one additional year, if the year constitutes the student’s terminal year in such school building.

*42 USC §11432(g)(3)(A); NY Education Law §§3209(1)-(2); 8 NYCRR §§100.2 (x)(1)-(2)*

**DESIGNATION/STAC 202 FORM**

**WCSD** will identify all students in temporary housing, and a designation form will be completed by the designator for all such students and any other student who claims homelessness. Designations must be made on the STAC 202 form provided by the Commissioner.

*NY Education Law §3209(2)(e); 8 NYCRR §100.2(x)(3)*

**UPON RECEIPT OF THE DESIGNATION/STAC 202 FORM:**

**IMMEDIATE ENROLLMENT AND BEST INTEREST DETERMINATIONS**

Upon identification of a child who is in temporary housing and/or receipt of a completed designation form, **WCSD** will:

* immediately review the designation form to assure that it has been completed and admit the student in temporary housing even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, medical records, immunization records, proof of residency or other documentation and even if the child or youth has missed application deadlines;
* determine whether the designation made by the designator is consistent with the best interests of the student in temporary housing. In making best interests decisions **WCSD** will:
* presume that keeping the child in the school of origin is in the child’s best interest, except when doing so is contrary to the wishes of the parent or guardian (or youth in the case of an unaccompanied youth); and
* consider student-centered factors such as the effect of mobility on student achievement, education, health, and safety of the child, giving priority to the wishes of the child’s parent or guardian (or the youth, if a homeless unaccompanied youth). If the **WCSD** determines that it is in the best interest of the student in temporary housing to attend a school other than the school of origin or the designated school, **WCSD** shall provide the parent or guardian (or youth, if an unaccompanied youth) with a written explanation of its determination, including information about the right to appeal. (*See Dispute Resolution Process)  42 USC §11432(g)(3)(B); NY Education  Law §3209(2)(f)(3); 8 NYCRR §100.2(x)(7)(ii).*
* provide the child with access to all of **WCSD**’s programs, activities and services to the same extent as they are provided to resident students;
* immediately contact the school district where the child’s records are located in order to obtain a copy of such records and coordinate the transmittal of records for students with disabilities pursuant to section 200.4(e)(8)(iii) of the Commissioner’s regulations;
* immediately refer the parent or guardian of the student in temporary housing to the McKinney-Vento liaison who must assist in obtaining necessary immunizations or immunization or medical records if the child or youth needs to obtain immunizations or immunization or medical records;
* forward the STAC 202 form to the Commissioner and the school district of origin, where applicable. In all cases, the **WCSD** will give a copy of the completed STAC 202 to the designator and keep a copy of the STAC 202 form.

*42 USC §§11432(g)(3)(C)&(g)(4); NY Education Law §3209(2); 8 NYCRR §100.2(x)(4)*

**UPON RECEIPT OF A REQUEST FOR RECORDS**

Within five days of receipt of a request for school records from a new school, **WCSD** will forward, in a manner consistent with state and federal law, a complete copy of the student in temporary housing’s records, including, but not limited to, proof of age, academic records, evaluations,  immunization records, and guardianship papers, if applicable. NY Education Law §3209(2)(g)*; 8 NYCRR §100.2(x)(5)*

**TUITION REIMBURSEMENT**

**WCSD** is eligible to request reimbursement from the State Education Department for the direct costs of educational services to students in temporary housing that are not otherwise reimbursed under special federal programs, when:

* the district is either the school district of current location or a school district participating in a regional placement plan,
* the district is designated as the school district of attendance, and
* the school district of origin for the student in temporary housing is within New York State. All claims for reimbursement will be made on the STAC 202 form prescribed by the Commissioner of the State Education Department.  *NY Education Law §3209(3)(a)*

In addition, **WCSD** is eligible for reimbursement for the direct costs of educational services, including transportation costs for students who continue enrollment in **WCSD** schools after finding permanent housing midyear in a different school district within New York State. In such cases, **WCSD** will directly bill the new district where the student permanently resides for all direct costs of educational services, including transportation, that are not otherwise reimbursed under special federal programs.

*NY Education Law §3209(4)(i); NYS Field Memo, September 26, 2013*

**TRANSPORTATION RESPONSIBILITIES**

* A social services district is responsible for providing transportation to students in temporary housing, including preschool students and students with disabilities who are eligible for benefits under Social Services Law §350-j and placed in temporary housing arrangements outside their designated districts. Where the social services district requests that **WCSD** provide or arrange for transportation for a student in temporary housing in the circumstances above, **WCSD** shall provide or arrange for the transportation and directly bill the social services district so that the district will be fully and promptly reimbursed for the cost of the transportation. *NY Education Law §3209(4)(a)*
* If **WCSD** is the designated school district of attendance, **WCSD** shall provide for the transportation of each student in temporary housing who is living in a residential program for runaway and homeless youth, including if such temporary housing is located outside the school district. The costs for transportation for each student in temporary housing who lives in a residential program for runaway youth and homeless youth located outside of the designated school district will be reimbursed by the State Education  Department, to the extent funds are provided for such purpose, with the submission of a Runaway and Homeless Youth Act Transportation Program Form. Where **WCSD** provides transportation for a student living in a Runaway and Homeless Youth (“RHY”) facility, the district will promptly request reimbursement. *NY Education Law §3209(4)(b)*
* **WCSD** will transport any student in temporary housing to their school of origin, including preschools and charter schools, where it is the designated district of attendance and the student in temporary housing is not entitled to receive transportation from the Department of Social Services. *NY Education Law §3209(4)(c); 8 NYCRR §100.2(x)(6)(iv)*
* When **WCSD** is designated as the school district of current location for a student in temporary housing and the student does not attend the school of origin, **WCSD** will provide transportation on the same basis as it is provided to resident students, unless the local transportation policy represents a barrier to the student’s attendance in school. *NY Education Law §§3209(4)(d) & (6)(b); 8 NYCRR §100.2(x)(6)(iii)*
* If the student in temporary housing designates **WCSD** as the school district of attendance, transportation will not exceed 50 miles each way, unless the Commissioner of the State Education Department determines that it is in the best interest of the child. *NY Education Law §3209(4)(c); 8 NYCRR §100.2(x)(6)(ii)*
* Where **WCSD** is designated as the school district of attendance and it has recommended the student in temporary housing attend a summer educational program, such district of attendance will provide transportation services to students in temporary housing for summer educational programs if the lack of transportation poses a barrier to the student’s participation in the program. *NY Education Law §3209(4)(e)*; *8 NYCRR §100.2(x)(6)(v)*
* Where **WCSD** is designated as the school district of attendance, it will provide transportation services to students in temporary housing for extracurricular or academic activities when:
	+ The student participates in or would like to participate in an extracurricular or academic activity, including an after-school activity, at the school; and
	+ The student meets the eligibility criteria for the activity; and
	+ The lack of transportation poses a barrier to the student’s participation in the activity. *NY Education Law §3209(4)(f); 8 NYCRR §100.2(x)(6)(vi)*
	+ Where **WCSD** is designated as the school district of attendance, it will provide transportation as described above for the duration of homelessness, unless the social services district is responsible for providing transportation. After the student becomes permanently housed, **WCSD** will provide transportation to the school of origin until the end of the school year and for one additional year if that year constitutes the child's terminal year in the school building. *NY Education Law §3209(4)(i); 8 NYCRR, §100.2(x)(6)(iv)*

**DISPUTE RESOLUTION PROCESS**

**WCSD** has established the following procedures for the prompt resolution of disputes regarding school selection or enrollment of a homeless child or youth:

* **WCSD** will provide a written explanation, including a statement regarding the right to appeal, to the parent or guardian of a student in temporary housing, or to an unaccompanied youth if **WCSD** determines that **WCSD** is not required to either enroll and/or transport such child or youth to the school of origin or a school requested by the parent or guardian or unaccompanied youth, or if there is a disagreement about a child’s or youth’s status as a homeless child or unaccompanied youth. The written explanation will be in a manner and form understandable to such parent, guardian, or unaccompanied youth and will include a statement regarding the McKinney-Vento liaison’s availability to help the parent, guardian, or unaccompanied youth with any appeal and the contact information for the liaison.
* **WCSD** will immediately enroll the student in the school in which enrollment is sought by the parent or guardian or unaccompanied youth, provide transportation to the school, and will delay for 30 days the implementation of a final determination to decline to either enroll in and/or transport the student in temporary housing to the school of origin or a school requested by the parent or guardian or unaccompanied youth.
* If the parent or guardian of a student in temporary housing or unaccompanied youth commences an appeal to the Commissioner within 30 days of such final determination, the student will be permitted to continue to attend the school he or she is enrolled in at the time of the appeal and/or receive transportation to that school pending the resolution of all available appeals.

*42 USC §*§*11432(g)(3)(B) & (E); NY Education Law §3209(5); 8 NYCRR §100.2(x)(7)(ii)*

**MCKINNEY-VENTO LIAISON’S DISPUTE RESOLUTION RESPONSIBILITIES**

**WCSD**’s McKinney-Vento liaison must assist the student in temporary housing’s parent or guardian or unaccompanied youth in bringing an appeal to the Commissioner under Education Law §310 of a final school district decision regarding enrollment, school selection and/or transportation. In the event of a dispute regarding eligibility, enrollment, school selection, and/or transportation. *42 USC §11432(g)(3)(E)(iii); 8 NYCRR §100.2(x)(7)(iii)(c)*

**COORDINATION**

* **WCSD** will coordinate the provision of services described above with local social services agencies, housing providers and other agencies or programs providing services to students in temporary housing and their families, including services and programs funded under the Runaway and Homeless Youth Act.
* **WCSD** will coordinate with other school districts on inter-district issues, such as transportation or transfer of school records.
* **WCSD** will coordinate implementation of the above provision of services with the requirements of the Individuals with Disabilities Education Act (IDEA) for students with disabilities.

*42 USC §11432(g)(5); 8 NYCRR §100.2(x)(7)(iv)*

**COORDINATION WITH TITLE I**

**WCSD** acknowledges that students in temporary housing are eligible for services under Title I, Part A, whether or not they live in a Title I school attendance area or meet the academic requirements required of other children. **WCSD** will ensure that:

* Title I, Part A funds are set aside as are necessary to provide students in temporary housing, who may have unique needs that differ from their permanently housed peers, with educationally related support services;
* Our plan includes a description of how the plan is coordinated with McKinney-Vento;
* Our plan describes the services provided to students in temporary housing;
* This regulation describes the efforts it made to identify students in temporary housing, including unaccompanied youth.  If **WCSD** reports that there are no students in temporary housing enrolled in the District, we will contact the local department of social services or Office of Children and Family Services (OCFS) to verify that there are no students in temporary housing in the District;
* Its housing questionnaire asks about the living arrangements of the child or unaccompanied youth, including asking if he or she is living in a shelter; with relatives or others due to loss of housing or economic hardship; in an abandoned apartment/building; in a motel/hotel, camping ground, car, train/bus station or other similar situation due to the lack of alternative, adequate housing. Documentation of the District’s efforts to identify students in temporary housing will be maintained on file and a copy of the housing questionnaire that asks the above questions will also be kept on file.   *20 USC §§6312(b)(6) & 6313(c)(3)*

**REPORTING**

**WCSD** will collect and transmit to the Commissioner, at such time and in such manner as the Commissioner may require, reports containing such information as the Commissioner determines is necessary, including the numbers of homeless students, their grade, and their nighttime residence.

*NY Education Law §3209(6)(c); 8 NYCRR §100.2(x)(7)(v)*

**ACCESS TO FREE MEALS**

**WCSD** will provide free meals to all children identified as homeless. They do not have to complete a free or reduced-price meal application. When the McKinney-Vento liaison or a shelter director provides a child’s name to the **WCSD**’s school food service office, free school meals will commence immediately.

*42 USC §*§*1758(b)(5) & (b)(12)(A)*

**REMOVAL OF BARRIERS**

**WCSD** will review and revise local policies that may act as barriers to the identification of students in temporary housing and their enrollment and retention in school, including barriers to enrollment and retention due to outstanding fees or fines, or absences.

*42 USC §§11432(g)(1)(I) & (g)(7)(A); NY Education Law §3209(6)(b)*

**COMPARABLE SERVICES**

**WCSD**  will provide services to students in temporary housing comparable to those offered to other students in the district, including transportation services; educational services for which the child or youth meets the relevant eligibility criteria, such as services provided under Title I or similar State or local programs; educational programs for students with disabilities; educational programs for English learners; programs in career and technical education; programs for gifted and talented students; and school nutrition programs.

*42 USC §11432(g)(4); NY Education Law §3209(9)*

**PRIVACY OF STUDENT INFORMATION**

Information about a student in temporary housing’s living situation shall be treated as a student education record and shall not be deemed to be directory information under the Family Educational Rights and Privacy Act (FERPA). A parent/guardian or homeless unaccompanied youth may consent to the release of a student’s address information in the same way they would for other student education records under FERPA.

Questions about this policy or the protections available to students in temporary housing can be directed to the McKinney-Vento Liaisons: **Jim Gindling or Brenda Roof at 585-670-0079**. Questions can also be directed to NYS-TEACHS at (800) 388-2014 or the State Education Department at (518) 473-0295.

*Legal reference:  McKinney-Vento Homeless Assistance Act (Subtitle B – Education for Homeless Children and Youth), as amended April 20, 2017; New York State Education Law, § 3209, New York State Commissioner of Education Regulations 8 N.Y.C.R.R. §100.2(x).*

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Revised by the Board of Education March 2017

Revised by the Board of Education June 2019

Reviewed by the Board of Education in 2019

Interpreters for Hearing Impaired Parents – Policy 5090

## Interpreters for Hearing Impaired Parents 5090

The Webster Central School District will provide interpreter services, at no charge to

parents or persons in parental relation who are hearing impaired, for school meetings or activities related to their child’s educational program.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in 2016

Reviewed by the Board of Education in 2019

Graduation Requirements – Policy 5100

## Graduation Requirements 5100

In order to graduate from high school, a student must meet all the requirements specified in the regulations of New York State including successful completion of all required Regents exams, as well as the graduation requirements as established by the Webster Central School District Board of Education.

Revised by the Board of Education on October 19, 2006

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Revised by the Board of Education in 2014

Revised by the Board of Education April 2020

Student Promotion/Reporting to Parents – Policy 5120

## Student Promotion/Reporting to Parents 5120

Promotion and Retention

The guidelines to be followed by the staff for promotion and retention of students will be developed by the Superintendent.

Reporting to Parents/Legal Guardians

Parents/legal guardians are to receive a report of their child’s educational progress at regular intervals. Report cards are to be used as a standard vehicle for the periodic reporting of student progress and other appropriate school-related data. Report cards, however, are not intended to exclude other means of reporting progress, such as Parent Portal, conferences, phone conversations, etc.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in 2017

Reviewed by the Board of Education in 2019

Musical Instruments – Policy 5130

## Musical Instruments 5130

Webster Central School District will provide certain musical instruments for student use.

Where these instruments are used outside the school building for practice purposes, a rental fee will be charged as determined annually by the Board at the Reorganization Meeting. Exceptions to the rental fees may be made in cases where severe hardship is proved.

Rental plans may be arranged with music companies on other instruments, by which students may rent other instruments without being forced to buy these instruments.

Webster will not require students who furnish their own musical instruments to obtain a specific make or model. However, the District may require a certain level of quality depending on the level of instruction.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in 2016

Reviewed by the Board of Education in 2019

Student Liaison to the Board of Education – Policy 5140

## Student Liaison to the Board of Education 5140

The Board establishes the position of Student Liaison and Alternate Student Liaison in order to facilitate communication between the Board of Education and the student body of the high schools.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in 2016

Reviewed by the Board of Education in 2019

Student Physicals – Policy 5150

## Student Physicals 5150

The purpose of this policy is for Webster Central School District’s compliance with State Education Law Article 19§903 regarding student physicals.

Per State Education Law Article 19§903, a health certificate shall be furnished by each student in the public schools upon his or her entrance in such schools and upon his or her entry into the grades 2, 4, 7, and 10. If such student does not present a health certificate within thirty days from the date of such notice, an examination will be made of such student, as provided in this article by the School District Physician at no expense to the student. An examination of any child may be required by the local school authorities at any time in their discretion to promote the educational interests of such child.

* Each certificate shall be signed by a duly licensed physician, physician assistant, or nurse practitioner.
* Each such certificate shall describe the condition of the student when the examination was made, which shall not be more than twelve months prior to the commencement of the school year in which the examination is required, and shall state whether such student is in a fit condition of health to permit his or her attendance at the public schools.
* Each such certificate shall also state the student’s body mass index (BMI) and weight status category. Weight status categories for children and adolescents shall be as defined by the Monroe County Commissioner of Health.
* Within thirty days after the student’s entrance in such schools or grades, the certificate shall be submitted to the principal or his or her designee and shall be filed in the student’s cumulative health records.
* Additional physicals/examinations are required:
* Transferring students
* Work permits (physical within 12 calendar months)
* Athletes (physical within 12 calendar months prior to each sports season). Injuries or illness during a sports season must be cleared by a physician prior to the next sport played. The school physician has the authority to reassess, examine, evaluate or review the student’s health status and request clarification from the student’s physician, physician assistant or nurse practitioner.
* Potential health concerns detrimental to the student or others, the school physician has the authority to reassess, examine, evaluate or review the student’s health status and request clarification from the student’s physician, physician assistant, or nurse practitioner.

Approved by the Board of Education January 2009

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in 2016

Reviewed by the Board of Education in 2019

Compliance with COVID-19 Health and Safety Requirements -- 5160

## Compliance with COVID-19 Health and Safety Requirements 5160

The Webster Central School District is dedicated to protecting the health and safety of all students, staff, visitors, and other members of the local community. For the 2021-2022 school year, because of the prevalence of COVID-19 in the community, and the unpredictability of variants, the District has developed an opening plan and this policy in an attempt to limit the spread of the COVID-19 virus in our schools.

All students, staff and visitors shall abide by the District’s opening plan and all other health and safety policies, plans or procedures now existing or developed in the future in response to COVID-19.

As these circumstances are fluid and guidance and requirements may change, the Board of Education may adopt and modify this policy on an emergency basis through a single reading.

Adopted by the Board of Education August 2021

Revised by the Board of Education March 1, 2022

Wellness – Policy 5170

## Wellness 5170

The Webster Central School 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. The District has established a wellness committee to develop the District’s proposed local wellness policy, making such policy recommendations for review and adoption by the Board of Education. The District’s wellness committee includes, but is not limited to, representatives from each of the following groups:

1. Parents;
2. Students;
3. The District’s food service program;
4. The School Board;
5. School administrators; and
6. Members of the public.

The Wellness Committee shall meet at a minimum two times a year as to be scheduled by the committee chair. The Committee will assess current activities, programs and policies available in the Webster Central School District; identify specific areas of need; develop the policy; and provide mechanisms for implementation, evaluation, revision and updating of the policy.

**Goals to Promote Student Wellness**

Nutrition Education

The primary goal of nutrition education is to influence students’ healthy eating habits and other nutrition-related behaviors conducive to health and well-being. The district will provide nutrition education that includes:

* Students in grades K-12 receive nutrition education that teaches the skills they need to adopt healthy eating behaviors.
* The District’s health education curriculum standards and guidelines will include both nutrition and physical education.
* Nutrition education is part of not only health education classes, but also integrated into classroom instruction.
* Nutrition education promotes fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation and lifestyles.

Wellness – Policy 5170

* Emphasizes caloric balance between food intake and exercise.
* The district will conduct nutrition education activities and promotions that involve parents, students, staff and the community.

Physical Activity

The primary goals for the districts’ physical activity components are: to provide opportunities for every student to develop the knowledge and skills for specific physical activities, to maintain and enhance students’ physical fitness, and to promote regular participation in physical activity as a lifelong healthy lifestyle choice.

* Students in all grades are given opportunities for physical activity during the school day through physical education classes, daily recess periods for elementary school students, and integration of physical activity into the academic curriculum.
* Students will be given opportunities for physical activity through a range of before and/or after-school programs including, but not limited to, intramurals, interscholastic athletics, and physical activity clubs.
* The district encourages parents to support their children’s participation in physical activity, to be physically active role models, and to include physical activity in family events.
* Professional development opportunities will be made available to enable teachers and other school staff to promote enjoyable, lifelong physical activity among students.

Nutrition

The Webster Central School District will abide by all necessary regulations associated with the 2010 Healthy, Hunger Free Kids act and the Smart Snacks in School provisions. The district’s goal is to encourage healthy lifelong eating habits by the following:

* At a minimum, reimbursable school meals served at school will meet the program requirements and nutrition standards of the National School Lunch program.
* Nutrition information for products sold on campus will be readily available upon request.

Wellness – Policy 5170

* Food and beverages sold at school-sponsored events outside the school day will include healthy choices and provide age-appropriate selections for elementary and secondary students.
* Fund-raising activities will follow the healthy food guidelines as directed in the Healthy Hunger Free Kids Act of 2010 or non-food fundraisers.
* All vending machines will comply with the Healthy Hunger Free Kids Act of 2010.
* Building principals and supervisors in conjunction with their staff will encourage:
	+ Appropriate food rewards
	+ Appropriate non-food celebrations
	+ Healthy classroom snacks

**Implementation and Evaluation of the Wellness Policy**

In accordance with law, the District’s wellness policy must be established by July 1, 2006; and the District will ensure school and community awareness of this policy through various means such as publication in District newsletters and/or the District calendar. Further, professional development activities for staff and student awareness training will be provided, as appropriate, on the goals of the District’s wellness program, including activities/programs for the development of healthy eating habits and the incorporation of physical activity as part of a comprehensive healthy lifestyle.

The Wellness committee shall establish an implementation and evaluation plan for the wellness policy in order to monitor the effectiveness of the policy and the possible need for further modification over time. Evaluation will be based on, but are not limited to, fitness testing scores, PE common assessment data, participation in intramurals and interscholastic athletics, rates of participation in school lunch program, and satisfaction assessment from all interested parties. Further, the district shall document the financial impact, if any, to the school food service program, school stores, or vending machines revenues based on the implementation of the wellness policy.

Approved by the Board of Education on September 21, 2006

Reviewed by the Board of Education in 2011

Revised by the Board of Education April 2014

Revised by the Board of Education February 2016

Reviewed by the Board of Education in 2016

Child Abuse Prevention and Reporting – Policy 5180

## Child Abuse Prevention and Reporting 5180

The Superintendent will develop, maintain and disseminate written regulations and procedures for mandated child abuse reporters.  A training program will be provided for all certified staff members regarding these regulations and procedures for prevention of and responding to suspected child abuse and maltreatment.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in 2017

Revised by the Board of Education April 2020

Harassment of Students – Policy 5190

## Harassment of Students 5190

**STUDENT HARASSMENT AND BULLYING PREVENTION AND INTERVENTION**

The Board of Education prohibits all acts of discrimination, harassment and bullying (including “cyber-bullying”) of students as well as retaliation by other students, school officers/employees, volunteers, vendors or visitors on school property or at school functions. The same actions occurring off-campus are also prohibited if the action or actions adversely affect the educative process and/or endangers the health, safety or morals of students and may be subject to disciplinary consequences.

**Definitions**

**Bullying**

Bullying is a form of harassment that consists of inappropriate persistent behavior including, but not limited to: threats of intimidation of others, treating others cruelly, terrorizing, coercing, stalking, or habitual put-downs and/or badgering of others, whether done directly, indirectly, fact-to-face or remotely through electronic communication (i.e., “cyber-bullying” ). In order to facilitate implementation of this policy, provide meaningful guidance and prevent behaviors from rising to a violation of law, this policy will use the term bullying (which is usually subsumed under the term “harassment”) to describe a range of misbehaviors such as harassment, hazing, intimidation or discrimination. The accompanying regulation provides more guidance regarding the definition and characteristics of bullying.

**Cyber-bullying**

Cyber-bullying is a form of bullying which occurs via electronic communication on the Internet, on cellular phones or other electronic media. It can involve, but is not limited to: sending mean, vulgar, or threatening messages or images; posting sensitive, private information about another person; pretending to be someone else in order to make that person look bad.

**Discrimination**

Discrimination is the act of denying rights, benefits, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as enumerated in the Definitions section, under Harassment, below).

**Hazing**

Hazing is a form of harassment among students defined as any intentional or reckless act directed against another for the induction, initiation or membership process in any school sponsored activity, organization, club, or team involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule. Hazing of a student includes soliciting, encouraging, aiding, or engaging in

Harassment of Students – Policy 5190

“hazing” behavior as defined pursuant to District policy, regulation and/or law. Hazing is demeaning, abusive and/or illegal behavior that harms victims, and is inconsistent with the educational goals of the District by negatively impacting the school environment. Hazing of a student by another student or group of students is strictly prohibited on school property, in school buildings; on school buses; by school sponsored groups, clubs or teams; and at school sponsored events and/or activities whether occurring on or off-campus.

**Harassment**

Harassment has been defined in various ways in federal and state laws and regulations. The Board recognizes that these definitions are important standards, but the Board’s goal is to prevent misbehavior from escalating in order to promote a positive school environment and to limit liability. The Dignity for All Students Act (§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. The harassing behavior may be based on any characteristic, including but not limited to a person’s actual or perceived:

* race,
* color,
* weight,
* national origin,
* ethnic group,
* religion,
* religious practice,
* disability,
* sex,
* sexual orientation, or
* gender (including gender identity and expression).

In some instances, bullying or harassment may constitute a violation of an individual’s civil rights. The District is mindful of its responsibilities under the law and in accordance with District policy regarding civil rights protections.

**Retaliation**

Retaliation is a separate and distinct violation of this policy in which any employee, student, or visitor mistreats any person because he/she reported in good faith, testified about, or otherwise assisted in an investigation, proceeding or hearing related to alleged harassment or bullying.

Harassment of Students – Policy 5190

**School Property**

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 a public elementary or secondary school; or in or on a school bus or other school vehicle.

**School Function**

School Function means a school-sponsored extracurricular event or activity.

**Dignity Act Coordinator**

The Board of Education shall designate at least (1) staff member at every school building to be thoroughly trained to handle human relations in the area of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, gender expression and other characteristics protected by applicable federal, state and local laws (the Dignity Act Coordinator).

In the event a Dignity Act Coordinator vacates his or her position, another school employee shall be immediately designated for an interim appointment as Dignity Act Coordinator, pending approval of a successor Coordinator by the applicable governing body within 30 days of the date the position was vacated. In the event a Dignity Act Coordinator is unable to perform the duties of his or her position for an extended period of time, another school employee shall be immediately designated for an interim appointment as the Dignity Act Coordinator, pending return of the previous Dignity Act Coordinator to his or her duties.

Administrative Regulations

The Superintendent will establish regulations consistent with this policy designed to:

* Further define harassment/bullying/retaliation (giving specific examples thereof);
* Prevent harassment/bullying/retaliation of students;
* Provide students/parents with easy-to-follow complaint procedures for reporting harassing/bullying/retaliatory conduct;
* Provide means for stopping harassing/bullying/retaliatory conduct;
* Provide for immediate and thorough investigations of all complaints;
* Take corrective action if harassing/bullying/retaliatory conduct is discovered; and
* Prevent retaliation against those who make good-faith reports of harassing/bullying conduct or assist in an investigation related to same.

Approved by the Board of Education on June 21, 2012

Reviewed by the Board of Education December 2013

Reviewed by the Board of Education in 2017

Student Alcohol and Drug Policy – Policy 5200

## Student Alcohol and Drug Policy 5200

The Board of Education is committed to the prevention of alcohol and any other drug use.   It is the policy of the Webster Central School District that an alcohol and other drug-free environment be maintained.  No person may use, possess, sell, manufacture, or share drugs, alcohol, or other illicit substances or associated paraphernalia on school grounds, in school vehicles, or at school functions.  Furthermore, students who participate in extracurricular activities and/or athletics are role models for other students, both at school and away from school. They are subject to the same drug and alcohol rules as all other students.  In addition, no student who is a member of any District extracurricular club, team, organization, or similar school activity may use, distribute or possess alcohol or other drugs off school grounds and when not engaged in a school-sponsored activity.

The term “drugs, alcohol or other illicit substances” in this policy refers to all substances including, but not limited to, alcohol, tobacco (including smokeless tobacco),  e-cigarettes, vaping products, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alikes, synthetics, any substances referred to as “designer drugs”, prescription and over-the-counter medication used without the required authorization documentation or used for other than its intended purpose, as described in Regulation 5201.

Additionally, any student exhibiting behavior, conduct, personal or physical characteristics indicative of having abused or consumed alcohol or any other drug, or any student who school personnel have reasonable grounds to suspect has used alcohol or any other drug shall be prohibited from school grounds or school sponsored events.

Approved by the Board of Education on October 9, 2008

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in 2017

Revised by the Board of Education in April 2020

Student Directory Information – Policy 5210

## Student Directory Information 5210

The District will 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, at the discretion of the Superintendent, to an outside group without individual consent.

In accordance with the Family Educational Rights and Privacy Act (FERPA), “Student directory information” includes: name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height (if members of athletic teams), degrees and awards received, and the name of the educational agency or institution previously attended by the student.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in February 2014

Reviewed by the Board of Education in 2017

Reviewed by the Board of Education in 2020

Data Security and Privacy – Policy 5215

## Data Security and Privacy 5215

In accordance with New York State Education Law §2-d, the District hereby implements the requirements of Commissioner’s Regulations (8 NYCRR §121) and aligns its data security and privacy protocols with the National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity Version 1.1 (NIST Cybersecurity Framework or “NIST CSF”).

In this regard, every use and disclosure of personally identifiable information (PII) by the District will benefit students and the District (for example, improving academic achievement, empowering parents and students with information, and/or advancing efficient and effective school operations). PII will not be included in public reports or other documents.

The District also complies with the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). Consistent with FERPA’s requirements, unless otherwise permitted by law or regulation, the District will not release PII contained in student education records unless it has received a written consent (signed and dated) from a parent or eligible student. For more details, reference the District’s applicable administrative regulations and procedures regarding access to student records under FERPA.

In addition to the requirements of FERPA, the Individuals with Disabilities Education Act (IDEA) provides additional privacy protections for students who are receiving special education and related services. For example, pursuant to these rules, the District will inform parents of children with disabilities when information is no longer needed and, except for certain permanent record information, that such information will be destroyed at the request of the parents. The District will comply with all such privacy provisions to protect the confidentiality of PII at collection, storage, disclosure, and destruction stages as set forth in federal regulations 34 CFR 300.610 through 300.627.

The Superintendent or his/her designee will establish and communicate procedures for parents, eligible students, and employees to file complaints about breaches or unauthorized releases of student, teacher or principal data (as set forth in 8 NYCRR §121.4). The Superintendent is also authorized to promulgate any and all other regulations necessary and proper to implement this policy.

**References:**

Education Law §2-d

8 NYCRR §121

Family Educational Rights and Privacy Act of 1974, 20 USC §1232(g), 34 CFR 99

Individuals with Disabilities Education Act (IDEA), 20 USC §1400 et seq., 34 CFR 300.610–300.627

Adopted by the Board of Education June 2020

Reviewed by the Board of Education December 2020

Internet Safety – Policy 5220

## Internet Safety 5220

Recognizing that the Internet represents an important resource that allows access to ideas, information and commentary from around the world, the WCSD provides Internet access to staff, students, volunteers and community education members (users) as an aid to research, teaching and learning. Access to the Internet, electronic mail and computers will be governed by this policy, the Acceptable Use Regulation and the District’s administrative procedures. This policy has been developed in compliance with the Children’s Internet Protection Act and the Neighborhood Children’s Internet Protection Act (Public Law 106-554).

Access to the Internet using the District’s computer equipment (and any electronic device) is subject to the following restrictions (access using personal electronic devices is also covered by this filtering):

1. **Filtering**. Filtering software will be used to block minors’ access to:
2. Visual depictions that are (a) obscene, (b) child pornography, or (c) harmful to minors;1 and
3. Internet sites which, in the Board’s determination, contain material which is “inappropriate for minors.” (See item B. below.)

Adult access to visual depictions that are obscene and/or child pornography will also be blocked. However, the Superintendent or his/her designee may disable the software to enable access to blocked sites for bona fide research or other lawful purposes.

1. **Matter Inappropriate for Minors**. The Board will (from time to time) determine by resolution what Internet material is “inappropriate for minors” in the District. This determination will be based on community standards.
2. **Safety of Minors When Using Direct Electronic Communications.**  In using the computer network and Internet, minors are not permitted (without proper authorization) to reveal personal information such as home addresses, telephone numbers, their real last names or any other information which might allow someone they are communicating with online to locate them. No minor may arrange a face-to-face meeting with someone he/she “meets” on the computer network or Internet without permission of his/her parent or guardian.

Internet Safety – Policy 5220

1. **Unauthorized Access and Other Unlawful Activities.** It is a violation of this policy to:
2. use the school’s computer network or the Internet to gain unauthorized access to other computers or computer systems, or to attempt to gain such unauthorized access;
3. damage, disable or otherwise interfere with the operation of computers, computer systems, software or related equipment through physical action or by electronic means; and/or

1The terms “obscene”, “child pornography”, “harmful to minors”, and “matter inappropriate for minors”, used throughout the policy, are defined in the Children’s Internet Protection Act and the Neighborhood Children’s Internet Protection Act (Public Law 106-554). See Appendix A.

1. violate state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or any other applicable law or municipal ordinance.
2. **Unauthorized Disclosure and Dissemination of Personal Identification Information Regarding Minors.** Personally identifiable information concerning minors may not be disclosed or used in any way on the Internet (e.g., on the District’s web page or otherwise) without the permission of a parent or guardian or pursuant to the District’s Directory Information Policy. If a student is 18 or over, the permission may also come from the student himself/herself.
3. **Monitoring.** Those responsible for supervising minors while using District computers will also be responsible for monitoring their online activities by circulating throughout the area where the computers are located and directly observing the nature of those activities.
4. **Instruction on Internet Social Interactions and Cyber-bullying.**  The District will educate students about appropriate online behavior, including interacting with other individuals on social networking websites/chat rooms as well as cyber-bullying awareness and response.
5. **Regulations and Dissemination.** The Superintendent will develop and implement regulations consistent with this policy. The Superintendent will also be responsible for disseminating the policy and associated regulations to school personnel and students.

Reviewed by the Board of Education in 2012

Reviewed by the Board of Education in 2013

Reviewed by the Board of Education in February 2014

Reviewed by the Board of Education in April 2016

Reviewed by the Board of Education in 2017

Internet Safety Policy – Policy 5220

**Appendix A**

Generally speaking**, “obscenity”** is defined as any work that an average person (applying contemporary community standards) would find, taken as a whole, appeals to a prurient interest. The work also must depict or describe, in a patently offensive way, sexual conduct as specifically defined in state law. Moreover, the work, taken as a whole, has to lack serious literary, artistic, political or scientific value. (See 18 U.S.C. §1460 and the cases interpreting that statute.)

**“Child pornography”** is defined as:

 …..any visual depiction, including a photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical or other means, of sexually explicit conduct, where (a) the production of visual depiction involves the use of a minor [someone under the age of 18] engaging in sexually explicit conduct; (b) such visual depiction is or appears to be, of a minor engaging in sexually explicit conduct; (c) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or (d) such visual depiction is advertised, promoted, presented, described or distributed in such manner that conveys the impression that the material is or contains a visual depiction of a minor engaging in sexually explicit conduct. (18 U.S.C. §2256[8]).

The phrase **“harmful to minors”** is defined as:

 …..any picture, image, graphic image, file, or other visual depiction that (a) taken as a whole and with respect to minors [defined here as anyone under the age of 17], appeals to a prurient interest in nudity, sex or excretion; (b) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or lewd exhibition of the genitals; and (c) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors. (Public Law 106-554 §1703[b][2].)

The phrase **“matter/material inappropriate for minors”** must be defined by a determination by the Board applying local community standards. (Public Law 106-554 §1732[1][2].)

Notification of Release of Sex Offenders – Policy 5230

## Notification of Release of Sex Offenders 5230

The Webster Central School District will disseminate all information which the District receives from local police authorities concerning the release of sex offenders within the District to its staff members including, but not limited to, building principals, teachers, support staff, custodians, bus drivers, and security personnel.

Furthermore, the District will comply with the requirements of the Freedom of Information Law (FOIL) in response to written requests made to the District’s Records Access Officer for information concerning the release of sex offenders pursuant to FOIL.

The Superintendent is also authorized to disseminate such information to those members of the staff and community at large 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.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2017

Response to Intervention – Policy 5295

## Response to Intervention 5295

The purpose of this policy is to address the administrative practices and procedures for the implementation of the Webster Central School District’s Response to Intervention (RTI) process for all students. For students suspected of having a potential learning disability, the District will provide appropriate RTI services prior to a referral to the Committee on Special Education (CSE) for evaluation.

The Webster Central School District’s RTI process shall include:

1. 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;
2. Universal screenings provided to all students to identify those students who are not making academic progress at expected rates;
3. Scientific, research-based instruction matched to student needs 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;
4. Progress monitoring of student achievement, including curriculum based measures, to determine if interventions are resulting in student progress toward age or grade level standards;
5. Educational decisions about student goals, instruction and program services made using data from interventions. This may include referrals for special education programs and/or services.
6. Written notification to the parents including a summary of the student’s performance data, plan for intervention, and the parents’ right to request an evaluation for special education programs and/or services.
7. Student support teams in each building who will analyze the data concerning a student’s response to intervention and make education decisions about changes in goals, instruction and/or services in conjunction with RTI providers.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2017

Reviewed by the Board of Education in 2020

Section 504 of the Rehabilitation Act of 1973 – Policy 5300

## Section 504 of the Rehabilitation Act of 1973 5300

The purpose of this policy is to affirm the District’s 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 and extend to every qualified student with a disability under Section 504 a free, appropriate public education, including modifications, accommodations, specialized instruction or related aides and services, as deemed necessary to meet their educational needs as adequately as the needs of non-disabled students are met.

Each building principal or his/her designee is responsible for coordination of activities relating to compliance with Section 504 within his/her building.

The Superintendent or his/her designee is responsible for providing 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.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2017

Revised by the Board of Education in April 2020

Special Education Programs and Related Services – Policy 5310

## Special Education Programs and Related Services 5310

The District will provide for an appropriate special education program for each student with a disability upon receiving from the CSE (Committee on Special Education) or CPSE (Committee on Preschool Special Education) recommendations for special education services. The CSE or CPSE shall provide the Board with a written evaluation for each student with a disability that includes:

* Classification of a student’s disability.
* Recommendation(s) for a special education program and/or related service(s), including counseling, based upon a student’s needs.

**Program Accessibility**

The District’s programs and facilities are to be accessible to all its students with disabilities. The Superintendent or his/her designee is responsible for coordination of activities relating to compliance with Section 504 of the Rehabilitation Act. He/she is to provide information, including complaint procedures, to any person who feels his/her rights under Section 504 have been violated by the /district or its officials.

**Twelve Month Educational Program**

The District will provide, directly or by contract, special education services and programs during July and August to those students who the CSE/CPSE has determined required those services for a 12-month duration in order to prevent substantial regression.

 Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2017

Revised by the Board of Education in April 2020

Independent Educational Evaluations – Policy 5315

## Independent Educational Evaluations 5315

Parents/guardians of a student with a disability (or a student who is thought to have disability) have the right to receive an “independent evaluation” of their child if they disagree with the evaluation obtained by the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE).

Prior to obtaining such an evaluation, parents or guardians must file a written request for the independent evaluation within 90 days from the date of the CSE or CPSE evaluation to obtain approval for this evaluation.  Upon approval the district would pay for this evaluation pursuant to the following terms of this policy and the associated regulation.

The independent examination must be conducted by a qualified examiner who is not employed by the District.  Upon request, parents will be provided with a list of public and private agencies and professional resources where independent evaluations may be obtained.  These publicly-funded independent evaluations will be limited to the same geographic and fiscal limitations as used by the District when it initiates an evaluation. Evaluators must reside and/or maintain their primary place of business within Monroe County.

The qualifications of an independent evaluator shall be in alignment with the criteria utilized by the district upon initiating an evaluation. Such qualifications include, but are not limited to the following;

* Psychologists must be licensed by the state of New York as clinical or certified school psychologists. If certified as a school psychologist, the evaluation of the student must occur in a school setting.
* Other evaluators must be appropriately certified in the area of their specialty by the State Education Department.
* The assessment performed must be norm referenced for individual evaluation, appropriate for the education level of the student, and measure the same cognitive, motor, and affective skills as the district administered assessments.

The district has the right to initiate an impartial hearing to demonstrate that its evaluation was appropriate.  If the hearing officer determines that the District’s evaluation was appropriate, a parent or guardian will not be entitled to reimbursement at public expense.

Charges for services will be made to the district within 30 days of being provided.  The associated payments for specific services will not exceed the fees listed in (July re-org meeting).  Fiscal limitations for these publicly-funded independent evaluations shall align with the same limitations utilized by the District when it initiates an evaluation. In the absence of unusual circumstances, costs will be deemed reasonable and allowable in accordance with the fee schedule (July re-org meeting). The fees shall be reduced by any insurance coverage available to the requesting party.  Travel expenses incurred as a result of an independent evaluation will not be financially reimbursed by the school district.  The fee schedule shall be established annually at the annual reorganizational meeting with additional revision as may be deemed necessary.  When special circumstances require, the indicated limitations may be waived upon receiving prior approval from the superintendent of schools.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in February 2014

Reviewed by the Board of Education in 2017

Revised by the Board of Education in January 2021

Impartial Hearings and Selection of Impartial Hearing Officer – Policy 5320

## Impartial Hearings and Selection of Impartial Hearing Officer 5320

The purpose of this policy is to provide a process for accessing outside assistance when needed in resolving a disagreement involving the education of a student with a disability. This disagreement may involve the identification, evaluation, educational placement or provision of a free appropriate education. 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:

1. 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.

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.

1. 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.
2. 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.
3. 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.

Impartial Hearings and Selection of Impartial Hearing Officer – Policy 5320

1. 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.
2. The IHO presides over the hearing at which the parties have an opportunity to present evidence and testimony.
3. 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.
4. The IHO renders and forwards the finding of fact and decision to the parties and in the State Education Department in accordance with regulatory timelines.
5. The decision of the IHO is final and binding on both parties unless appealed to the State Review Officer (SRO).

**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.

**Expedited Impartial Hearings**

The school district shall arrange the expedited due process hearing according to the following time period, unless the parent and school district agree in writing to waive the resolution meeting or agree to use mediation:

1. A resolution meeting shall occur within seven days of receiving notice of the due process complaint.
2. The expedited due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of receipt of the due process complaint.
3. The expedited due process hearing shall occur within 20 school days of the date the complaint requesting the hearing is filed.
4. The impartial hearing officer shall make a determination within 10 school days after the hearing.
5. No extension to an expedited impartial hearing timeline may be granted.

Impartial Hearings and Selection of Impartial Hearing Officer – Policy 5320

The impartial hearing officer shall mail a copy of the written, or at the option of the parents, electronic findings of fact and the decision to the parents, to the Board of Education, and to the Office of Vocational and Educational Services for individuals with Disabilities Education (VESID) of the New York State Education Department within 10 school days after the hearing.

Resolution Period

Except where the parties have jointly agreed to waive the resolution process or use mediation, the failure of a parent filing a due process complaint to participate in the resolution meeting will delay the timeline for the resolution process and due process hearing until the meeting is held.

1. If the school district is unable to obtain the participation of the parent in the resolution meeting after reasonable efforts have been made (and documented), the school district may, at the conclusion of the 30-day period, request that an impartial hearing officer dismiss the parents’ due process complaint.
2. If the school district fails to hold the resolution meeting within 15 days of receipt of the parents’ due process complaint or fails to participate in the resolution meeting, the parent may seek the intervention of the impartial hearing officer to begin the due process hearing timeline.

The parties agree in writing to continue mediation at the end of the 30-day resolution period, in which case, the hearing or pre-hearing conference shall commence within the first 14 days after the impartial hearing officer is notified in writing that either party withdrew from mediation.

**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.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2017

Reviewed by the Board of Education 2020

Preschool Special Education Program – Policy 5330

## Preschool Special Education Program 5330

The Board recognizes the need for educational programs for three and four year old children with disabilities and directs the Superintendent to establish administrative practices and procedures to:

* Provide for special education services and programs for each preschool child with a disability residing in the District.
* Establish a Committee on Preschool Special Education (CPSE) which shall be composed of staff in accordance with applicable state and federal regulations.
* Ensure that parents have received and understand the request for consent for evaluation of a preschool child.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2017

Revised by the Board of Education in January 2021

Providing Teachers and Service Providers with Student’s IEP Information – Policy 5340

## Providing Teachers and Service Providers with Student’s IEP Information 5340

Each regular education teacher, special education teacher, related service provider and other service provider who is responsible for the implementation of a student’s Individualized Education Program (“IEP”) shall be provided with the student’s IEP prior to its implementation. The Chairperson of the Committee on Special Education shall designate a professional employee of the district with knowledge of the student’s disability and the education program to, prior to the implementation of the student’s IEP, inform each teacher, assistant and support staff person of his or her responsibility relating to the implementation of the IEP and the specific accommodations, modification and support that must be provided. The student’s IEP shall continue to remain confidential and shall not be re-disclosed to any other person except in accordance with the Family Educational Rights and Privacy Act and the Individuals with Disabilities Education Act, and applicable regulations promulgated pursuant thereto.

Legal Reference:

Education Law Section 4402(7)(a)(b)(c)

Chapter 408 of the Laws of 2002

Reviewed by the Board of Education in 2011

Updated by the Board of Education in April 2014

Reviewed by the Board of Education in 2017

Reviewed by the Board of Education in 2020

Participation of Students with Disabilities in School District Activities and Programs – Policy 5350

## Participation of Students with Disabilities in School District Activities and Programs 5350

All students with disabilities residing in the District, including those of preschool age, are provided with full access and opportunity to participate in School District activities and programs, including extracurricular activities and programs 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, will receive timely notice of such District programs and activities.

A student who will be awarded a Skills and Achievement Commencement Credential or Occupational Studies Commencement Credential, but has not otherwise qualified for a Regents or local high school diploma, will be provided with the opportunity to participate in the graduation ceremony and all related activities associated with that student’s high school graduating class.  A student’s graduating class will be defined as the twelfth-grade class with which a student entered into ninth grade.  The student and their parents or guardians shall be provided with annual written notice about these adopted school district procedures in accordance with this rule.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2017

Revised by the Board of Education in January 2021

Use of Time Out Rooms – Policy 5355

## Use of Time Out Rooms 5355

Webster Central School District shall not employ the use of time out rooms as a means of regulating student behavior, except as permitted by 8 New York Code of Rules and Regulations (NYCRR) Section 200.22(c).

Pursuant to Commissioner's Regulations, a time out room is defined "as an area for a student to safely deescalate, regain control and prepare to meet expectations to return to his/her education program." If a time out room is to be used, it must be used in conjunction with a behavioral intervention plan (that is designed to teach and reinforce alternative appropriate behaviors) in which a student is removed to a supervised area in order to facilitate self-control or when it is necessary to remove a student from a potentially dangerous situation and for unanticipated situations that pose an immediate concern for the physical safety of a student or others.

Webster Central School District has adopted and implemented the following policy and procedures governing school use of time out rooms:

T**he use of time out rooms shall be governed by the following rules and standards:**

1. The Webster Central School District prohibits placing a student in a locked room or space or in a room where the student cannot be continuously observed and supervised. The time out room shall be unlocked and the door must be able to be opened from the inside.

Staff shall continuously monitor the student in a time out room. The staff must be able to see and hear the student at all times.

 Under no circumstances shall a time out room in a school program be used for seclusion of the student, where the term "seclusion" is interpreted to mean placing a student in a locked room or space or in a room where the student is not continuously observed and supervised.

1. In accordance with a student’s individualized behavioral intervention plan, factors which may precipitate the use of the time out room are the student’s use of aggressive behavior potentially likely to injure other students or staff, or the student him or herself, over a period of time during which the student is unable to deescalate and regain control with other interventions.
2. Time limitations for the use of the time out room:

A student's IEP shall specify when a behavioral intervention plan includes the use of a time out room for a student with a disability, including the maximum amount of time a student may be in a time out room as a behavioral consequence as determined on an individual basis in consideration of the student's age and individual needs.

The Executive Director of Special Education shall be notified in the event a student is placed in a time out room and shall be provided with records of the use of the time out room, including the data collected pursuant to paragraph “f” below.  Such information shall be considered when determining the effectiveness of the student's behavioral intervention plan and the use of the time out room for the student. Whether the student requires a debriefing following the use of a time out room shall be left to the staff knowledgeable about the individual student and the specifics of the student’s behavioral intervention plan.

d) Staff training on the policies and procedures related to the use of time out rooms shall include, but not be limited to:

1. The Executive 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 Commissioner's Regulations relating to the use of time out rooms, including members of the Committee on Special Education (CSE). Training will occur annually for all staff involved.

e) Data collection to monitor the effectiveness of the use of time out rooms:

Webster Central School District shall establish and implement procedures to document the use of timeout rooms, including information to monitor the effectiveness of the use of the time out room to decrease specific behaviors.  Such data would be subject to review by the State Education Department (SED) upon request.

Such data collection should appropriately include, but is not limited to, the following information:

1. A record for each student showing the date and time of each use of the time out room;
2. A detailed account of the antecedent conditions/specific behavior that led to the use of the time out room;
3. The amount of time that the student was in the time out room; and
4. Information to monitor the effectiveness of the use of the time out room to decrease specific behaviors which resulted in the student being placed in the room.

f) Information to be provided to parents.

Webster Central School District shall inform the student's parent(s) prior to the

initiation of a behavioral intervention plan that will incorporate the use of a time

out room for a student, and shall give the parent the opportunity to see the

physical space that will be used as a time out room and provide the parent

with a copy of the district’s policy on the use of time out rooms.

Additionally, parents should be notified if their child was placed in a time out

room.  Minimally, *whenever a time out room is used as an emergency*

*intervention* pursuant to Commissioner's Regulations Section 200.22(d), the

parent shall be notified of the emergency intervention. Such notification will be

provided the same day whenever possible.

**Physical Space Used as a Time Out Room**

 The physical space used as a time out room must meet certain standards.

a) The room shall provide a means for continuous visual and auditory monitoring of the student.

b) The room shall be of adequate width, length and height to allow the student to move about and recline comfortably.

c) Wall and floor coverings should be designed to prevent injury to the student, and there shall be adequate lighting and ventilation.

d) The temperature of the room shall be within the normal comfort range and consistent with the rest of the building.

e) The room shall be clean and free of objects and fixtures that could be potentially dangerous to a student and shall meet all local fire and safety codes.

[Education Law Sections 4401, 4402, and 4410](http://public.leginfo.state.ny.us/menuf.cgi)

8 New York Code of Rules and Regulations (NYCRR) Sections 19.5, 200.1, 200.4, 200.7, 200.22, and 201.2

Adopted by the Board of Education August 2018

Reviewed by the Board of Education 2020

Least Restrictive Environment – Policy 5360

## Least Restrictive Environment 5360

The purpose of this policy is to ensure that students with disabilities eligible for special education services and/or programs are provided those services in the least restrictive environment which is appropriate in meeting their individual educational needs.

*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:

1. Provide the special education and related services, as well as supplementary aids and services, needed by the student;
2. 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
3. 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:

1. Each student with a disability shall be educated with non-disabled students to the maximum extent appropriate;
2. 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
3. To the maximum extent appropriate to the student’s needs, each student with a disability shall participate with non-disabled 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 non-disabled 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.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2017

Reviewed by the Board of Education in 2020

Appointment and Training of CSE and CPSE Members – Policy 5370

## Appointment and Training of CSE and CPSE Members 5370

**Appointment**

The Committee on Special Education (CSE) and the Committee on Preschool Education (CPSE) shall be composed of:

* Parent or persons in parental relationships to the student
* Staff in accordance with state and federal regulations
* The student if appropriate
* At the discretions of the parent of the district, other individuals who have knowledge or special expertise regarding the student

At the request of the Parent and/or the District, at least 72 hours prior to the meeting, additional members may include:

* a school physician; and
* a parent of a child with a disability residing in the district or a neighboring district.

**Training**

The Executive Director of Student Services is responsible 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.

Reviewed by the Board of Education in 2011

Revised by the Board of Education in April 2014

Reviewed by the Board of Education in April 2017

Revised by the Board of Education in January 2021

Instruction for English Language Learners – Policy 5390

## Instruction for English Language Learners 5390

It is the District’s philosophy to educate English Language Learners (ELL) in Integrated Academic Classes and Stand-Alone English as a New Language (ENL), students with Limited English Proficiency (LEP) in the least restrictive environment, and to provide them with full access to a free-standing English as a Second Language program taught by duly certified English to Speakers of Other Languages (ESOL) English as a Second Language (ESL) teachers.

The Superintendent will develop and implement administrative regulations designed to:

* Identify English Language Learners pursuant to Commissioner’s Regulations (CR PART 154) Screen pupils for LEP pursuant to Part 117 of the Commissioner’s regulations;
* Using mandated screening procedures, identify such pupils with LEP; and
* Annually evaluate each such pupil’s performance in content areas to measure the pupil’s academic progress, and evaluate progress in English Language Proficiency using the NYSESLAT.

The Board supports the full access of ELL/LEP students to all appropriate instructional and support services offered within the District (including guidance programs pursuant to section 100.2[j] of the Commissioner’s regulations), including equal opportunities to participate in all school programs and extracurricular activities.

In cases where an ELL/LEP student is suspected of having a disability and a referral is made to the Committee on Special Education, a bilingual multi-disciplinary assessment will be conducted to assure that a comprehensive, appropriate evaluation is provided.

In order to enhance communication regarding school-related programs and activities, the District will make every effort to communicate with the parents of ELL/LEP students in a language they understand.  Further, this will include the use of interpreters, when appropriate, for parent conferences and other meetings such as those held by the Committee on Special Education.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in 2014

Reviewed by the Board of Education in 2017

Revised by the Board of Education in January 2018

Reviewed by the Board of Education in 2020

Title I Parent and Family Engagement Policy – Policy 5400

## Title I Parent and Family Engagement Policy 5400

The Every Student Succeeds Act (ESSA) provides for, and the Webster Central School District expects and encourages, the involvement of parents of children in programs assisted under Title 1 of the Act (ESSA). The District assures parental involvement.

The district administration is responsible for the following:

1. Involving parents in the joint development of the Title 1 plan

 a. Seeking parental participation during each school’s Open House

 b. Holding an annual information meeting

 c. Seeking parental input regarding the program

2. Providing the coordination, technical assistance, and support necessary to assist participating schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance by

a. Educating the teachers and staff in the value and utility of the contribution of

parents and how to reach out to, communicate with, and work with parents as equal partners in the education of their children

b. Providing examples of best practices in parental involvement from other school

districts

c. Making known, or developing new, procedures for disseminating

      information from schools to parents

3. Working to build the schools’ and parents’ capacity for strong parental involvement by

a. Working with the PTSA to organize informational sessions

b. Disseminating literature on educational topics through District and school newsletters

c. Schools explaining and describing the standards at annual curriculum night events

for parents.

d. Encouraging parental participation in school activities

e. Providing parents with ways to help them improve their skills for assisting their

children’s learning at home and at school

f. Providing assistance to parents in understanding New York State and locally

developed assessments, content standards and graduation requirements; and how to monitor their children’s progress and work with the educational staff to improve their children’s achievement.

g. Providing assistance on understanding monitoring and grading standards used to

report student achievement.

Title I Parent and Family Engagement Policy – Policy 5400

**5400**

4. Coordinating and integrating Title 1 parental involvement strategies with those of other district programs by assigning the oversight of these programs to the Assistant Superintendent of Instruction.

5. Facilitating parental involvement programs and activities with local agencies, and

support activities such as parent resource centers that encourage parents in more fully participating in the education of their children.

6. Assuring that information related to school and parent programs, meetings and other activities is sent to the parents of participating children in a format and to the extent practicable, in a language the parents can understand.

7. Conducting, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy in improving the academic quality of the schools serviced under Title 1.

Approved by the Board of Education October 4, 2007

Reviewed by the Board of Education in 2011

Revised by the Board of Education in 2017

Revised by the Board of Education April 2018

Reviewed by the Board of Education February 2019

Updated by the Board of Education June 2019

Reviewed by the Board of Education 2020

Curriculum Development, Resources and Evaluation – Policy 5500

## Curriculum Development Resources and Evaluation 5500

In order to achieve its annual instructional goals, the Board of Education supports a collaborative approach to district curriculum development. Curricula must be based on New York State Learning Standards and be aligned vertically and horizontally within and among curricular areas. Curricula must be research based and support instructional best practices.

The Board of Education supports continuous evaluation of the curriculum and instructional program. All aspects of the curriculum are subject to critical analysis in an attempt to improve the learning and growth of each student in accordance with his/her ability. The Board of Education will periodically request through the Superintendent factual information that it considers necessary to evaluate the effectiveness of the instructional program.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in February 2014

Reviewed by the Board of Education in April 2017

Reviewed by the Board of Education in 2020

Student Assessment – Policy 5510

## Student Assessment 5510

The Board of Education believes that student assessment provides a meaningful source of information about the curriculum and overall student achievement. The Board, therefore, authorizes the use of student assessments to help accomplish the following objectives:

1. to provide a means to evaluate student growth through individual, interdistrict, and intradistrict comparison;
2. to provide teachers with diagnostic information which will enable them to better address the instructional needs of their students;
3. to evaluate strengths and weaknesses of the current curriculum and methods of instruction;
4. to provide a basis for longitudinal study of student achievement;
5. to meet New York State Mandated reporting and testing procedures; and
6. promote the reporting of student progress to parents in a clear and useful fashion;

Information gained through the use of student assessment will be used to design educational opportunities for students to better meet their individual and collective needs. The Board views this purpose to be a primary function of schools.

The Board recognizes that student assessments should include multiple measures, be research based and be used in conjunction with other information known about a student to assist the student in improving his/her learning and achievement.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in February 2014

Reviewed by the Board of Education in April 2017

Reviewed by the Board of Education in 2020

Prevention Instruction – Policy 5520

## Prevention Instruction 5520

The Administration will be responsible for implementing a prevention instruction program for students which consists of the following, at a minimum:

* **AIDS Instruction in Health Education** – This should include accurate information concerning the nature of the disease, methods of transmission, and means of prevention. It should be provided in an age-appropriate manner and be consistent with community values. It will stress that abstinence is the most appropriate and effective protection against AIDS. 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.
* **Substance Abuse Prevention Instruction** – A prevention program will be developed to inform students of: (1) causes for substance abuse; (2) physical and psychological damage associated with substance abuse; (3) avoidance of alcohol, tobacco and drugs; and (4) dangers of driving while under the influence of alcohol or drugs.
* **Environmental Conservations Instruction** – A curriculum of environmental conservation should be integrated into other program disciplines.
* **Fire and Arson Prevention Instruction** – The administration is to be responsible for providing instruction in fire and arson prevention for all District students 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 must include and emphasize safety and accident prevention. Safety instruction will also precede the use of materials and equipment by students in the courses listed above, and instructors will teach and enforce all safety procedures, including (but not limited to) the wearing of protective eye devices in appropriate activities.
* **Instruction on Prevention of Child Abduction** – All students in grades K through 8 will receive instruction designed to prevent abduction. Such instruction is to be provided by or under the direct supervision of regular classroom teachers and the Board will provide appropriate training and curriculum materials to those teachers. However, at the Board’s discretion, such instruction may be provided by another public or private agency.

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 to make recommendations concerning the content and implementation of such courses. Alternatively, the District may utilize courses of instruction developed by consortia of school districts, BOCES, other school districts, or any other public or private agency. Such advisory council will consist of, but not be limited to, parents, school trustees and Board members, school personnel, business and community representatives, and law enforcement personnel having experience in the prevention of child abduction.

 Reviewed by the Board of Education in 2017

Reviewed by the Board of Education in 2021

Selection of Instructional Material and Resources – Policy 5530

## Selection of Instructional Material and Resources 5530

Instructional materials/resources will be selected according to the following criteria as they apply:

* Learning resources will support and be consistent with the general educational goals of the state and District and the aims and objectives of individual schools and specific courses.
* Learning resources will meet high standards of quality in factual content and presentation.
* Learning resources will be appropriate for the subject area and for the age, emotional development, ability level, learning styles, and social development of the students for whom the materials are selected.
* Physical format and appearance of learning resources will be suitable for their intended use.
* Learning resources will be designed to help students gain an awareness of our diverse society.
* Learning resources will be designed to motivate students and staff to examine their own attitudes and behaviors and to comprehend their own duties, responsibilities, rights, and privileges as participating citizens in our society.
* Learning resources will be selected for their strengths, rather than rejected for their weaknesses.
* The selection of learning resources on controversial issues will be directed toward maintaining a balanced collection representing various views.
* Learning resources will clarify historical and contemporary forces by presenting and analyzing inter-group tension and conflict objectively, placing emphasis on recognizing and understanding social and economic problems.

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in April 2017

Reviewed by the Board of Education 2020

Selection of Library and Audiovisual Materials – Policy 5540

## Selection of Library and Audiovisual Materials 5540

It is the responsibility of the school library to:

* provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities and maturity levels of the students.
* provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards.
* provide a background of information that will enable students to make intelligent judgments in their daily lives.
* provide materials on opposing sides of controversial issues so that young citizens may develop, under guidance, the practice of critical reading and thinking.
* provide materials representative of the many religious, ethnic, and cultural groups and their contribution to our American heritage.
* 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.

In interpreting these principles, the following will apply:

* Broad and varied collections will be developed systematically by the librarian and the audio-visual specialist, based on recommendations of the professional staff and suggestions of students and parents. Final approval will be made by the building principal.
* Qualitative standards of selection involving factual accuracy, authoritativeness, artistic quality and appeal will be applied by librarians and audio-visual specialists before purchases are made.
* Materials may not be excluded because of race, color, religion, national origin, political affiliation, sexual orientation, gender identity, marital status, ancestry, age, disability, or any other status protected by law.
* Materials will be continuously re-evaluated in relation to changing curriculum and instructional needs. Worn out, outdated materials will be discarded.

Reviewed by the Board of Education in 2014

Reviewed by the Board of Education in April 2017

Revised by the Board of Education in January 2021

Animals in the School (Instructional Purposes) – Policy 5550

## Animals in the School (Instructional Purposes) 5550

Observations and experimentation with living organisms and animals gives students unique perspectives of life processes. Animals and animal materials should be used respectfully and for the purpose of meeting course objectives.

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 into the school or classrooms. It is the Principal’s responsibility to ensure that there is an appropriate educational purpose if any animal is housed in a classroom. Animals are not to be transported on school buses with the exception of animals certified to assist persons with disabilities.

**Study and Care of Live 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 the animals remain in the classroom on days when school is not in session.

**Dissection of Animals**

Any student expressing a moral or religious objection to the performance or witnessing of the dissection of an animal, either wholly or in part, shall be provided the opportunity to undertake and complete an alternative project approved by the student’s teacher, provided, however, that such objection is substantiated in writing by the student’s parent or legal guardian. An alternate activity clearly related to and of comparable rigor will be assigned in lieu of laboratory dissection. Some examples of alternate activities include the use of computer simulations or research. Students who perform alternative projects shall not be penalized.

Effective July 1, 2011, the District will give reasonable notice to all students enrolled in a course that includes the dissection of an animal and students’ parent(s)/legal guardian(s) about their rights to seek an alternate project to dissection. Such notice shall be made available upon request at the school and distributed to parents and students enrolled in a course that includes dissection at least once at the beginning of the school year.

Americans with Disabilities Act, 42 United States Code (USC (Section 12101 et. seq.

Education Law Section 809

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

Adopted by the Board of Education July 12, 2011

Reviewed by the Board of Education February 2014

Reviewed by the Board of Education in April 2017

Revised by the Board of Education March 2021

Transportation Policy – Policy 5700

## Transportation Policy 5700

The objective of the Transportation Department shall be to provide that level of transportation authorized by Webster Central School District voters that is effective and efficient.

1. Eligibility for Transportation: Elementary students whose residence is .25 miles or more from the school they legally attend are eligible to receive transportation. Secondary students whose residence is .7 miles or more from the school are eligible to receive transportation.
2. Bus Scheduling, Stops, and Routes: Bus schedules, stops, and routes will be established by the Transportation Department and shall be made available electronically every year before the opening of school.
3. Child Care Transportation: It is the policy of the Board of Education to provide Child Care Transportation in accordance with Education Law Section 3635. In addition, Eligibility for Transportation as set forth in this policy will be adhered to.
4. Extra-Curricular Activity Transportation: The Board of Education recognizes the value of educational, cultural, societal, and health experiences derived from student activities requiring service for field trips, activity runs, co-curricular activities, and interscholastic sports. It is the policy of the Board of Education to provide transportation for Extra-Curricular Activities as set forth in Regulation.
5. Out-of-District Transportation: Transportation will be provided to resident students to and from out-of-district schools to the extent required by Education Law Section 3635. In addition, Eligibility for Transportation as established by this policy will be adhered to.
6. Emergency Transportation: In the event of an emergency situation, the Superintendent of Schools is authorized to make an exception to the Transportation Policy and provide transportation to all students in the District. The duration requiring an exception will be at the discretion of the Superintendent of Schools.
7. Transportation for Students with Disabilities: Transportation will be provided to students with disabilities to the extent required by Education Law, Section 3635.
8. Town/Village Program Transportation: Transportation may be furnished to Webster Central School District residents participating in town/village-sponsored programs to the extent that the town(s)/village reimburse the School District for the total cost, including maintenance and insurance of said transportation.

Transportation Policy – Policy 5700

1. Petition for Change: Webster Central School District residents may petition for a change or deviation in regulations, procedures, routes, and stops as set forth in Regulation.
2. Policy Review: The Transportation Policy and Regulation will be reviewed annually by the Manager of Transportation to make recommended changes to the Board.

Reviewed by the Board of Education in 2011

Revised by the Board of Education in April 2014

Revised by the Board of Education in June 2017

Reviewed by the Board of Education 2020

School Bus Safety – Policy 5710

## School Bus Safety 5710

The Superintendent or his/her designee, in cooperation with the administration and the Transportation Department, has the responsibility of developing and publishing safety rules to be followed by drivers and passengers, including rules of student conduct while promoting health and safety.

All buses and student transportation vehicles owned and operated by the School District will have frequent safety inspections, and will be serviced in accordance with all applicable state and federal laws.  In addition, the District will ensure that each driver of a school bus or other vehicle owned, leased, or contracted for by the District will turn off the engine of the bus or vehicle while waiting for passengers to load or off-load on school grounds, or while the vehicle is parked or standing on school grounds. Exceptions to this idling of a school bus or vehicle may be permitted to the extent necessary to achieve the following:

a) for mechanical work; or

b) to maintain an appropriate temperature for passenger comfort; or

c) in emergency evacuations where necessary to operate wheelchair lifts.

The Transportation Department will develop a maintenance schedule (consistent with this policy and in cooperation with the Superintendent and Transportation Department) and maintain a comprehensive record of all maintenance performed on each vehicle in accordance with all applicable state and federal laws.

Every bus driver is required to report promptly any school bus accident, regardless of damage involved, to a supervisor in the Transportation Department.

Reference

Education Law § 3637

Vehicle and Traffic Law § 142

8 NYCRR § 156.3(h) (NYSED)

Reviewed by the Board of Education in 2011

Reviewed by the Board of Education in February 2014

Revised by the Board of Education June 2017

Revised by the Board of Education January 2021

Child Nutrition Program/Charging Meals – Policy 5720

## Child Nutrition Program/Charging Meals 5720

The goal of the Webster Central School District is to provide students with healthy meals each day. However, unpaid charges place a large financial burden on the Webster Food Service Department. The purpose of this policy is to insure compliance with federal reporting requirements for the USDA Child Nutrition Program, and to provide oversight and accountability for the collection of outstanding student meal balances. The intent of this policy is to establish uniform meal account procedures throughout the Webster Central School District. The provisions of this policy pertain to regular priced school breakfast and lunch meals only. While the USDA Child Nutrition Program does not require that a student who pays for regular priced meals be served a meal without payment, the Webster Central School District provides this policy as a courtesy to those students in the event that they forget or lose their lunch money.

Elementary School (K-5) Students that need to charge will receive a regular school meal. Parents will be notified and asked for prompt payment when meals are charged via email from the Food Service Department. Parents will be mailed a letter requesting payment once the balance of charges reaches over $10.00. The school’s automated phone dialer will send out reminders once a week to those students who owe lunch money. A la carte items may not be charged at any time. Once a student incurs a negative account balance, no a la carte items will be sold to the student without cash to pay for purchases until a positive balance is restored.  With a continuous unpaid balance that is not resolved, the Business Office will be notified for further review.

Middle School and High School (6-12) Students that need to charge will receive a regular meal. Parents will be notified and asked for prompt payment when meals are charged via email from the Food Service Department. Parents will be mailed a letter requesting payment once the balance of charges reaches over $15.00. The school’s automated phone dialer will send out reminders once a week to those students who owe lunch money.  A la carte items may not be charged at any time. Once a student incurs a negative account balance, no a la carte items will be sold to the student without cash to pay for purchases until a positive balance is restored.  With a continuous unpaid balance that is not resolved, the Business Office will be notified for further review.

Any remaining funds for a particular student will be carried over to the next school year. Refunds for withdrawn and graduating students: a written request for a refund of any money remaining in their account must be submitted to the Food Service Director. An e-mail request is also acceptable. Remaining funds must be requested within one school year of the student graduating or withdrawing. All unclaimed funds will then become the property of the Webster Central School District Food Service Program after a year.  Students who are graduating at the end of the year will have their balances (both negative and positive) automatically transfer to a sibling’s account.

Child Nutrition Program/Charging Meals – Policy 5720

**Child Nutrition Program/Charging Meals (Cont’d) 5720**

If a student is without meal money on a consistent basis, the administration will investigate the situation more closely and take further action as needed. If financial hardship exists, parents and families are encouraged to apply for free or reduced priced lunches for their child.  The Director of Food Service will provide notice to parents/guardians on an annual basis prior to the opening day of school, outlining the requirements of this policy. The policy shall also be published in appropriate school based publications for each grade span.

Adopted by the Board of Education January 2018

Reviewed by the Board of Education October 2019

Reviewed by the Board of Education 2020