

## School Day for Students

K-6 8:15 am – 2:45 pm

Pre-K 8:30 – 2:30 pm

## ACCESS TO STUDENT RECORDS

The **Oysterponds Union Free School District** shall comply with the provisions of the "Family Educational Rights and Privacy Act of 1974." Under its provisions, "parents/guardians and noncustodial parent(s), whose rights are not limited by court order or formal agreement, of a student under eighteen (18), or a student who is eighteen (18) years of age or older or who is attending an institution of post-secondary education, have a right to inspect and review any and all official records, files, and data, including all material that is incorporated into each student's cumulative record folder and intended for school use or to be available to parties outside the school or School System and specifically including, but not necessarily limited to, identifying data; academic work completed; level of achievement (grades, standardized achievement test scores); attendance data; scores on standardized intelligence, aptitude, and psychological tests; interest inventory results; health data; family background information; teacher or counselor ratings and observations; and verified reports of serious or recurrent behavior patterns."

### Access to Student Records

The Board directs that administrative regulations and procedures be formulated to comply with the provisions of federal law relating to the availability of student records. The purpose of such regulations and procedures shall be to make available to the parents/guardians of students and noncustodial parent(s) whose rights are not limited by court order or formal agreement, or students who are eighteen (18) years of age or older or who are attending an institution

of post-secondary education, student records, and files on students, and to ensure the confidentiality of such records with respect to third parties.

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

1. Identifies and authenticates a particular person as the source of the electronic consent; and
2. Indicates such person's approval of the information contained in the electronic consent

### Challenge to Student Records

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

### Release of Information to the Non-custodial Parent

The District may presume that the noncustodial parent has the authority to request information concerning his/her child and release such information upon request. If the custodial parent wishes to limit the noncustodial parent's access to the records, it would be his/her

responsibility to obtain and present to the school a legally binding instrument that prevents the release of said information.

## STUDENT DIRECTORY INFORMATION

The District shall publish an annual public notice informing parents or eligible students of their right to refuse the release of student directory information and indicating a time period for their response (October 25<sup>th</sup>). Following such public notice and a reasonable period, the District may release such information to an outside group without individual consent.

The District, for purposes of compliance with The Family Education Rights and Privacy Act (FERPA), defines student directory information as the following: name, address, telephone number, e-mail, place of birth, grade level, participation in officially recognized activities and sports, weight and height (if members of athletic teams); honors, degrees and awards received, photographs and samples of student work.

It is the District practice to release student directory information to community groups and local media as part of news releases or public relations campaigns. Student directory information may be printed in the District newsletter, in local newspapers and may appear on local television and radio stations. Such information may also be released to Booster Clubs, service organizations like The Lion's Club and to the town offices such as the Recreation Department.

As part of the Technology Acceptable Use Policy, the District restricts the release of student directory information to the following: grade level, photographs and samples of student work with all personal references deleted. Each year parents will be notified that they have the right to refuse the posting of the limited student directory information on the Internet.

Absent the expressed written refusal from a parent, the District may post the specific Internet directory information.

## ATTENDANCE

The impact of attendance upon instruction on a regular basis is an important element in an effective teaching/learning program. Each and every student should attend classes on a regular basis and be a participant in the classroom programs, activities, and discussions in order to benefit from presentations made by instructors.

1. Excused Absences, Tardiness and Early Departures – Refer to excused absences, tardiness and early departures.
2. Unexcused Absences, Tardiness and Early Departures – The parent or guardian is aware of the reason for the student's absence, tardiness or early departure. The reason for the absence, tardiness or early departure is not one of those listed as excused or as a truancy/cut.
3. Truancy/Cut – The parent or guardian sends the student to school, attempts to get the student to school, and expects the student to be in school, but the student misses all or part of the school day.

### Absences, Tardiness and Early Departures from School which are Considered Excused and Unexcused

1. Exempt: An absence, tardiness or early departure shall be designated exempt or unexcused based on the reason(s) given for the absence or late behavior. Reasons for exempt

absences will include those for college interviews, religious requirements, court appearances, school-sponsored activities, and other requests approved by the Principal.

2. Unexcused: An absence, tardiness or early departure is considered unexcused if the reason for the lack of attendance does not fall into the above categories ( e.g., family vacation, hunting, babysitting, hair cut, obtaining learner's permit, road test, oversleeping).

The record of each student's presence, absence, tardiness and early departure shall be kept in a register of attendance in a manner consistent with Commissioner's Regulations. An absence, tardiness or early departure will be entered along with the District code for the reason.

Students will be considered in attendance if the student is:

1. Physically present in the classroom or working under the direction of the classroom teacher during the class scheduled meeting time; or
2. Working pursuant to an approved independent study program; or
3. Receiving approved alternative instruction.

Regular attendance at school is necessary for satisfactory schoolwork. All absences and lateness to school require a written excuse upon return to school. All notes shall be signed by a parent or guardian, stating the reason for the absence, and presented to the teacher on the first day of the student's return to school. In addition, parents are encouraged to call the School Nurse at (631) 323-2410 Ext. 104 when their child is absent. Absences of five consecutive days or more may require a physician's written excuse for readmission. An

absence is defined as non-attendance (except for activities which are exempt by school personnel.)

Upon returning to school following a properly excused absence, tardiness or early departure, it shall be the responsibility of the student to consult with his/her teacher(s) regarding arrangements to make up missed work, assignments and/or tests in accordance with the time schedule specified by the teacher.

### Chronic Absenteeism

Chronic absence from school which is defined as missing at least ten percent of enrolled school days, warrants our urgent attention because it diminishes successful student outcomes and undermines learning. In the definition of chronic absenteeism adopted by NYSED, the emphasis is on missed instruction, and as such, when determining chronic absenteeism, both unexcused and excused absences may be included.

### Disciplinary Consequences

Unexcused absences, tardiness and early departures will result in disciplinary sanctions as described in the District's Code of Conduct. Consequences may include, but are not limited to, in-school suspension, detention and denial of participation in extracurricular activities. Parents/persons in parental relation will be notified by designated District personnel at periodic intervals to discuss their child's absences, tardiness or early departures and the importance of class attendance and appropriate interventions. Individual buildings/grade levels will address procedures to implement the notification process to the parent/person in parental relation.

## Appeal Process

A student and his/her parents can petition the Attendance Review Committee. At the end of each marking period, the Attendance Review Committee may modify the absence record when warranted. The Attendance Review Committee may modify the absence record when warranted. The Attendance Review Committee is comprised of the Principal, a Faculty Representative, and another Administrator. Mechanisms are in place for these students to receive home tutoring, when absences are confirmed by a physician in writing and are approved by the Attendance Review Committee.

## CODE OF CONDUCT

The Board of Education acknowledges its responsibility to protect the educational climate of the District and to promote responsible student behavior. Accordingly, the Board delegates to the Superintendent the responsibility for assuring the implementation of a *Code of Conduct for the Maintenance of Order on School Property*, including school functions, which shall govern the conduct of students as well as teachers, other school personnel, and visitors. The Board shall further provide for the enforcement of such Code of Conduct. The District Code of Conduct shall be developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other personnel and shall incorporate, at a minimum, those components addressed in law and enumerated in Policy #3410 -- *Code of Conduct on School Property*. Specific components may vary as appropriate to student age, building levels, and educational needs.

In accordance with the *Code of Conduct on School Property*, areas addressing student conduct and behavior will further utilize the following strategies in promoting acceptable student behavior:

1. A bill of rights and responsibilities of students that focuses upon positive student behavior, and is publicized and explained to all students on an annual basis;
2. A Code of Conduct for student behavior setting forth prohibited student conduct and the range of penalties that may be imposed for violation of such Code, may be picked up in the District Office;
3. Strategies and procedures for the maintenance and enforcement of public order on school property that shall govern the conduct of all persons on school premises, in accordance with Section 2801 of the Education Law and accepted principles of due process of law;
4. Procedures within each building to involve student service personnel, administrators, teachers, parents/guardians and students in the early identification and resolution of discipline problems. For students identified as having disabilities, procedures are included for determining when a student's conduct shall constitute a reason for referral to the Committee on Special Education for review and modification, if appropriate, of the student's individualized education program;
5. Alternative educational programs appropriate to individual student needs;
6. Disciplinary measures for violation of the school policies developed in accordance with subparagraphs b) and c) of this paragraph. Such measures shall be appropriate to the seriousness of the offense and, where applicable, to the previous disciplinary record of the student. Any suspension from attendance upon instruction may be imposed only in

- accordance with Section 3214 of the Education Law; and
7. Guidelines and programs for in-service education for all District staff to ensure effective implementation of school policy on school conduct and discipline.

## LIMITED ENGLISH-PROFICIENT STUDENTS

Parents will be notified within 30 days of the start of the school year if their child is participating in, or identified as eligible for, a language instruction program for limited English-proficient students. Parents will also be notified within two weeks of placement if the child is placed in such a program after the beginning of the school year. Parents have the right to decline having their child enrolled in the program.

## PUBLIC NOTICE OF PESTICIDE SPRAYING/ASBESTOS

The Pesticide Notification Law requires the District to form a registry of any student, parent or staff member who wishes to receive written notification 48 hours prior to a regulated pesticide application. Individuals may request that their names be added to the school registry at any time during the school year. Please be aware that in case of emergency, we may not be able to provide a 48-hour notice.

All interested parties should contact the District Office at 323-2410, Monday through Friday, from 8:00 a.m. to 3:00 p.m.

Written notice will be provided to parents, teachers and employee of the availability of asbestos management plans and any current or planned asbestos inspections, response actions and post-response actions.

## STAFF QUALIFICATIONS

In accordance with the federal Every Student Succeeds Act of 2015, parents and guardians have the right to request specific information about the professional qualifications of their children's classroom teachers. As a parent/guardian you have the right to request the following information:

\*Under New York Education law §3012-d parents have the right to access the composite APPR score for the child's teacher and/or principal.

\*if the teacher has met New York State qualifications and licensing criteria for the grade levels and subject areas he or she teaches;

•whether the teacher is teaching under emergency or other provisional status through which the State qualification or licensing criteria have been waived;

•the teacher's college major; whether the teacher has any advanced degrees and, if so, the subject of the degrees; and

•if your child is provided services by any instructional aides or similar paraprofessionals provide services to your child and, if they do, their qualifications.

Requests for information about the qualifications of your child's teacher(s) can be directed to the school building Principal. All requests will be honored in a timely manner.

## PARENT INVOLVEMENT POLICY

The Board of Education recognizes the rights of parents/guardians to be fully informed of all information relevant to their children who participate in programs

and projects funded by Title I. The District shall ensure parental involvement in these programs and projects by:

1. Providing such support for parental involvement activities as required by law;
2. Convening an annual meeting to which all parents/guardians of participating children shall be invited;
3. Providing parents/guardians with reports on their children's progress;
4. Providing opportunities for regular meetings of parents/guardians.

In addition to the above, the District shall, jointly and in agreement with parents of students receiving Title I services, establish expectations for parent involvement in Title I programs in accordance with Section 1118(a) of the Elementary and Secondary Education Act. Similarly, each Title I school within the District shall establish building level school/parent involvement policies in accordance with Section 1118(b). Such school/parent policies shall include, where applicable, school/parent compacts outlining how parents, the entire school staff, and students will share the responsibility for improved student achievement and the means by which the school and parents will build and develop a partnership to help students achieve the state's high standards.

## HOMELESS CHILDREN AND YOUTH

The parent/person in parental relation to a homeless child; or the homeless child, together with the homeless liaison designated by the School District in the case of an unaccompanied youth; or the director of a residential program for runaway and homeless youth established pursuant to Article 19-H of the Executive Law, in consultation with the homeless child, where such homeless child is living in such program, may designate

either the school district of current location, the school district of origin, or a school district participating in a regional placement plan as the district the homeless child shall attend.

Pursuant to Commissioner's Regulations, a "homeless child" means a child or youth who lacks a fixed, regular, and adequate nighttime residence, including a child who is:

1. Sharing the housing of other persons due to a loss of housing, economic hardship or a similar reason;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Abandoned in hospitals;
4. A waiting foster care placement; or
5. A migratory child who qualifies as homeless in accordance with Commissioner's Regulations. As defined in the Every Student Succeeds Act of 2015, the term "migratory child" *includes* a child who is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who has moved from one school district to another in the preceding 36 months, in order to obtain, or accompanies such parent or spouse in order to obtain, temporary or seasonal employment in agricultural or fishing work.
6. A child or youth who has a primary nighttime location that is:
  - a. 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 19-H of the Executive Law; or

- b. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; including a child or youth who is living in a car, park, public space, abandoned building, substandard housing, bus or train station or similar setting.

The term "**homeless child**" shall not include a child in foster care or receiving educational services pursuant to Education Law Section 3202(4), (5), (6), (6a) or (7) or pursuant to Articles 81, 85, 87 or 88. For example, a child in a family home at board, a school for the mentally retarded, a hospital or other institution for the care, custody and treatment of children; youths under the direction of the Division for Youth incarcerated in county correctional facilities or youth shelters; or children residing in child care institutions or schools for the deaf or blind would not be considered "homeless."

### **Enrollment, Retention and Participation in the Educational Program**

Enrollment of homeless children shall not be delayed and their ability to continue or participate in the educational program shall not be restricted due to issues such as:

1. Transportation;
2. Immunization requirements;
3. Residency requirements;
4. Birth certificates, medical records, IEPs, school records and other documentation;
5. Guardianship issues;
6. Comprehensive assessment and advocacy referral processes;

7. Resolution of disputes regarding school selection;
8. Proof of social security numbers;
9. Attendance requirements;
10. Sports participation rules;
11. Inability to pay fees associated with extracurricular activities such as club dues and sports uniforms; or
12. Other enrollment issues.

### **Educational Programs and Services**

The School District shall provide homeless children and youth with access to all of its programs, activities and services to the same extent that they are provided to resident students.

Homeless children and youth shall be educated as part of the school's regular academic program. Services must be provided to homeless children and youth through programs and mechanisms that integrate homeless children and youth with their non-homeless counterparts, including programs for special education, vocational and technical education, gifted and talented students, before and after school, English language learners/limited English proficiency, Head Start, Even Start, and school nutrition. Services provided with McKinney-Vento funds must expand upon or improve services provided as part of the regular school program. Consequently, the School District shall ensure that homeless children and youth are not segregated in a separate school, or in a separate program within the school, based on their status as homeless; and to the extent feasible consistent with the requirements of Commissioner's Regulations, keep a homeless child or youth in the school of origin except when doing so is contrary to the wishes of the child's or youth's parent or guardian. Further, the

School District shall review and revise policies and practices, including transportation guidelines that may act as barriers to the enrollment, attendance, school success, and retention of homeless children and youth in the School District.

All homeless children and youth are automatically eligible for Title I Part A services whether or not they meet the academic standards or live in a Title I school attendance area. Homeless students may receive Title I educational or support services from school wide and targeted-assistance school programs.

### **Transportation**

If the local social service district or the Office of Children and Family Services is not required to provide transportation, the designated district is responsible for providing the student's transportation. However, the school district of origin is responsible for the cost of transportation provided by the designated district. Transportation responsibilities apply to all school districts regardless of whether or not they receive McKinney-Vento funds. Where a homeless student designates the school district of current location as the district the student will attend, that district shall provide transportation to the student on the same basis as a resident student. Where the homeless student designates the school district of origin, the district of current location, at the request of a parent/guardian, shall provide or arrange for transportation to and from the school of origin in accordance with law and/or regulation even if the district does not provide transportation to non-homeless students (except for preschoolers). Transportation must be provided during the pendency of enrollment disputes. If the designated district provides transportation for non-homeless preschool children, it must also provide comparable transportation services for homeless preschool children.

## **School District Liaison for Homeless Children and Youth**

The School District shall designate an appropriate staff person (School Principal), who may also be a coordinator for other federal programs, as the local educational agency liaison for homeless children and youth to carry out the duties as enumerated in law, Commissioner's Regulations and applicable guidance issued by the U.S. and New York State Education Departments. The District will inform school personnel, local service providers and advocates of the office and duties of the local homeless liaison.

## **Training**

The District will train all school enrollment staff, secretaries, school counselors, school social workers, and principals on the legal requirements for enrollment. School nutrition staff, school nurses, teachers, and bus drivers will receive training on homelessness that is specific to their field.

## **Outreach**

The District will make every effort to inform the parents or guardians of homeless children and youth of the education, transportation and related opportunities available to their children including transportation to the school of origin. The parent(s)/guardian(s) will be assisted in accessing transportation to the school they select, and will be provided with meaningful opportunities to participate in the education of their children. Public notice of educational rights of homeless children and youth will be disseminated by the District in places where families and youth are likely to be present (e.g., schools, shelters, soup kitchens), and in comprehensible formats (e.g., geared for low literacy or other community needs).

## **Dispute Resolution**

The District shall establish guidelines for the prompt resolution of disputes regarding school selection or enrollment of a homeless student and provide a written explanation, including a statement regarding the right to appeal to the parent or guardian if the School District sends the student to a school other than the school of origin or the school requested by the parent or guardian.

If there is a factual dispute over whether a student is homeless, the District will immediately enroll the student and then provide the parent/guardian the opportunity to submit verification of homelessness. The student will remain enrolled until a final determination is made by the District and for a minimum of thirty (30) days after the final determination to allow the parent/guardian opportunity to appeal to the Commissioner of Education. If the student files an appeal that contains a request for a stay within thirty (30) days of such final determination, the District must continue to enroll the student until the Commissioner rules on the stay request.

## **Record and Reporting Requirements**

If the District, as the school district of origin, receives a request to forward student records to a receiving district, the records must be forwarded within five days. The School District shall maintain documentation regarding all aspects of the District's contact with and services provided to homeless students and youth for possible on-site monitoring by the State Education Department.

The District shall collect and transmit to the Commissioner of Education, at such time and in the manner as the Commissioner may require, a report

containing such information as the Commissioner determines is necessary to assess the educational needs of homeless children and youths within the state.

## **HAZARDOUS WASTE AND HANDLING OF TOXIC SUBSTANCES BY EMPLOYEES**

The Board of Education recognizes the need to protect human health and the environment from damage resulting from the improper handling of hazardous wastes.

The management of hazardous waste from its point of generation to the ultimate disposal is regulated through specific Federal and State laws. The Board directs the Superintendent to adopt rules to ensure District implementation of applicable Federal and State laws pertaining to the identification, transportation, treatment, storage, and disposal of hazardous wastes.

## **Megan's Law**

### Sex Offender Notifications

In order to provide parents/guardians and residents with information concerning convicted sex offenders who are living or working in this district, our school district is now benefiting from a no-cost sex offender email alert notification program. Parents for Megan's Law (PFML) will email district residents, who have registered, informing them of any new sex offender's presence and direct them to their website where they can access a full copy of the notification. If you have not already registered to receive current or future sex offender notifications please contact the Parents for Megan's Law Helpline at 631-689-2672 or go to their website at [www.parentsformeganslaw.org](http://www.parentsformeganslaw.org) and click on the "Sex Offender Email Alert Registration Program" link on the home page.

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