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Update: June 2010

## STUDENT POLICIES GOALS

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

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

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

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

Adoption date: June 10, 2002

## STUDENT COMPLAINTS AND GRIEVANCES

The Board of Education believes it is necessary that students be made aware of the behavior that is expected of them, as outlined in district policies on school conduct and discipline. They shall also be given an opportunity to be heard on complaints and grievances they may have.

A student filing a complaint or grievance alleging that there is an action affecting them which is prohibited by Title IX and/or Section 504 of the Rehabilitation Act or the Americans with Disabilities Act shall be provided with information regarding the prompt and equitable resolution of the complaint or grievance. Furthermore, a student shall have the right to present complaints and grievances in accordance with the procedure free from coercion, interference, restraint, discrimination or reprisal.

Building Principals are responsible for ensuring that appeal procedures are incorporated into discipline codes, explained to all students, and provided to all parents on an annual basis.

### *Annual Notification*

At the beginning of each school year, the district shall publish a notice of the established grievance procedures for resolving complaints of discrimination due to sex and/or disability to parents/guardians, employees, eligible students and the community. The public notice shall:

1. inform parents, employees, students and the community that vocational education programs are offered without regard to sex, race, color, national origin or disability;
2. provide the name, address and telephone number of the person designated to coordinate activities concerning discrimination due to sex and/or disability;
3. be included in announcements, bulletins, catalogues, and applications made available by the district.

The Superintendent of Schools shall establish regulations and procedures pursuant to Title IX, ADA, or Section 504 for presenting problems or appealing decisions which affect individual students, in accordance with applicable statutory requirements, and for the resolution of complaints or grievances which may affect the student body.

Cross-ref: 0100, Equal Opportunity

Ref: Americans with Disabilities Act, 42 U.S.C. §12133  
 Title IX, Education Amendments of 1972, 20 U.S.C. Chapter 38; 34 CFR Part 106; 45 CFR Part 86  
 Rehabilitation Act of 1973, §504, 29 U.S.C. §794; 34 CFR §104  
 Education Law §3214

Adoption date: June 10, 2002

## STUDENT COMPLAINTS AND GRIEVANCES REGULATION

### *Definitions*

1. Grievant shall mean a student who alleges that there has been a violation of Title IX or Section 504 of the Rehabilitation Act or the Americans with Disabilities Act (ADA) statute or regulations which affect him/her.
2. Grievance shall mean any alleged violation of Title IX, Section 504 or the ADA statute or regulations.
3. Compliance Officer shall mean the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities under Title IX, Section 504 or the ADA.
4. Representative shall mean any person designated by the grievant as his/her counsel or to act in his/her behalf.

Individual complaints and grievances shall be handled in accordance with the following guidelines:

1. For informal conciliation, students should confer with the appropriate teacher or school personnel to achieve prompt resolution. Students may appeal to the highest authority in the school building, i.e., the Building Principal, who has the final determination on all such matters.
2. For resolution of matters where appeal procedures are prescribed by statute, e.g., student suspensions, the prescribed course of action will be followed.
3. On issues affecting the student body, students may address the student government or student council in order to resolve such matters. Students may be afforded a conference with the Building Principal in accordance with the rules and procedures established by the student government.
4. The resolution of student complaints alleging any action prohibited by Title IX, Section 504 or the ADA shall be dealt with in the following manner:

### *Stages*

#### A. Stage I - Compliance Officer

1. Within 30 days after the events giving rise to the grievance, the grievant shall file a grievance in writing with the Compliance Officer. The Compliance Officer may informally discuss the grievance with the grievant. He/She shall promptly investigate the complaint. All employees of the school district shall cooperate with the Compliance Officer in such investigation.
2. Within 15 days of the receipt of the grievance, the Compliance Officer shall make a finding in writing that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act or the ADA. In the event the Compliance Officer finds that there has been a violation, he/she shall propose a resolution of the complaint.
3. If the grievant is not satisfied with the finding of the Compliance Officer, or with the proposed resolution of the grievance, the grievant may, within 15 days after he/she has received the report of the Compliance Officer, file a written request for review by the Superintendent.

B. Stage II - Superintendent of Schools

1. The Superintendent may request that the grievant, the Compliance Officer, or any member of the school district staff present a written statement to him/her setting forth any information that such person has relative to the grievance and the facts surrounding it.
2. The Superintendent shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statements supplementing their position in the case. Such hearing shall be held within 15 school days of the receipt of the appeal by the Superintendent.
3. Within 15 days of the hearing, the Superintendent shall render his/her determination in writing. Such determination shall include a finding that there has or has not been a violation of Title IX, Section 504 of the Rehabilitation Act or the ADA, and a proposal for equitably resolving the complaint.
4. If the grievant is not satisfied with the determination of the Superintendent, the grievant may, within 15 days after its receipt, file with the Clerk of the Board of Education, a written request for review by the Board.

C. Stage III - Board of Education

1. When a request for review by the Board has been made, the Superintendent shall submit all written statements and other materials concerning the case to the President of the Board.
2. The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within 15 school days of the receipt of the request of the grievant. All parties concerned shall have the right to present further statements and testimony at such hearing.
3. The Board shall render a decision in writing within 15 days after the hearing has been concluded.

*Distribution of the Grievance Procedure*

A copy of the procedure shall be distributed to all employees and to all students or their parents/guardians. A copy of this procedure shall be available for public inspection at reasonable times with the District Clerk or at the office of the Compliance Officer.

Adoption date: June 10, 2002

## STUDENT ATTENDANCE

The Board of Education recognizes that regular school attendance is a major component of academic success. Through implementation of this policy, the Board expects to encourage full attendance by all students, maintain an adequate attendance record-keeping system, identify patterns of student absence and develop effective intervention strategies to improve school attendance.

Notice:

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

- The attendance policy will be included in student handbooks and will be reviewed with students at the start of the school year.
- Parents will receive a plain language summary of this policy by mail at the start of the school year. Parents will be asked to sign and return a statement indicating that they have read and understand the policy.

When a student cuts class or is absent without excuse, designated staff members will notify the student's parent(s) and review the attendance procedures with them.

School newsletters and publications will include periodic reminders of the components of this policy.

- The district will provide a copy of the attendance policy and any amendments thereto to faculty and staff. New staff will receive a copy upon their employment.

All faculty and staff will meet at the beginning of each school year to review the attendance policy to clarify individual roles in its implementation.

- Copies of this policy will also be made available to any community member, upon request.

### *Excused and Unexcused Absences*

Excused absences are defined as absences due to personal illness, illness or death in the immediate family, impassable roads or severe weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits, approved cooperative work programs, military obligations, or such other reasons as may be approved.

All other absences (e.g., class cuts, undocumented absences and tardiness, unapproved early leaves) are considered unexcused absences.

All absences must be accounted for. It is the parent's responsibility to notify the school office on the morning of the absence or tardiness, and to provide a written excuse upon the student's return to school.

### *General Procedures/Data Collection*

Attendance will be taken during each class period. It is not necessary to record attendance for each period if the student does not change classrooms.

At the conclusion of each class period or school day, all attendance information shall be compiled and provided to the appropriate individual(s) responsible for attendance.

The nature of an absence (full day, partial day, truancy) shall be coded on a student's record. See exhibit explaining symbols used on attendance record.

Student absence/class cut data shall be available on the following school day and should be reviewed by attendance officers or other appropriate school personnel. The following personnel will be responsible for such review in each building.

- Babylon Elementary School: Principal and District Attendance Officer
- Babylon Memorial Grade School: Assistant Principal and District Attendance Officer
- Babylon Junior/Senior High School: Assistant Principal and District Attendance Officer

Where additional information is received from a student during a student/staff conference that requires corrections to be made to a student's attendance records, such correction will be made immediately. Notice of such a change will be sent to appropriate school personnel (i.e., homeroom teachers, attendance officer, etc.)

Attendance data will be analyzed periodically to identify patterns or trends in student absences. Continuous monitoring will be conducted to identify students who are cutting class.

### *Attendance Incentives*

The district will acknowledge a student's efforts to maintain or improve school attendance. Year end certificates acknowledging attendance will be awarded by each Building Principal.

### *Disciplinary Consequences*

Generally, disciplinary sanctions will be imposed progressively. This means a pupil's first unexcused absence, tardiness or early departure will usually merit a lighter penalty than subsequent violations.

In accordance with the District's Code of Conduct, the following range of disciplinary sanctions/notifications may be imposed to discourage unexcused pupil absences, tardiness and early departure:

1. Oral warning
2. Written warning
3. Written or oral notification to parent
4. Detention
5. Suspension from athletic participation
6. Suspension from social or extracurricular activities
7. Suspension from other privileges
8. Alternate learning site (Saturday detention may be elected as an alternative with parental consent.)

### *Legal Obligations*

The district may be required, under existing laws, to exercise certain obligation such as reporting to Child Protective Services (CPS) or filing Probation (PINS) referrals when necessary.

### *Attendance/Grade Policy*

The Board recognizes an important relationship between class attendance and student performance. Students are expected to attend all scheduled classes. Good attendance and class participation are necessary to successfully complete each grade.

In grades K through 6, a doctor's note may be required upon or about the tenth (10<sup>th</sup>) absence in each marking period.

In grades 7 through 12, the following attendance/grade policy will be in effect.

Good attendance is a responsibility shared by students, parents and school personnel. It is essential to academic success. Good attendance and class participation are necessary to successfully complete each subject. Students deserve a policy that fosters self-discipline, promotes high expectations and encourages respect for the law. Eligibility to attend school events and extra-curricular activities requires attendance in school. To promote good attendance, the following policy has been established:

#### I. *Attendance/Grade Policy*

Students will be permitted no more than 27 days of absence for a full-year course or 14 days of absence for a half-year course. Students who do not meet this attendance requirement in accordance with the terms of this policy will not receive academic credit for the class provided they have not earned a passing grade.

##### A. *Absences*

All absences count in determining if a student has exceeded the maximum amount of absences allowed.

##### B. *Absences caused by lateness to class*

For a lateness of more than 15 minutes, one full absence will be recorded.

##### C. *Class cutting*

A class cut counts as an absence. In addition, penalties for cutting class remain as stated in the discipline procedure already in effect.

## II. *Procedure*

### A. Stage 1

When a student has reached the 14<sup>th</sup> absence in a full-year course or the seventh (7<sup>th</sup>) absence in a half-year course, the teacher will notify the attendance office, which will contact the parent/guardian by letter. A conference will be arranged with the parent and attendance teacher to alert the parent/guardian to the negative impact of these absences on their student's academic status.

### B. Stage 2

Teachers will immediately notify the attendance teacher, who will then notify the administration and the guidance counselor, when a student exceeds his/her 27<sup>th</sup> absence in a full-year course or his/her 14<sup>th</sup> absence in a half-year course. Notice to the parent will include information about a make-up opportunity to be completed within three (3) weeks of the date of notice. The make-up assignment will be determined by the classroom teacher in consultation with the department director and Building Principal. Submission of a satisfactory assignment within the established deadline will be required to pass the course. The student will not receive a grade for any examination or marking period during the pendency of the three (3) week make-up period, and will receive an incomplete for any subsequent marking period or examination. In the event that the student fails to submit a satisfactory assignment within the established deadline, he/she will ultimately receive a failing grade for the course.

### C. Stage 3

The administration will notify the parent/guardian and the student of the result of this make-up assignment.

Adoption date: June 10, 2002

## COMPULSORY ATTENDANCE AGES

The Board of Education, through the Superintendent of Schools as chief administrative officer, is responsible for enforcement of the Compulsory Education Law. The law requires all children to attend school full time, in a public, private or parochial school, from the first day of session in September of the school year in which the minor becomes six years of age through the last day of the school year in which such minor becomes sixteen\* years of age, unless he/she has completed a four-year high school course of study or is exempt from attendance in conjunction with current law or regulation, and approved by the State Education Department.

Minors who are eligible for full-time employment certificates are permitted to attend school part-time.

Cross-ref: 1741, Relations with "Home Schools"

Ref: Education Law §§1711; 3201; 3202(1-a); 3205; 3206; 3208; 3225  
8 NYCRR §101  
Family Court Act §§711 et seq.

Adoption date: June 10, 2002

**ENTRANCE AGE**

Children who reach their fifth birthday on or before December 1st of the year of matriculation are entitled to attend school and may be admitted to kindergarten. Proof of age must be presented in the form of a birth certificate, baptismal certificate, or passport.

A child who has regularly attended and satisfactorily completed a year's work in a kindergarten which is duly registered with the State Education Department will be enrolled in the first grade. Any child who has successfully completed a non-public kindergarten program registered with the State Education Department, shall be permitted to enter in the first grade, unless after testing, it is determined that such child will be unable to perform at the first grade level.

The Board of Education authorizes the Superintendent of Schools to establish any and all rules, regulations, and procedures necessary to implement and maintain this policy.

Ref: Education Law §§1709; 1712; 2503; 2514; 2555; 3202; 3205; 3210

Adoption date: June 10, 2002

## HOMELESS CHILDREN POLICY

The Babylon School District will work with local agencies, as necessary, to determine if Homeless students are living within the school district. School district registration forms will require 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 (42 USC § 11434a (“McKinney-Vento”) and New York Education Law §3209(1)(a).

Pursuant to McKinney- Vento 42 USC §11434a and Education Law §3209(1)(a), a homeless child is defined as a child who does not have a fixed, regular, and adequate nighttime residence or whose primary nighttime location is in a public or private shelter designated to provide temporary living accommodations, or a place not designed for, or ordinarily used as regular sleeping accommodations for human beings. This definition includes a child who is:

- sharing the housing of other persons due to loss of housing, economic hardship or similar reason (sometimes referred to as double)
- living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- living in a car, park, public space, abandoned building, substandard housing, bus or train stations or similar settings;
- abandoned in hospitals;
- awaiting foster care placement; or
- a migratory child who qualifies as homeless because he or she is living in circumstances described above
- An unaccompanied youth is a homeless child for whom no parent or person in parental relation is available (8 NYCRR §100.2)

The Babylon School District will designate a local liaison for homeless children and youth (“homeless liaison”). The homeless liaison serves as one of the primary contacts between homeless families and school staff, district personnel, shelter workers, and other service providers. The homeless liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed academically and that the school district is in compliance with all regulations under the McKinney-Vento Homeless Education Assistance Act.

The parent or person in parental relation (guardian) to a homeless child or the homeless child, together with the homeless liaison designated by the school district if no parent or guardian is available or the director of a residential program for runaway and homeless youth, in consultation with the homeless child, where such homeless child is living in such program, has the right to choose the school district where the homeless

child or youth with attend. The person designated to make this decision can select either the school district of current location or the school district of origin.

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

The homeless child will be provided with access to all of the Babylon School District programs, activities and services to the same extent as they are provided to resident students. Transportation will be provided for homeless students when the Babylon school district is designated as the school district of current location and that transportation must be provided on the same basis as it is provided to resident students.

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

- Provide a written explanation, including a statement regarding the right to appeal to the homeless child's or youth's parent or guardian, if the school district declines to either enroll and/or transport such child or youth to the school of origin or a school requested by the parent or guardian.
- Delay for 30 days the implementation of a final determination to decline to either enroll in and/or transport the homeless child or youth or unaccompanied youth to the school of origin or a school requested by the parent or guardian of a homeless child or youth or unaccompanied youth; if the parent or guardian of a homeless child or youth or unaccompanied youth commences an appeal to the Commissioner with a stay application within 30 days of such final determination.
- The homeless child or youth will be permitted to continue to attend the school he or she is enrolled in at the time of the appeal until the Commissioner renders a decision on the stay application.
- If the Commissioner grants the stay request and issues a stay order, the homeless child or youth or unaccompanied youth can continue attending the school until the Commissioner issues an appeal decision. However, if the Commissioner denies the stay request, the homeless child or youth or unaccompanied youth can be asked to leave the school immediately.

- If the Commissioner sustains the appeal, the homeless child or youth or unaccompanied youth can continue attending the school at issue.
- However, if the Commissioner dismisses the appeal, the homeless child or youth or unaccompanied youth can be asked to leave the school immediately

The homeless liaison will provide assistance to the parent or guardian in all aspects of the dispute resolution process.

Adoption date: November 14, 2005

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

Generally, non-resident students will not be accepted for attendance in the Babylon Schools, except where required under State Law. However, the Board of Education recognizes that there are certain circumstances under which non-resident students may be permitted to attend the Babylon Schools without payment of tuition. Final approval shall be made by the Board with the recommendation of the Superintendent of Schools. The district will not provide transportation to non-resident students who attend the Babylon Schools.'

Circumstances under which a non-resident student may be permitted to attend the Babylon Schools are:

1. Students who enter their senior year, in good academic standing, and who no longer reside in the district after November 1 of their senior year. A student in good standing is defined as a student who has earned sufficient credit to complete all graduation requirements in one year with a regular class load.
2. Non-resident students of parents who can furnish proof prior to the beginning of a school year that they establish residency, as that term is defined by the Commissioner of Education, in the district no later than November 30. Proof may consist of the closing papers for the purchase of a home or a lease of rental property. The Superintendent and or the Board may request additional proof, as may be required in the circumstance.
3. Students in grades K-11 who no longer reside in the district after April 1 may remain in the Babylon Schools until the end of the school year.

Adoption date: June 10, 2002

## ADMISSION OF FOREIGN STUDENTS

The Board of Education recognizes the cultural enrichment derived from welcoming non-immigrant foreign students into the educational program.

Only non-immigrant foreign students who possess a valid J-1 visa to study in the United States will be admitted to the district's high school. The Board retains the sole discretion to deny admission to any student not meeting all the requirements set forth in this policy and regulation.

### *Foreign Exchange Students (J-1 Visa)*

The Board encourages district participation in a foreign exchange student program. Foreign exchange students will be admitted to the district high school for a one-year academic program.

1. The district recognizes only those organizations designated as AExchange-Visitor Programs by the United States Information Agency, pursuant to federal regulations, as sponsoring organizations for the exchange of students. Any such organization must supply proof of designation prior to recognition.
2. No foreign exchange students subject to this policy and regulation shall be brought into the district by a foreign exchange student program unless he or she has been accepted in writing as a student by the high school Building Principal or a designee.
3. When a foreign exchange student is accepted for admission pursuant to this policy, the letter of acceptance shall include a statement that tuition shall be waived for the student.

The Board may terminate the approval of a foreign student program when it would be in the best interests of the district to do so.

### *Foreign Students with F-1 Visas*

No F-1 students will be admitted into school.

### *Immigrant Students*

All school-aged immigrant children who have abandoned their residence in a foreign country and established residence in the district will be admitted to the district's schools without payment of tuition.

Ref: 22 CFR Part 514, Exchange-Visitor Program  
Education Law §1709(13)  
*Matter of Jones*, 24 EDR 110 (1984)

Adoption date: June 10, 2002

## ADMISSION OF FOREIGN STUDENTS REGULATION

The High School Building Principal shall review applications for the admission of foreign students according to the guidelines established below.

1. Students must be between the ages of 15 and 18 years and six months.
2. The student must have demonstrated in his/her home school a level of scholastic achievement to indicate the possibility of success in the high school.
3. The student must be proficient in the English language.
4. The student's records and credentials, including English translation, indicating all academic institutions attended, courses studied, and grades received in secondary school must be available to school officials no less than three weeks prior to the departure from the student's home.
5. The student must be in good health and an immunization record must be provided.
6. The student must enroll for a full course of study, on a full-time basis.
7. The student must agree to conform to established standards of acceptable behavior and conform to the rules and regulations of the high school.

All applications will be reviewed by the appropriate counselor, and the High School Building Principal. After the review, a recommendation for the approval or rejection of the application will be submitted to the Superintendent.

The district reserves the right to deny admission to any student not meeting all the requirements set forth in this policy and regulation.

### *Payment of Tuition*

Any letter of acceptance furnished to a foreign exchange program on behalf of a foreign student with a J-1 visa will state that tuition will be waived, unless the Board determines otherwise. If Board opts to charge tuition, the letter of acceptance will state the cost of tuition and the terms of payment.

### *Registration; Graduation*

1. The non-immigrant student must present himself/herself for registration prior to the first day of classes for the current semester.
2. At the time of registration the non-immigrant student will be provided a form, to be signed by him/her, the host family, and, in the case of a foreign exchange student, a representative of the sponsoring organization, indicating compliance with the conditions as stated in this policy.
3. The non-immigrant student will be granted a certificate upon completion of an approved course of study and will be allowed to participate in commencement exercises, as appropriate.

*Termination of Progress*

A student's participation may be terminated at any time by school officials for failure to abide by established guidelines, including:

1. failure of two or more courses of study without sufficient effort;
2. failure to conform to established rules and regulations;
3. failure to conform to the regulations established by the sponsoring organization; and/or
4. excessive absences.

*Suspension of Sponsoring Organization*

Should the guarantee or documentation provided by a sponsoring organization prove invalid, further acceptance of foreign exchange students from that organization will be dependent upon proof of compliance with district policy and regulation.

Adoption date: June 10, 2002

**STUDENT DISMISSAL PRECAUTIONS**

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

Parents are urged to make appointments with physicians, dentists, special tutors, etc., after school hours. If a request is necessary, parents should make note of the date, time and reason for the release.

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

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

Ref: Education Law §3210(1)(c)

Adoption date: June 10, 2002

## STUDENT DISMISSAL PRECAUTIONS REGULATION

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

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

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

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

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

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

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

Adoption date: June 10, 2002

## STUDENT ORGANIZATIONS

The Board of Education recognizes the educational values inherent in student participation in the extracurricular life of the school, and supports the concept of the formation of student groups for such purposes as building sound social relationships, developing interests in an academic area, and gaining an understanding of the elements and responsibilities of good citizenship.

The Superintendent of Schools, with the aid of students, faculty and administration, is charged with developing procedures for registering and regulating student groups or clubs. Such procedures shall ensure that the district will register any group organized for a purpose not prohibited by Board policy or by law, if such group submits a list of its members designated as contacts, a copy of its constitution and/or bylaws, and the constitution and bylaws of any off-campus organization with which it may be affiliated. Student groups may not restrict membership on the basis of race, sex, national origin or other arbitrary criteria.

The Board may prohibit the formation of any clubs, including fraternities or sororities, or any other secret society, whose deliberations and activities have caused or created, or are likely to cause or create, a disruption of or interference with the school program.

Administrative regulations governing the use of school facilities shall abide by the Equal Access Act in the creation of a "limited open forum." All noncurricula-related student activities, regardless of religious or political content, shall have the same opportunities as any other such activity to operate on school grounds.

Ref. Education Law §§207; 1709-a; 2503-a; 2554-a  
 Equal Access Act, 20 U.S.C. §§4071-4074  
 8 NYCRR Part 172  
*Board of Education of the Westside Community Schools v. Mergens*, 496 U.S. 226 (1990)  
*Garnett By Smith v. Renton School Dist. No. 403*, 865 F.2d 1121 (9th Cir., 1989)  
*Thompson v. Waynesboro Area School Dist.*, 673 F.Supp. 1379 (M.D. Pa. 1987)  
*Student Coalition v. Lower Merion School Dist. Bd.*, 633 F.Supp. 1040 (E.D. Pa. 1986)  
*Tinker v. Des Moines Independent Community School Dist.*, 393 U.S. 503, 89 S.Ct. 733 (1969)  
*Healy v. James*, 408 U.S. 169, 92 S.Ct. 2338 (1972)

Adoption date: June 10, 2002  
 Revised date: January 14, 2008

## **STUDENT GOVERNMENT**

The Board of Education sanctions and recommends the organization of student government bodies in the secondary schools.

Student government shall be “of the students, by the students, for the students,” representing all student students in the school in communications with the administration and in the organization of student activities.

Members to student councils shall be elected democratically. The rights and responsibilities of the council shall be clearly set forth. An advisor for each student council shall be recommended by the Building Principal and assigned by the Superintendent of Schools.

Adoption date: March 10, 2003

## STUDENT PUBLICATIONS

Students shall enjoy the constitutional right of freedom of expression. They shall have the right to express their views in speech, writing, or through any other medium or form, limited solely by those restrictions imposed on all citizens generally and those specifically applicable to children and youth in a school setting.

The Board of Education encourages student publications not only because they offer an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism, but also because they provide an opportunity for students to express their views and a means of communicating both within and beyond the school community.

All student publications will comply with the rules for responsible journalism. Libelous statements, unfounded charges and accusations, obscenity, false statements, materials advocating racial or religious prejudice, hatred, violence, the breaking of laws and school policies and/or regulations, or materials designed to disrupt the educational process will not be permitted. Expressions of personal opinion must be clearly identified as such, and bear the name of the author. Opportunity for the expression of opinions differing from those of the student publishers must be provided.

In addition, student newspapers and/or publications which are paid for by the school district and/or produced under the direction of a teacher as part of the school curriculum are not considered a public forum. In such cases, the Board reserves the right to edit or delete such student speech which it feels is inconsistent with the district's basic educational mission.

Ref: *Hazelwood School District v. Kuhlmeier*, 484 US 260, 108 S Ct 562 (1988)  
*Bethel School District v. Fraser*, 478 US 675 (1986)  
*Tinker v. Des Moines Independent Community School Dist.*, 393 US 503, (1969)  
*Thomas v. Board of Education, Granville Central School Dist.*, 607 F 2d 1043 (1979)  
*Trachtman v. Anker, et al.*, 563 F 2d 512 (1977)  
*Eisner v. Stamford Board of Education*, 314 F Supp 832, mod'f'd. 440 F2d 803 (1971)  
*Frasca v. Andrew et al.*, 463 F Supp 1043 (1979)  
*Matter of Beil and Scariati*, 26 EDR 109(1986)

Adoption date: June 10, 2002

## STUDENT PERSONAL EXPRESSION

The Board of Education recognizes the importance and value of student personal expression and recognizes that students do not shed their first amendment right of free expression at the schoolhouse gate. As in broader American society, the Board also understands that there is a balancing of an individual's rights under the First Amendment with the rights of the community. Student personal expression in this context refers to student verbal and written communication using any medium (paper, e-mail; website postings, etc.) including, but not limited to, poetry, prose, art, video and music composition that is intended to be shared with the broader school community.

Although students retain their right to free expression in school, that right is not unfettered. School officials may regulate expression as to time, place and manner. Students speech which causes a substantial disruption or which materially interferes with school activities or rights of others or might reasonably lead the school administration to forecast substantial disruption of or material interference with school activities, is not constitutionally protected speech.

When students wish to personally express themselves in the broader school community, they must seek prior approval from the building principal or his/her designee. The building principal or his/her designee will render his/her decision within two school days of receiving the request. The building principal shall give due consideration to the constitutionally protected right of freedom of expression, the maintenance of the normal operation of school and its activities, the protection of persons and property and the need to assist students in learning appropriate ways to exercise their rights. Unless such student expression takes place within the confines of a school-sponsored event/activity (see policy 5220 for guidance on School-Sponsored Student Expression), authorization will be granted if:

- The material is distributed as directed by the Principal or designee in such a manner as to not materially or substantially interfere with the rights of others or substantially disrupt the normal operation of the school;
- The material is not considered to be obscene, lewd, indecent, libelous, an invasion of the privacy of other individuals, or an expression that attacks a person's character, family, race, religion, sex, ethnic origin, physical appearance, sexual orientation, or disabling condition.
- The material is free from advertisements or promotion of cigarettes, liquor, illegal or illicit drugs, or drug paraphernalia or other products or services harmful to minors and/or not permitted to minors by law;

### *Procedural Due Process*

If a student(s) seeks to distribute material within school buildings or at school events, he/she must present such material for prior review by the Building Principal who must make a decision regarding distribution within two (2) school days of receipt of the request and then provide the reason for the denial in writing. The aggrieved student(s) may within two (2) school days appeal in writing to the Superintendent of Schools. The Superintendent of Schools must issue a written decision within two (2) school days after receiving the appeal.

Generally school administrative authority regarding student expression does not extend beyond school grounds or school-sponsored functions. However, with the advent of new technologies, the line between off- and on-campus expression can be blurred. Students are advised that if off campus personal expression substantially disrupts or materially interferes with school activities or might reasonably lead the school administration to forecast substantial disruption of or material interference with school activities or interrupts another individual's access to school, such as when the speech is threatening in nature, they may be subject to discipline under the Code of Conduct.

### *Violation of Policy*

Students who violate this policy will be subject to the appropriate disciplinary action, which may include short or long-term suspension, in accordance with the Code of Conduct.

Cross-ref: 5300, Code of Conduct  
0115, Harassment, Hazing and Bullying  
4526, Computer Use in Instruction  
5220, School-Sponsored Student Expression

Ref: *Morse v. Frederick*, 127 S Ct 2618 (2007)  
*Bethel School District v. Fraser*, 478 US 675 (1986)  
*Tinker v. Des Moines Independent Community School Dist.*, 393 US 503, (1969) (limits on student free speech rights in school setting)  
*Eisner v. Stamford Board of Educ.*, 314 F Supp 832, mod'f'd 440 F2nd 803 (1971)

Adoption date: January 14, 2008

## STUDENT ACTIVITIES FUNDS MANAGEMENT

In accordance with the Commissioner's regulations, all funds raised other than by taxation or through charges of the Board of Education for, by, or in the name of a school, student body, or any subdivision thereof, shall be known as "extra classroom activity funds."

All such funds shall constitute the "extra classroom activity fund account." All moneys raised or collected by school individuals or groups must be deposited in care of the Treasurer of the extra classroom activity account.

The Board of Education shall have the responsibility for the protection and supervision of the financial affairs of student clubs and extracurricular activities. The Principal of each school concerned will appoint a competent or qualified faculty advisor for each club or organization. An audit of all accounts will be made annually by the school auditor.

Management of extra classroom activity fund accounts shall be in accordance with the rules and regulations of the Commissioner of Education and the State Education Department.

Cross-ref: 2210, Board Reorganizational Meeting  
5210, Student Organizations

Ref: Education Law §207  
8 NYCRR Part 172

Adoption date: June 10, 2002

Revised Adoption date: March 13, 2006

## EXTRA-CLASSROOM ACTIVITY FUNDS RULES & REGULATIONS

### General

- Accounts with no activity for one year or more will be considered inactive. The funds from these accounts may be transferred to other Extra Classroom Activity Funds at the discretion of the Board of Education.
- All account funds for the graduating senior class shall be required to be disbursed or encumbered prior to the close of the school year. Failure to do so will give the Board of Education the authority to disburse the funds for use in other student activities for the following school year.

### Deposits

- Deposits must be delivered **in person** by the faculty advisor. No interoffice deposits will accepted.
- Monies must be counted and verified in the presence of the Extra Classroom Activity Fund treasurer.
- Deposit slips must contain two (2) signatures (faculty advisor and student treasurer).
- The deposit slip is a permanent record and should be maintained by the club advisor.
- Monies collected as a result of fundraising activities must be deposited within five (5) business days from the date of collection.
- **Deposits must be received by the Business Office no later than 12 noon on regular school days. Deposits will not be accepted on days when school is not in session.**

### Withdrawals

- Requests for payment must contain two (2) signatures (faculty advisor and student treasurer).
- Requests must be accompanied by an original invoice. Checks will not be issued for statements or invoice copies.
- Requests for payment other than to purchase goods and/or services must include a written explanation as to the nature of payment (i.e., donation; scholarship; awards; interclub transfers). This type of request will require a third signature from the Building Principal.

Adoption date: March 13, 2006

## INTERSCHOLASTIC ATHLETICS

Interscholastic athletics for boys and girls is an integral and desirable part of the district's secondary school educational program. Individual and team sports shall be based upon comprehensive physical education instruction and intramural activities, seeking broad participation from all eligible secondary students. Lifetime or carry-over sports are to be particularly encouraged and supported. Parity in the number and kind of sports activities for girls and boys is a clear objective of the district.

Student eligibility for participation on interscholastic teams shall include:

1. authorization by the school physician;
2. written parent or guardian consent; and
3. endorsement by the Building Principal based on established rules and various league and State Education Department regulations.

Ref: Education Law §§1709 (8-a); 3001-b  
8 NYCRR §135.4

Adoption date: June 10, 2002