

**THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**SUPPORT SERVICES**

**SERIES 8000**

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# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8000

## SUPPORT SERVICES GOALS

Support services, which include safety and maintenance programs, transportation, food services, insurance management and office services, are essential to the successful function of the school district. Education is the district's central function, and all support services shall be provided, guided, and evaluated by this function.

In order to provide services that are truly supportive of the educational program, the Board of Education establishes these goals:

1. providing a physical environment for teaching and learning that is safe and pleasant for students, staff, and the public;
2. providing safe transportation and nutritious meals for students who use these services;
3. providing timely, accurate, and efficient support services that meet district needs and promote District goals.

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8100

## SAFETY PROGRAM

The Superintendent of Schools and each Building Principal shall be responsible for promoting safety programs within the school district and the individual schools. The programs shall incorporate the following objectives:

1. accident prevention through effective supervision of student activities while educating students to develop good safety habits;
2. fire prevention by avoiding careless misuse of materials;
3. prevention of boiler explosions through proper maintenance and inspection procedures;  
and
4. prevention of burglary, robbery, vandalism, and theft through provisions of proper controls and safeguards related to equipment and money.

The Superintendent of Schools shall establish a district-wide Safety Committee and promulgate regulations as to its composition and method of operation.

The practice of safety shall also be an important facet of the instructional program of the district. Educational programs in safety shall include traffic and pedestrian safety, fire prevention, emergency procedures, bus safety, and driver education. Such programs shall be appropriately geared to students at different grade levels.

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8110

## BUILDING AND GROUNDS INSPECTION

The Board of Education, or a committee thereof, working with the Superintendent and his/her staff will conduct regular annual inspections of all school buildings for the purpose of finding and correcting any conditions that need correcting. This will be done as part of the budget process. Conditions that constitute a hazard to health and safety will be corrected promptly.

Ref: 8 NYCRR "155.3; 155.4

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8110-R

## BUILDING AND GROUNDS INSPECTION REGULATION

Each year, the Superintendent of Schools shall invite a representative of each fire district to accompany a fire inspector engaged by the Board of Education in making an annual fire inspection of each school building, as required by the State of New York.

1. This inspection is to be completed and the report of the inspection, together with completed New York State forms and any recommendations for changes or improvements, shall be delivered to the Superintendent.
2. The Superintendent shall study the recommendations for changes and improvements contained in the inspection report, after which, in consultation with the Assistant Superintendent for Business, the Superintendent shall prepare a time schedule for the completion of recommendations requiring only labor and materials already at hand. These recommendations are to be implemented as soon as possible.
3. The Superintendent will prepare this report and any recommendations.
4. The Superintendent shall present the full report and his/her recommendations on this matter to the Board at the first regular meeting following completion of the report. The report shall include: the recommendations of the Fire Inspector, the orders issued to the building administrator, the recommendations implemented under 2(a), the report of recommendations under 2(b) of Board action.
5. Within 20 days after the fire inspection report has been filed with the school authorities the Board must give public notice of the filing in substantially the form prescribed in the statute. If the fire department or company responsible for protection of the school building did not make the inspection, then a copy of the above notice must be mailed to the chief of such department or company. The notice must be published at least once in the official newspaper, or, if there is no official newspaper, in one having general circulation in the school district, the notice must be posted in ten conspicuous places in the district. If the report shows any alleged deficiencies, the Board must give at least five days' notice by mail to the chief of the fire department or fire company responsible for fire protection of the school building of the date and place of the meeting of the Board, which is to be held within thirty days after publication or posting of the notice.

Ref: Education Law '807-a  
8 NYCRR "155.3; 155.4  
State Uniform Fire Prevention and Building Code  
(9 NYCRR Parts 600-1250)

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8111

## REPORTING OF HAZARDS

The Board of Education recognizes its responsibility to provide an environment which is reasonably secure from known hazards. The Board therefore directs the Superintendent of Schools and all professional and support staff members to comply with occupational safety and health regulations, including the Hazard Communication Standard and "Right-to-Know" legislation.

The Superintendent will direct appropriate personnel to develop and oversee a written hazard communication program. Such program will include the following:

1. the acquisition, maintenance and review of Material Safety Data Sheets (MSDS's) for all known hazardous materials on district property;
2. the compilation of a hazardous materials inventory;
3. employee training in hazardous materials management and protection; and
4. the recording of all incidents involving exposure to known hazardous materials.

The District will comply with the requirements for the visual notification of pesticide spraying as set forth in the Environmental Conservation Law.

It is the responsibility of the entire school community to report any unsafe building or equipment conditions to the main office as soon as possible. In addition, designated administrators will provide notice of hazardous materials within 72 hours of an employee request.

If students observe other students acting in an unsafe manner, this behavior should be reported to the nearest available staff member.

Cross-ref: 1120, School District Records/ Public's Right to Know  
8120, Accident Prevention and Safety Procedures

Ref: 29 CFR '1910.1200 and 12 NYCRR Part 800 (Hazard Communication Standard)  
40 CFR '763.95  
Public Health Law, Article 48 and Labor Law, Article 28 ("Right-to-Know"  
Law)  
Labor Law '876  
Environmental Conservation Law '33-0101

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8111-R

## REPORTING OF HAZARDS REGULATION

The Hazard Communication Program is intended to address the issue of evaluating and communicating hazard information to district employees. The following summarizes the responsibilities of those persons most directly involved with the successful implementation of this program.

### Safety and Health Coordinator

1. Develops and oversees the implementation of a written hazard communication program.
2. Provides employees with training on hazardous materials and the measures required to maintain optimum protection while working with these agents.
3. Reviews Material Safety Data Sheets for all products currently in use or being considered for use.
4. Maintains an inventory of Material Safety Data Sheets for all hazardous materials.
5. Requests specific chemical information when such material has been designated as a trade secret by a manufacturer or supplier.
6. Generates and maintains inventory listings of all hazardous materials present and provides updates where and when necessary.
7. Acts as employee contact for obtaining Material Safety Data Sheets from the State Health Department and/or manufacturers/suppliers of materials currently in use or being considered for use.
8. Compiles Material Safety Data Sheets for each hazardous material used and obtains updates when necessary.

### Building Administrator

1. Implements the Hazard Communication Program.
2. Ensures that Material Safety Data Sheets are readily accessible to employees and will provide such information within 72 hours of an employee request.

### Head/Chief Custodian

1. Ensures that each container identified as holding a hazardous material is properly labeled as to the identity of its contents and appropriate hazard warnings, including building materials containing asbestos.

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8120

## ACCIDENT PREVENTION AND SAFETY PROCEDURES

The Board of Education seeks to ensure the safety of students and employees of the district while on district property.

The Board and Administrative staff, in cooperation with students and employees, will take reasonable measures to prevent accidents on the school premises, including the following:

1. immediately report any conditions involving equipment or buildings which may be dangerous to student or employee health or welfare;
2. immediately report any unsafe practices by anyone in the building or on the grounds;
3. ride bicycles only on the roadways, not the sidewalks. Bicycles are to be parked in the rack provided by the school. Pleasure riding on the school grounds is prohibited during school hours; and
4. observe the 10 mile per hour speed limit on school grounds.

Formal objective investigations of all accidents are to be immediately conducted by the Building Principal and the results of the investigation are to be presented to the Superintendent in a written report. The results of selected investigations should be communicated to employees, the district safety committee and students for the purpose of determining how the accident might have been avoided.

### Eye Safety Devices

Eye safety devices shall be provided for all students, instructors and visitors who are engaged in or observing the use of materials or equipment which may potentially damage the eyesight of those involved. Such activities and materials are listed in Section 141.10 of the Commissioner's Regulations. The Board directs the Superintendent to establish regulations for education in eye safety and for the wearing of appropriate eye safety devices.

Cross-ref: 5450, Student Safety

Ref: Education Law "409; 409-a; 409-c; 3212-a  
Labor Law "27; 27-a  
8 NYCRR "141.10; 155.3

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8121

## FIRST AID

School health personnel are responsible for giving first aid or emergency treatment in case of sudden illness or injury to a pupil or staff members. In case of a student's illness or injury, the school shall attempt to place the student in the care of a parent, guardian, or person designated by the parent or guardian in such cases, as soon as possible, yet the school must retain jurisdiction over and responsibility for the student until this has been done.

The school physician shall develop and distribute Medical First Aid standing orders and procedures for the nurse or other personnel to follow in emergencies. These procedures shall incorporate the following requirements:

1. no treatment except first aid is permitted in school;
2. a master first aid kit shall be kept and properly maintained in each school and each school bus;
3. no drugs shall be administered by school personnel unless authorized by a physician;
4. parents shall be asked to sign and submit an emergency medical authorization which shall indicate the procedure they wish the school to follow in the event of a medical emergency involving their child; and
5. in all cases where the nature of an illness or an injury appears serious, the parent or guardian will be contacted if possible, and the instructions on the child's emergency card followed. In extreme emergencies, arrangements may be made for the child's immediate hospitalization whether or not the parent or guardian can be reached.

Ref: Education Law "3023; 3212-a; 6527(4)(a); 6909

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8121.1

## OPIOID OVERDOSE PREVENTION

The Board of Education recognizes that many factors, including the use and misuse of prescription painkillers, can lead to the dependence on and addiction to opiates, and that such dependence and addiction can lead to overdose and death among the general public, including district students, staff. The Board wishes to minimize these deaths by the use of opioid overdose prevention measures.

The Board approves the district to participate in a local NYSDOH-registered Opioid Overdose Prevention Program, Suffolk County Department of Health Services, as an opioid antagonist recipient. The Board permits any school employee to volunteer to receive training from this program. School nurses may become volunteer trained responders, but may only act as trained responders when not functioning as a nurse. The Program shall issue shared access to NYSDOH-provided naloxone (also known as Narcan, among other names) nasal spray kits to trained responders. Employees wishing to volunteer to become trained responders must contact the School Nurse or Building Principal, who shall arrange with the Program Director for training for the administration of intranasal naloxone. Volunteer trained responders may administer naloxone to a student, staff member, or visitor displaying opioid overdose symptoms, along with contacting emergency responders pursuant to the naloxone training. All provided naloxone kits shall be stored as specified by the Program. Naloxone shall be accessible during school hours and during on-site school-sponsored activities. The district shall comply with all recordkeeping, inventory, documentation and notification requirements of the Program.

Ref: Education Law §§922 (volunteer naloxone responder); 6527 (emergency treatment of anaphylaxis and opioid overdose); 3023 (liability coverage); 6909 (administration of naloxone by nurses)  
Public Health Law §3309 (volunteer naloxone responder)  
8 NYCRR §§ 64.7 (administration of naloxone); Part 136 (school health services program, including naloxone)  
10 NYCRR §80.138 (volunteer naloxone responder)  
*Guidance for Implementing Opioid Overdose Prevention Measures in Schools*, New York State Education Department, 8/11/15, [www.schoolhealthservicesny.com/files/filesystem/guidance\\_on\\_opioid\\_overdose\\_prevention\\_in\\_the\\_schools\\_final.pdf](http://www.schoolhealthservicesny.com/files/filesystem/guidance_on_opioid_overdose_prevention_in_the_schools_final.pdf)  
*Opioid Overdose Prevention: Guidelines for Policies and Procedures*, New York State Department of Health, March 2014, [www.health.ny.gov/diseases/aids/general/opioid\\_overdose\\_prevention/docs/policies\\_and\\_procedures.pdf](http://www.health.ny.gov/diseases/aids/general/opioid_overdose_prevention/docs/policies_and_procedures.pdf)

Adoption date: February 8, 2017

# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**8121.1-R**

## **OPIOID OVERDOSE PREVENTION** **REGULATION**

The district shall follow the procedures established by the Suffolk County Department of Health Services, NY State DOH-Registered Opioid Overdose Prevention Program Opioid Overdose Prevention Program, registered with the New York State Department of Health (NYSDOH), for the use of naloxone, including: placement, storage, inventory and re-ordering, documenting and reporting incidents of usage, and volunteer responder training.

Every administration of naloxone shall be reported to the Clinical Director and Program Director of the Opioid Overdose Prevention Program in which the district is participating, as well as the school nurse.

The district shall maintain a current list of all trained volunteer responders by building location, located in building main office.

Adoption date: February 8, 2017

**ACCIDENT REPORTS**

All accidents concerning students occurring in a classroom, on school property, on buses, or at school-sponsored activities away from school property, regardless of seriousness, must be reported to the school administration and Assistant Superintendent for Business as promptly as possible.

All accidents concerning school personnel occurring during school hours must be reported immediately. Accident reports must be filled out and filed promptly in case there is need for medical care or other Worker's Compensation claim.

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8123

## HYGIENE PRECAUTIONS AND PROCEDURES

The Board of Education, in order to promote and ensure the health and safety of all students and staff, adopts the following policy on hygiene and sanitary procedures for dealing with exposure to and contact with blood and other body fluids.

To prevent and/or minimize the transmission of contagious or communicable diseases or infections within the school community, all employees of the school district shall utilize appropriate precautions when providing first aid or otherwise dealing with situations that involve exposure to blood and other body fluids. Such precautionary measures will be followed uniformly in all instances and shall be applicable in all buildings and facilities throughout the school district.

The Superintendent of Schools is responsible for developing appropriate procedures to implement this policy and for informing all staff of such procedures and ensuring compliance with them. The failure by any employee to utilize such procedures may form the basis for disciplinary action.

Cross-ref: 4315.1, AIDS Instruction

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8123-R

## HYGIENE PRECAUTIONS REGULATION

The following procedures shall be followed by all employees when providing first aid or otherwise dealing with situations where there is the possibility for exposure to or contact with blood or other body fluids.

1. Except in extraordinary, life-threatening circumstances, all employees must wear rubber gloves to prevent contact with blood or other body fluids when treating or cleaning open cuts, scrapes, abrasions, etc., or spills of blood or other body fluids.
2. All spills of blood or other body fluids should be cleaned up first with soap and water and then with a 10 percent (10%) solution of household bleach. Gloves shall be worn throughout the cleanup process.
3. If possible, feces should be disposed of in a toilet with normal flushing. All disposable materials, including gloves and contaminated material used in the cleanup process, should be placed in a plastic bag and sealed. The sealed plastic bag should then be placed in a second plastic bag and disposed of properly.
4. Mops and reusable items used to cleanup spills should be disinfected with the bleach solution and then washed out before storage or reuse.
5. Toys and/or other personal non-disposable items should be cleaned with warm, soapy water and disinfected with the bleach solution before reuse by another person or being stored away. A normal laundry cycle is adequate for other non-disposable items, including clothing. It is recommended that all non-disposable items be double bagged until they can be cleaned.
6. All persons must wash their hands with soap and water after cleaning up any spill of blood or other body fluid.
7. A supply of rubber gloves, bleach solution, and plastic bags ("hygiene kit") shall be maintained in each classroom and in all other locations within the school district where a potential for direct exposure to blood or other body fluids exists, such as the gym, cafeteria, maintenance facility, bus garage, etc. The school nurse shall periodically check the status of each hygiene kit in the building or facility for which she/he is responsible. Bleach solutions will be replaced at least once each semester. An additional supply of rubber gloves shall be maintained in the nursing office in each school building or in the appropriate supervisor's office at other locations.

Cross-ref: 4315.1, AIDS Instruction

Adoption date: December, 1991

## SCHOOL SAFETY PLANS AND TEAMS

Emergencies and violent incidents in schools are critical issues that must be addressed in an expeditious and effective manner. The Board of Education recognizes its responsibility to adopt and keep current a comprehensive district wide school safety plan and building-level emergency response plan(s) which address violence prevention, crisis intervention, emergency response and management.

Taken together, the district-wide and building level plans shall provide a comprehensive approach to addressing school safety and violence prevention, and provide the structure where all individuals can fully understand their roles and responsibilities for promoting the safety of the entire school community. The plans will be designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the district's coordination with local and county resources. The plans will also address risk reduction/prevention, response and recovery with respect to a variety of types of emergencies and violent incidents in district schools, and will address school closures and continuity of operations in the context of epidemics/pandemics including protocols for responding to a declared public health emergency involving a communicable disease, in either the plans themselves or in addenda to the plans.

In accordance with state law and regulation, the district will have the following safety teams and plans to deal with violence prevention, crisis intervention and emergency response and management:

### Comprehensive District-Wide School Safety Team and Plan

The Board will annually appoint a district-wide school safety team that includes, but is not be limited to, a representative from the following constituencies: the Board, teachers, administrators, and parent organizations, school safety personnel and other school personnel. This team is responsible for the development and annual review of the comprehensive district-wide school safety plan. The plan will cover all district school buildings and will address violence prevention (taking into consideration a range of programs and approaches that are designed to create a positive school climate and culture), crisis intervention, emergency response and management including communication protocols, at the district level, and protocols for responding to a declared public health emergency involving a communicable disease. It will include all those elements required by law and regulation.

The Board may also appoint a student representative to the district-wide school safety team. However, no confidential building-level emergency response plans will be shared with the student member, nor will the student member be present during discussion of any confidential building-level emergency response plans, or confidential portions of the district-wide emergency response strategy.

The Superintendent of Schools or his/her designee will be the district's chief emergency officer, and shall coordinate communication between school staff and law enforcement and first responders. The chief emergency officer will ensure that all staff understand the district-wide school safety plan, and receive training on the building-level emergency response plan, violence

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prevention and mental health, and will also ensure that the district-wide and building-level plans are completed, reviewed annually, and updated as needed by the designated dates. The Chief Emergency Officer will ensure that the district-wide plan is coordinated with the building-level plans, and will ensure that required evacuation and lock-down drills are conducted.

### Building-Level Emergency Response Plans and Teams

Each Building Principal is responsible for annually appointing a building-level emergency response team that includes representation from teachers, administrators, parent organizations, school safety personnel, other school personnel, law enforcement officials, fire officials and other emergency response agencies. The emergency response team is responsible for the development and review of a building-level emergency response plan for each district building. The plan(s) will address response to emergency situations, such as those requiring evacuation, sheltering and lock-down at the building level and will include all components required by law and regulation. These confidential plans will include evacuation routes, shelter sites, medical needs, transportation and emergency notification of parents and guardians.

Building-level emergency response plans will include protocols in response to carbon monoxide alarms or detection. Alarm or detection of carbon monoxide will result in the appropriate actions as described by the emergency response plan.

Building-level emergency response plans must designate:

- an emergency response team for incidents that includes appropriate school personnel, law enforcement officials, fire officials, and representatives from local, regional and/or state emergency response agencies to assist the school community in responding to a serious violent incident or emergency; and
- a post-incident response team that includes appropriate school personnel, medical personnel, mental health counselors and other related personnel to assist the community in coping with the aftermath of a serious violent incident or emergency.

The Building Principal is responsible for conducting at least one test every school year of the emergency response procedures under this plan including procedures for sheltering and early dismissal.

To maintain security and in accordance with law, the building-level emergency response plan(s) are confidential and not subject to disclosure under the Freedom of Information Law or any other law.

### Threat Assessment Teams

The Building Principal, in consultation with the Superintendent and the Chief Emergency Officer, will annually designate a threat assessment team to provide ongoing support and information in order to identify, and assess individuals who may be potential threats to safety, with the intent of minimizing acts of violence in the school community. The threat assessment team will be composed of, but not limited to, the following personnel from both within the school and the larger community, as appropriate: building administrators, legal counsel, the medical director and/or school nurse, school counselors, local mental health and social service providers, law enforcement, school resource officers, security personnel, and

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facilities and maintenance personnel. The team will meet regularly. The team will be mindful of the need for discretion and observance of confidentiality requirements.

Students will be encouraged to bring their concerns to any district employee. If a district employee becomes aware of a threat to the school community, they must inform the Building Principal, who will convene the threat assessment team. The Building Principal may request the participation of the following additional individuals who may have specific knowledge of the potential perpetrator: supervisors, teachers, students and parents. The Building Principal is responsible for keeping the Superintendent informed about the activities of the threat assessment team. Threat assessment team members will receive appropriate training.

### Annual Review and Reporting

All building level plans will be annually reviewed and updated, if necessary, by the appropriate team by October 1<sup>st</sup>. In conducting the review, the teams will consider any changes in organization, local conditions and other factors including an evaluation of the results of the annual test of the emergency response procedures which may necessitate updating of plans. If the plan requires no changes, then it will remain in effect. If the district-wide plan requires change, then the updated plan will be submitted to the Board of Education in time to allow 30 days of public comment and to hold a public hearing which provides for the participation of school personnel, students and other interested parties prior to Board adoption. The district wide safety plans must be adopted by the Board of Education by September 1.

The Superintendent of Schools is responsible for submitting the district-level school safety plan and any amendments to the plan to the Commissioner within 30 days after its adoption, but no later than October 1 of each year. The district-wide plan will be posted on the district's website. The Chief Emergency Officer will be responsible for filing the building-level emergency response plans for each building and any amendments to the plans with the appropriate local law enforcement agency and the state police within 30 days after adoption, but no later than October 1 of each year.

Cross-ref: 0115, Bullying and Harassment Prevention and  
Intervention 5300, Code of Conduct  
9700, Staff Development

Ref: Education Law §2801-a (school safety plans)  
Executive Law §2B (state and local natural and manmade disaster  
preparedness) 8 NYCRR Part 155 (Educational Facilities)  
19 NYCRR §1228.4 (carbon monoxide detection)  
*School Safety Plans Guidance*, New York State Education Department, June

December, 1991 (Emergency Plans)

Revised: July 13, 2016  
August 24, 2016  
March 10, 2021

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8130-R

## Individual Emergency Care/Safety Plans Regulation

The District has developed Individual Emergency Care/Safety Plan templates to be completed in accordance with District Policy #8130 School Safety Plans and Teams. These forms are to be completed for any student who presents with non-ambulatory, physical or sensory impairments which may require special planning and/or interventions to ensure the student's safety and well-being during school sponsored activities and in emergency situations that may arise during those activities.

The District will supply each building with a Special Assistance Emergency Form to be utilized in situations involving, but not limited to:

- Emergency Care Plan- Non Ambulatory
- Emergency Care Plan-Diabetes
- Emergency Care Plan-Seizures
- Emergency Care Plan-Allergy
- Emergency Care Plan-Asthma

### Students with Existing Individual Emergency Care/Safety Plans

By June 1 of each school year the building School Nurse will compile a list of students in the building anticipated to need an Individual Emergency Care/Safety Plan for the next academic year. The list will include general education students as well as students who have an IEP or Section 504 Accommodation Plan. The Building Administrator will then convene a Safety Plan Review Meeting not later than the end of the current school year with the following individuals:

- Principal
- Assistant/ Assistant to the Principal
- School Nurse
- Guidance Counselor (if appropriate)
- Student's Case Manager (if classified or 504)
- Elementary Level – Classroom Teacher
- Physical and/or Occupational Therapists if appropriate

Individuals responsible for updating the Individual Emergency Care/Safety Plan to incorporate any updates/changes resulting from the review meeting are:

- School Nurse (all medical areas)
- Student's Case Manager (if classified or 504)
- Assistant Principal (general education students)

All completed Individual Emergency Care/Safety Plans will be maintained in the School Nurse's office. A copy will be provided to the Pupil Personnel Services Office if the student is classified or has a Section 504 Plan.

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8130-R

When the plan is developed, the Assistant Principal will hold a meeting to review the Individual Emergency Care/Safety Plan with all of the student's teachers and any related service providers when applicable. School Nurses may be included at the discretion of the Assistant Principal. Teachers and related service staff will review the plan. A copy of the non-confidential portions of the plan shall be provided to the appropriate individuals. The Individual Health Care/Safety Plan and signature page will be stored in the School Nurse's office. For students with an IEP or Section 504 Accommodation Plan, a copy of the plan and signature page will be sent to the Pupil Personnel Services Office to be placed in the student's file. Parent(s) will also be provided with a copy. Annual Individual Emergency Care/Safety Plan meetings will be incorporated into the same schedule as the building's 408 review meetings prior to the beginning of the student's first day of school. This will also be a priority for students that transfer in to the district at any point in the school year. Information as to whether a student requires an Individual Emergency Care/Safety Plan is to be included in the New Screening Profile form used at elementary buildings. IEP/504 documents will also include a section under "Special Alerts" that indicates an Individual Emergency Care/Safety Plan is necessary.

## New or Transitioning Students Emergency Care/Safety Plan

Steps to Create a Plan:

1. The School Nurse will complete the "Medical" portion of the Individual Emergency Care/Safety Plan.
2. A meeting, facilitated by the Building Principal or Assistant Principal, will be called to complete all aspects of the Individual Emergency Care/Safety Plan and determine if any training is necessary for staff. The Plan will be written by the Case Manager and approved by the Chair of the Committee on Special Education or the appropriate building administrator on one of the four forms listed/attached. The School Nurse or Special Education Supervisor may, on a case by case basis, be asked to obtain a "Consent to Release Information" form from parents/guardians so the District's School Physician can consult with a student's private physician.
3. For students with an IEP or Section 504 Accommodation Plan, the student's Case Manager and the School Nurse will attend the meeting with the Assistant Principal.

## District Emergency Management Plan

The Chief Emergency Officer in conjunction with the Assistant Superintendent for Business Services have the general responsibility for coordination, overview and decision-making in implementing the District's Emergency Management Plan. Upon notification of an emergency, it is the Chief Emergency Officer's duty to activate the Plan as he/she believes appropriate. In carrying out his/her responsibilities pursuant to the Board of Education policy and the regulations of the Commissioner of Education, an Emergency Planning Committee is hereby established. The Committee is responsible for developing and overseeing the Plan. In addition to the Chief Emergency Officer, who shall also serve as the chairperson of the Committee, the other members of the Committee shall be:

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**8130-R**

- Principals (or Assistant Principals) of all district schools
- A representative of the faculty designated by the Superintendent
- Transportation Coordinator
- Plant and Facilities Administrator

Other members of the staff, student body or the community shall be called upon to serve or provide advice as is deemed appropriate by the Superintendent. It is expected that all faculty and staff will cooperate to the maximum extent with the Committee and carry out all assigned responsibilities under the Emergency Management Plan.

The Committee will meet at times designated by the District's Chief Emergency Officer to develop the Plan. Included in the Plan shall be:

- Definitions of "emergency" and procedures to be followed to activate the Plan;
- Designation of a control center in anticipation of, or in response to an emergency;
- Identification of sites of potential emergencies;
- Identification of appropriate responses to emergencies;
- Procedures for coordinating the use of District resources and personnel during emergencies;
- Identification of District resources which may be available for use during an emergency;
- A system for informing all schools within the District of the emergency;
- Plans for taking the following actions, if appropriate: school cancellation; early dismissal; evacuation; and sheltering
- Pertinent information about each school (including information on school population, number of staff, transportation needs and the business and home telephone numbers of key employees of the District and others, as appropriate
- Procedures for obtaining advice and assistance from local government officials;
- Any other information deemed relevant by the Committee.

The Committee will examine and consider other recommended information for inclusion in the plan, including the recommendations of the State Education Department.

The Chief Emergency Officer is responsible for ensuring that by October 1 of each year all staff and students are provided with written information about emergency procedures. Chief Emergency Officer will also ensure that twelve fire and emergency drills are conducted, eight before December 31, eight drills being evacuation drills and four being lockdown drills.

Adoption date: December, 1991

Revised: July 13, 2016

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8130.1

## EXTREME RISK PROTECTION ORDERS (THE “RED FLAG LAW”)

Extreme risk protection orders are court orders that restrict the ability of a person, who is judged likely to engage in conduct that would result in serious physical harm to him/herself or others, to purchase or possess firearms, rifles or shotguns, or attempt to do so.

Under state law, Building Principals are permitted to petition the state Supreme Court for extreme risk protection orders for students currently enrolled in their building, or students who were enrolled in their building in the six months immediately before filing the petition (referred to in this policy as “currently-enrolled” and “recently-enrolled” students, respectively).

When district staff members have reason to believe, either personally or through information received by others, that a currently-enrolled or recently-enrolled student is likely to engage in conduct that would result in serious physical harm to him/herself or others, they are encouraged to report their concerns to the Building Principal or his/her designee. This is in keeping with employees’ general responsibility for student safety, as well as their own interests for maintaining a safe working and learning environment

Any other person, including but not limited to students, parents, and community members, may also bring their concerns to the Building Principal or his/her designee that a currently-enrolled or recently-enrolled student is likely to engage in conduct that would result in serious physical harm to him/herself or others. Upon receipt of a report of concern under this policy, the Building Principal shall immediately notify the Superintendent of Schools and the District’s Chief Emergency Officer of such concern.

If the Building Principal or his/her designee is absent from the building, the Superintendent of Schools will be the main point of contact to report concerns. In the absence of the Superintendent of Schools, the Deputy Superintendent shall be the main point of contact.

When a Building Principal receives concerns from persons under this policy, or has his/her own concerns about a student, he/she must immediately notify the Superintendent of Schools and the District’s Chief Emergency Officer/Safety and Security Coordinator. The Superintendent will contact the school attorney and together they will assist the Building Principal in determining the appropriateness of petitioning the court for an extreme risk protection order. The District’s legal counsel will attend all legal proceedings under this policy. The Superintendent shall offer input as to who will accompany the school attorney to court in support of a petition for an extreme risk protection order

When determining whether it is appropriate to petition the court for an extreme risk protection order, the district will consider, among other things, the following factors as they relate to the student:

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

## 8130.1

1. Threats or acts of violence or physical force made against him/herself or another person;
2. Violating or allegedly violating orders of protection (i.e., restraining orders);
3. Pending criminal convictions or charges involving weapons;
4. Recklessly using, displaying, or brandishing a firearm, rifle or shotgun;
5. Violating previous extreme risk protection orders;
6. Evidence of recent or current drug or alcohol abuse; and
7. Evidence that the student has recently acquired a firearm, rifle, shotgun, other deadly weapon (including but not limited to knives, clubs, and metal knuckles), dangerous instrument (including items capable of causing death or serious physical injury, when used for that purpose), or ammunition.

Additionally, the Building Principal is directed to contact local law enforcement, in accordance with the Code of Conduct, district-wide school safety plan, and building-level emergency response plan. Whenever a Building Principal contacts local law enforcement, the Superintendent of Schools and the District's Chief Emergency Officer/Safety and Security Coordinator shall be notified. There are no exceptions.

Outside of this policy, Building Principals and building staff are required to respond to students who make threats of violence within the scope of the Code of Conduct and school safety/emergency response plans. The extreme risk protection order is another avenue available to schools.

In consultation with and with the approval of the Superintendent and school district attorney, the Building Principal may designate, in writing, certain other employees at that school to petition the court for the extreme risk protection order. Such employees include: teachers, school guidance counselors, school psychologists, school social workers, school nurse, any other personnel required to hold a teaching or administrative license or certificate, and certain coaches (those who are full- or part-time paid employees required to hold either a temporary coaching license or professional coaching certificate).

Under Education Law section 3023, the district must defend and indemnify employees against lawsuits for negligence, accidental bodily injury or property damage where the employee is performing his/her duties within the scope of employment.

The Superintendent or his/her designee may take appropriate steps to notify district staff of the provisions of this policy. At the Superintendent's discretion, employees may be trained to get additional knowledge about when and how to properly utilize the law to best protect the school from violence. Employees will be notified of who is designated to file extreme risk protection orders in the building or district.

Cross-ref:

5300, Code of Conduct

8130, School Safety Plans and Teams

**THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**8130.1**

Ref:

Civil Practice Law and Rules Article 63-A  
Education Law §3023

Adoption Date: April 1, 2020

## PANDEMIC PLANNING

The Board of Education recognizes the public's concern over the possibility of a contagious disease outbreak and acknowledges that it is in the best interests of its students, employees and the community to prepare for such a scenario. To this end, the Board directs the Superintendent of Schools to:

1. Implement infection prevention control procedures that could help limit the spread of contagious diseases at schools in the district, including but not limited to:
  - encouraging, through classroom instruction at every grade level and posters, good hygiene habits recommended by public health experts to help protect the school community from contagious diseases (e.g., washing hands frequently with soap and water, coughing/sneezing into tissues or the crook of the elbow instead of one's hand, utilizing alcohol-based/waterless hygiene products and avoiding shaking hands);
  - providing a description of warning signs and symptoms of contagious diseases infections and instruct parents and employees that students and staff displaying such symptoms should not report to school;
  - providing sufficient and accessible infection prevention supplies including soap, alcohol-based/waterless hygiene products, tissues and receptacles for their disposal;
  - following the recommendations of federal, state and local authorities regarding properly cleaning and sanitizing the schools.
  
2. Work with school administrators, district medical personnel, local county health representatives, teachers, guidance counselors, and other staff and parent representatives as appropriate, to prepare, as part of the district's existing emergency/safety plan, a contagious disease preparedness plan. Such plan shall include, but not be limited to:
  - Describing the potential impact of an outbreak on student learning (such as student and staff absences), school closing, school trips, and extracurricular activities based on having various levels of illness among students and staff and the alternative means of delivering education (e.g., educating students through the Internet, long-distance learning, sending assignments home, telephone conference calls, etc.), along with plans to assess student progress once school resumes.
  - Ensuring continuity of meal programs during school closure, which may involve utilizing school vehicles or satellite pickup points.
  - Establishing procedures for caring for, isolating, and/or transporting students who become ill with contagious diseases while in school.
  - Establishing liberal, non-punitive attendance policies for students unique to an outbreak of contagious diseases.
  - Developing a process for gathering and analyzing the latest information and recommendations from health experts (for example, from the Centers for Disease Control, the New York State Health Department, the County Health Department, etc.) which will inform district policymakers' decisions.
  - Developing a process for communicating information concerning the outbreak of contagious diseases to the school community on a continuing basis. Such efforts may include preparing an information letter for distribution to parents and guardians of students advising them of the dangers of contagious diseases and the steps that may be

## **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

taken to reduce the risk of infection, and/or establishing a section on the district's website to communicate information about the district's policy concerning contagious diseases and links to relevant governmental websites.

- Coordinating the district's plan with the local and state health departments as well as the State Education Department and area BOCES.
  - Assigning responsibility for the activities listed above to appropriate staff.
3. Facilitate discussions with all negotiating units representing employees of the district to determine whether it is appropriate to consider opening up negotiations for the limited purpose of bargaining over the inclusion in collective bargaining agreements of provisions related to sick time and absences on the part of employees, who have been either diagnosed as having contracted contagious diseases that has caused the outbreak or who have family members who have contracted the contagious diseases that has caused the outbreak.

In the event that the district implements its emergency plan in response to a pandemic, the Superintendent shall keep the Board regularly informed regarding any actions taken and information gathered.

Cross-ref:

5100, Student Attendance

5420, Student Health Services

8130, School Safety Plans and Teams

Adoption Date:

March 10, 2021

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8132

## FIRE DRILLS

The Board of Education has the duty to ensure that each School Principal conduct the required number of fire drills per year. The Superintendent of Schools shall be responsible for implementing such drills in order to instruct students and staff in exiting the school building in an emergency in the shortest time possible and without confusion and panic. Fire drills shall include instruction on fire drill exits and fire alarm boxes, as well as fire drill procedures. Such drills or rapid dismissals shall be held at least twelve times in each year, eight of which required drills shall be held before December first. At least two additional drills shall be held during summer school in buildings where summer school is conducted, and one such drill shall be held during the first week of summer school.

Each school of the district shall maintain a detailed floorplan for exiting the building during fire drills and real fires. Such floorplan and a detailed description of exits and routes to follow shall be included in each school's faculty handbook.

Cross-ref: 8130, Emergency Plans

Ref: Education Law '807

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8132-R

## FIRE DRILLS REGULATION

Emergency drills are a necessary part of school safety procedures. Teachers shall be expected to follow the emergency drill procedures explicitly and to insure a rapid and orderly exit from the building. Treating each drill as if it were a real emergency will help to insure the proper reaction and behavior should a real emergency exist.

All fire signals must be assumed to be bona fide. Without exception, the buildings must be evacuated.

Upon hearing the signal or announcement for an emergency evacuation the follow procedures should be followed:

1. All lines of communication are to remain open, allowing for the individual calling in the alarm to inform the school office as to the location of the emergency.
2. Each teacher will lead his/her group of students out of the building via the most direct route to the appropriate designated exit.
3. All windows and doors must be closed and lights turned off.
4. Teachers must carry the class attendance register and take attendance outside the building, making certain that all students are accounted for.
5. Each class must be kept together for the duration of the drill, no one is allowed to wander around outside the building.
6. It is each student's responsibility to move quickly, quietly, and in an orderly fashion. No running or pushing will be allowed; talking and/or smoking will not be permitted as students exit from the room and building.
7. Teachers on supervision duty in the vicinity of the cafeterias and other student commons areas shall take charge of the students in those areas and supervise their exit from the building.
8. Teachers should report any unsafe practices or conditions to the Building Principal.

School volunteers are responsible for the safety of any students assigned to them and must follow all emergency evacuation procedures as stated above. Where school volunteers have not been specifically assigned responsibility for any students, they will assist teachers in evacuating the building. All school volunteers will be instructed in emergency drill procedures.

Adoption date: December, 1991

# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**8133**

## **BOMB THREATS**

Any bomb threat to the district shall be taken seriously. The Superintendent of Schools shall develop procedures to be followed in the event of a bomb threat and all appropriate personnel shall receive a copy of these regulations.

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8133-R

## BOMB THREATS REGULATION

### Established Bomb Threat Incident Plan

#### **Person receiving call:**

1. Upon receipt of bomb threat by telephone:
  - a. Question the caller as to:  
Where, specifically, is bomb located?  
When, exactly, is bomb set to go off?  
What materials are in the bomb?  
Why is caller doing this?  
Who is the caller?
  - b. Write down answers to the above.
  - c. Listen for identifying speech characteristics; male/female; young/old.
2. Notify building administrator.
3. Notify police (or fire department) immediately: Follow their instructions.
4. Advise Superintendent's Office.

#### **Building Administrator:**

If determination is made to evacuate building, utilize Emergency Evacuation Plan - Including routes of travel within the building to designated outdoor assembly areas and roll-call procedures

5. Notify staff and students to evacuate part or all of the building, as appropriate. **DO NOT MENTION "BOMB SCARE."**
  - a. Use public address system, NOT the fire alarm.
  - b. Notify Superintendent's Office.

#### **Building Administrator; B & G Person (Custodian)**

6. Upon their arrival, advise police (fire department) of situation and follow their instructions.

The Police (Fire) Department will determine when the termination of the emergency exists. Students and staff may return to the building at that time.

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8133-R

## **Superintendent; Building Administrator**

7. Use: public address system (if available), pupil transportation system.
8. Resume, curtail or cease building operation, as appropriate: Notify staff and students.

## **Superintendent:**

9. Prepare a written report of the incident and submit to the Board of Education.

Adoption date: December, 1991

## EMERGENCY CLOSINGS

The Superintendent of Schools may close the schools or dismiss students/staff early when hazardous weather or other emergencies threaten the health or safety of students and personnel. The Superintendent may delegate this authority to another staff member in the event of his/her absence. Such action is never to be taken lightly, for public education is one of the principal functions of the community and should be maintained at a normal level except in extreme circumstances.

Schools will not be closed merely to avoid inconvenience. While it may be prudent, under certain circumstances, to excuse all students from attending school, to delay the opening hour, or to dismiss students early, the Superintendent has the responsibility to ensure that administrative, supervisory, and operational activity is continued to the extent possible. School closing and delayed starting times will be announced over local radio stations. If no report is heard, it can be assumed the schools are in session.

In making the decision to close schools, the Superintendent may consider many factors, including the following, which relate to the safety and health of children:

1. weather conditions, both existing and predicted;
2. driving, traffic, and parking conditions affecting public and private transportation facilities;
3. actual occurrence or imminent possibility of any emergency condition that would make the operation of schools difficult or dangerous; and
4. inability of teaching personnel to report for duty, which might result in inadequate supervision of students.

The Superintendent shall also consult with the transportation coordinator before taking any action concerning the closing of the district schools. Among the other factors the Superintendent may consider are advice from traffic and weather authorities, Building Principals, and school officials.

Students, parents, and staff will be informed early in each school year of the procedures that will be used to notify them in case of emergency closing.

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8134-R

## EMERGENCY CLOSINGS REGULATION

### Procedures

#### 1. School Closing and Delayed Opening Due to Inclement Weather

In the event of school closing or delayed opening due to inclement weather, the following procedures will be followed:

- a) Transportation and the Plant Facilities Administrator will observe road conditions and confer no later than 4:00 a.m.
- b) At 4:15 a.m. Transportation will confer with the prime bus contractor.
- c) At 4:30 a.m. Transportation and the Plant Facilities Administrator will recommend one of the following courses of action to the Assistant Superintendent for Business Services. At 5:00 a.m. the Assistant Superintendent for Business Services will contact the Superintendent of Schools for a final decision on one of the following options:
  1. Open on a normal schedule
  2. Delay opening of schools
  3. Close school for the day

No bus will run until one of the above has been decided.

- d) If the decision is to close or delay school, Transportation will notify the radio stations, bus contractors, local fire departments (in the event of school closing), and designated school officials on or about 5:30 a.m. The decision will also be posted on the Three Village School District Web Page "School Closings/ Emergency Information".
- e) After the decision of "a delayed opening" is made, road conditions, building site conditions, and weather forecasts will continue to be monitored by Transportation and the Plant Facilities Administrator. The Assistant Superintendent for Business Services will be kept updated on conditions to determine if any further decisions need to be made.
- f) The telephone and Connect Ed notification systems are to be fully executed in the event of either a school closing or a delayed opening in order to assure the accurate dissemination of information to all affected parties.

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8134-R

- g) Delayed Opening Procedures: If weather predictions indicate that early morning storm conditions will clear shortly, a 2-hour delayed opening will be conducted District-wide. All schools will open 2 hours later than the regular time. All students should be at their bus stop exactly 2 hours later. Staff should report one-half hour before the start of school. Central administration staff should report to their offices on a **one hour** delay. The morning SACC program will be cancelled as well as all before-school programs. Dismissals for all schools will be at the normal time.
- h) If, due to weather conditions, the delayed opening has to be changed to a school closing the Assistant Superintendent for Business Services will instruct Transportation to notify the radio stations, bus contractors, and designated school officials by 6:30 a.m. The decision change will be also be posted on the Three Village School District Web Page "School Closings/Emergency Information".

## II. Emergency Closing - Weather Related

If a storm or other weather related emergency occurs during the school day, the Superintendent or his/her designee will decide as early as possible if an early dismissal for students should occur. The following procedures will be followed in the event a decision is made to conduct an early dismissal:

- a) Transportation will notify the bus contractors, radio stations, local fire departments, BOCES, and private and parochial schools.
- b) The office of the Superintendent will notify designated school officials.
- c) The afternoon SACC program will be canceled.
- d) Dismissal will occur in the following sequence:

Ward Melville High School at 11:00 a.m.

Nassakeag Elementary at 11:30 a.m.

Arrowhead, Minnesauke, Mount, and Setauket Elementary Schools at 12:15 p.m.

Paul J. Gelinas and R. C. Murphy Junior High Schools at 1:00 p.m.

## III. Emergency Closing - Other than Weather Related

At times certain conditions, such as loss of heat or electrical power or interruption of the water supply, will cause an individual school building or buildings to close on an emergency basis. It is imperative that parents/guardians develop adequate plans with their children in the event of such an emergency closing. Every effort should be made to notify parents/guardians that such plans should be developed as early as possible. Articles stressing this fact should be placed in school publications, PTO/PTA newsletters, and the District calendar.

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8134-R

The following procedures are to be followed in the event of an emergency closing that is not weather related:

A. Secondary Schools

All students will be bused home on regular bus routes unless other specific arrangements have been made with the building principal.

B. Elementary Schools

All students will be evacuated according to procedures stipulated in the District's "Emergency Management Plan." Notification of any student evacuation will be announced on the radio and television using WALK AM/FM and News 12.

C. Notifications

1. The Superintendent or Assistant Superintendent for Business Services in consultation with the building principal will make the determination to close the building.
2. The building principal will notify the director of the SACC and employee child care programs and implement the PTO/PTA telephone chains.
3. The PTO/PTA telephone chains will be used to notify as many parents/guardians as possible.
4. Transportation will notify the bus contractor and radio stations.

IV. Student Activities/Sports/Community Use of Facilities

In the event of a school closing due to inclement weather or an emergency closing other than weather related the following will be adhered to:

- a) All clubs, student activities, and late buses will be canceled.
- b) Transportation will confer with the director of Health, Physical Education, and Recreation to determine the feasibility of continuing the interscholastic program.
- c) The Adult Continuing Education and Community Swim programs will be canceled. Announcements will be made on radio stations.
- d) All outside organization use of school facilities will be canceled.

Adoption date: December, 1991

Revised: September 2006

## UNSAFE SCHOOL TRANSFER CHOICE

The Board of Education recognizes that, in accordance with law, there may be instances in which it must offer students the choice to transfer to a safe public school at the same grade level. Such transfer choice must be offered if:

1. the school a student would normally attend is designated a “persistently dangerous school” by the Commissioner of Education; or
2. a student becomes the victim of a “violent criminal offense” that occurs on the grounds of the school the student currently attends.

In accordance with federal and state law and regulations, the option to transfer to a safe school will be available only if there is a safe public school that eligible students can transfer to at the same grade level within the district. Therefore, the Board directs the Superintendent of Schools to develop a list identifying any school(s) designated by the Commissioner of Education as persistently dangerous that also includes any alternative safe public school(s) within the district for each grade level to which students may transfer. The list shall be revised annually and presented to the Board.

### Notification of Transfer Rights

The Superintendent shall notify parents of all students in a school designated as persistently dangerous, and the parents of any student who becomes a victim of a violent criminal offense on school grounds, of their child’s right to transfer out of the school they currently attend. The notice shall:

1. explain that students may transfer only to a safe public school at the same grade level within the district,
2. identify the school(s) a student may transfer to,
3. explain the procedures for transfer, including the need for parents wanting their child to transfer to inform the Superintendent of their decision within the time frame stated in the notice,
4. inform parents of their right to request that their child be returned to the school of origin if they later reconsider their decision to allow the transfer.

The required notice shall be sent first class mail within 10 days after the district receives notice from the Commissioner of Education of the school’s designation as persistently dangerous. In the case of a student who is deemed to be the victim of a violent criminal offense on school grounds the notice shall be sent first class mail within 24 hours of any such determination by the Superintendent.

To the extent practicable, the notice will be provided in the dominant language or mode of communication used by the parents.

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8140

## Procedures for Transfer

The transfer of any student attending a school that is deemed to be persistently dangerous generally will occur within 30 school days after the district finds out about the designation. The transfer of a student determined to be a victim of a violent criminal offense on school grounds will occur generally within 10 calendar days of the determination.

A student transferring from a persistently dangerous school has the right to remain at the safe school he or she transfers to for as long as the school of origin continues to be identified as persistently dangerous. But such a student will remain at the safe school until he or she completes the highest grade level there if it is determined to be in the best educational interest of the student to remain there. The district will make such a determination based on the student's educational needs and other factors affecting his or her ability to succeed if returned to the school of origin.

A student who transfers because he or she became the victim of a violent criminal offense at his or her school of origin remains at the school transferred to until he or she completes the highest grade level there.

Upon parental request, any student who exercised his or her right to transfer to a safe school may return to the school of origin. Any such transfer back will be effective at the start of classes in the next school year following the request.

## Transportation

The District shall provide transportation to students transferring to a safe school within the transportation limits established under New York's Education Law.

## Procedures for Determining Whether a Student Has Become the Victim of a Violent Criminal Offense on School Grounds

In accordance with district procedures for the reporting of violations that constitute crimes, the Building Principal or designee shall promptly notify both local law enforcement and the Superintendent of all reports that involve the infliction of a serious physical injury upon another, a sex offense involving forcible compulsion, or any other offense that involved the use of a deadly weapon under applicable provisions of New York's Penal Law.

Following receipt of any such report, the Superintendent shall proceed to determine whether any of the students involved in the reported incident has become the victim of a violent criminal offense on school ground. In making this determination, the Superintendent shall:

1. consult with any law enforcement agency investigating the alleged violent criminal offense, and document his or her consultation with law enforcement officials,
2. consider any reports or records provided by law enforcement agencies investigating the situation, and

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8140

3. consult with the district's attorney prior to making any final determination,
4. document his or her findings.

A criminal conviction is not required for the Superintendent of Schools to make a determination that a student indeed has become the victim of a violent criminal offense on school grounds. However, a Superintendent's determination that a violent criminal offense has occurred cannot be used as evidence in any student disciplinary proceeding initiated against either the alleged victim or the perpetrator of the offense.

Upon a finding that a student has become the victim of a criminal violent offense on school grounds, the Superintendent will provide the student's parents with notice procedures established by the policy above. The Superintendent will document compliance with the notification requirements and the procedures followed to carry out the student's transfer if the parents elect to have the student transfer to another school.

## Appeal of a Superintendent's Determination Regarding a Violent Criminal Offense

Parents may appeal to the Board of Education a Superintendent's determination regarding whether their child has become the victim of a violent criminal offense on school grounds.

Cross-ref: 5300, Code of Conduct  
5710, Violent or Disruptive Incident Reporting

Ref: 20 USC §7912(a)  
Education Law §2802(7)  
Penal Law §10.00(1), (12)  
8 NYCRR §120.5

Adoption date: November 25, 2003

**BUILDINGS AND GROUNDS SECURITY**

The Board of Education shall make every effort to provide a safe and secure environment to all persons (staff, students, and/or visitors), who lawfully enter upon district property or who travel lawfully in district vehicles. The Board shall also make every effort to protect the investment that the community has in the school buildings and grounds of the district.

The Board directs the Superintendent of Schools to establish and implement written regulations which will:

1. identify those staff members who will be responsible for the effective administration of the regulations;
2. provide staff time and other necessary resources for the effective administration of such regulations;
3. establish a periodic written review of the activities of the staff to ensure compliance with applicable laws and regulations;
4. establish an on-going mechanism to provide effective review of safety and security concerns of staff, students and affected public;
5. provide for periodic reports to the Board regarding the significant aspects of safety and security of the district; and
6. minimize fire hazards, reduce equipment breakdown, and protect against vandalism and burglary.

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8210.1

## USE OF SURVEILLANCE CAMERAS ON SCHOOL PROPERTY

The Board of Education is responsible for maintaining and fostering student discipline, as well as safeguarding the facilities and property of the district. The Board further recognizes the importance of student, staff and visitor privacy. After careful consideration, the Board supports the use of surveillance cameras on school grounds. Cameras are an important component of the district's overall approach to safety, which also includes but is not limited to identification badges, locks, lighting, and alarms. Surveillance cameras are intended to monitor student behavior, promote student and staff safety, and to deter vandalism and other criminal activity. However, this does not preclude other uses deemed appropriate by the Board of Education. Recordings may be used as evidence of misconduct in disciplinary proceedings.

District surveillance cameras will only be used in public areas where there is no "reasonable expectation of privacy." Audio recordings may be utilized by school district employees with the express permission of the Superintendent or his/her designee; however, such prohibition does not preclude the use of audio recordings by law enforcement officials in accordance with their duties and/or as otherwise authorized by law.

Any video recording used for surveillance purposes in school buildings and/or on school property shall be the sole property of the district. The Superintendent or his/her designee shall be the custodian of such recordings. All video recordings will be stored in their original form and secured to avoid tampering and protect confidentiality. The district shall comply with all applicable state and federal laws related to student records in retaining these recordings.

Requests to view a video recording must be made in writing to the Superintendent or his/her designee. If the request is granted, viewing shall occur in the presence of the district's custodian of the recording. Under no circumstances will the video be duplicated and/or removed from district premises, unless in accordance with a court order and/or subpoena.

The district will post appropriate signage at entrances to the school notifying students, staff and the general public of the district's use of surveillance cameras. Students and staff will receive additional notification. Such notification may include publication in the district calendar, employee handbook and student handbook.

The Superintendent is authorized to develop such regulations and procedures as may be necessary to implement this policy.

Ref: 20 U.S.C. §1232g (Family Educational Rights & Privacy Act)  
Arts & Cultural Affairs Law Art. 57-A  
Public Officers Law §87  
Records Retention & Disposition Schedules for Use by School Districts, Schedule ED-1

Adoption date: April 9, 2013

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8211

## ACCESS TO BUILDINGS

The following school officials shall have card and key access to the school buildings:

- Members the Board of Education
- The Superintendent of Schools
- The Assistant Superintendent for Business Services
- The Assistant Superintendent for Educational Services
- The Assistant Superintendent for Human Resources
- The District Safety and Security Coordinator
- The Building Principals and Assistant Principals
- The Plant & Facilities Administrator
- The Maintenance Supervisor and selected staff
- The Athletic Director
- The Chief/Head Custodian
- The Coaches (in season only)
- The Setauket and Stony Brook Fire Departments

Only the above officials may gain access to school buildings after school hours, and then only for the purpose of conducting school-related business.

Adoption date: December, 1991

Revised: February 10, 2016

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8212

## VANDALISM

School buildings and grounds are built and maintained with taxes levied on the District's taxpayers and all damage caused must be paid for in the same way. Therefore, the Board of Education encourages all citizens, students, and staff to cooperate in reporting any incidents of vandalism and, if known, the names of those responsible to the Building Principal or the Superintendent of Schools.

Students who are caught vandalizing property may be suspended. The Board may determine that legal action against the parent or guardian of a student caught vandalizing district property should be brought to recover the cost of damages\* caused by the student=s acts. The Board will direct the school attorney to institute and prosecute such suit.

The Board will also determine whether to offer monetary rewards\*\* for information leading to the arrest and conviction of persons connected to the vandalism of district property.

Cross-ref: 5311.4, Care of School Property by Students  
8135, Safe Schools

Ref: Family Court Act "757; 758-a  
General Obligations Law '3-112  
Education Law "1604(35), (38); 1709(36), 38; 2509-g(15)  
General Municipal Law '789

\*State law permits parental liability for up to five thousand dollars (\$5,000)

\*\*State law permits monetary rewards for up to one thousand dollars (\$1,000)

Adoption date: December, 1991

Revised: September 9, 1997

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8240

## MOTOR VEHICLES

Pursuant to the regulations and intent of the Clean Air Act of 1990, the District shall actively encourage students and employees to use car pools and other modes of transportation when commuting to and from schools and other district facilities.

Only drivers who are legally operating under a valid driver license may enter, drive on, and/or park on district property. Vehicle owners and drivers shall be liable for vehicle operation and shall assume all risk of loss and damage while on district property.

Sections of the parking area at Ward Melville High School shall be reserved for employees and visitors and shall not be made available for student use.

The Superintendent shall maintain a regulation governing motor vehicles on district property. The regulation shall take into account the need to protect the safety of each individual while on district property.

The Suffolk County Police Department shall be authorized to issue summonses for parking and moving violations on district property.

Cross-ref: 5454, Student Parking

Adoption date: December, 1991

Revised: November, 1994

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8240-R

## MOTOR VEHICLES REGULATION

The following restrictions shall apply to all real property owned by and/or under the control of the District.

1. The speed limit shall be 10 miles per hour.
2. Fire lanes shall be in accordance with the provisions of the New York State Uniform Fire and Building Code.
3. The traffic plan(s) for district property shall meet or exceed the standard practices normally used for school properties.
4. Except as otherwise allowed by permit, the operation of non-district vehicles shall be restricted to paved areas designated for vehicular use.
5. A regulation STOP shall be posted at each exit.
6. Parking shall be permitted only in designated areas.
7. Sections of parking areas shall be reserved for the disabled.
8. Sections of parking areas shall be reserved for employees and visitors as required by policy and/or facility operations.

The Suffolk County Police Department shall be notified of the provisions of the Motor Vehicles policy and this regulation and authorized to enforce them.

Adoption date: December, 1991

Revised: November, 1994

**MAINTENANCE AND CONTROL OF**  
**MATERIALS AND EQUIPMENT**

Adequate provision of materials and supplies supports the instructional program and contributes to maximizing the learning time.

The Superintendent of Schools will provide for the management of District material resources and will establish procedures as are necessary for the control of these resources on a district-wide basis. Each Building Principal will assume responsibility for materials and supplies in his/her individual building. Building Principals will request an annual estimate of supplies and materials from each teacher, and keep an annual record of materials used.

Conscientious efforts will be made to achieve efficiency and economy in managing resources through centralized and bulk purchasing whenever this is consistent with available storage and distribution facilities. Good management also requires that supplies, materials, equipment and spare parts are readily available when and where needed, and that space for storage be used efficiently and not wasted.

All materials, supplies and equipment will be annually inventoried and, as needed, replacements and additions will be provided within budgetary limitations. Maintenance records for major items and records of materials and equipment that are assigned to students or staff or school or personal use will be kept.

Every teacher in the District shall enforce high standards of care with respect to books and equipment loaned to students. Students shall be charged for books or equipment that are lost or damaged.

Adoption date: December, 1991

**AUTHORIZED USE OF SCHOOL-OWNED  
MATERIALS AND EQUIPMENT**

School equipment may be used by staff members during holidays and summer vacation when approved by the Building Principal or the director responsible for the equipment, and the Assistant Superintendent for Business. Staff members are expected to have a working knowledge of the equipment borrowed and shall be responsible for any loss, damage or theft. Such equipment is to be used for educational or school-related activities, and not for personal profit.

School equipment may be used according to the attached regulations.

Adoption Date: December, 1991

Revised: December 2006

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8330-R

## AUTHORIZED USE OF SCHOOL-OWNED MATERIALS AND EQUIPMENT REGULATION

1. Any equipment loaned must be used for instructional purposes. A written plan is to be submitted to the Principal or Director responsible for the equipment and the Assistant Superintendent for Business.
2. No equipment can be loaned for personal or business use.
3. Personnel who borrow equipment are responsible for loss and/or damage and must sign for the equipment.
4. Computer equipment that is loaned must be returned for servicing by (month) (day) (year).
5. VCR's and Proximas are not to be loaned. Video cameras may be loaned for short periods and specific projects, as approved by the Building Principal and Assistant Superintendent for Business.
6. Staff is to have a working knowledge of the equipment.
7. Equipment may be used by staff under the supervision and regulations established by the Building Principal or the Director responsible for the equipment, i.e. time limits, priorities for use, etc. with the approval of the Assistant Superintendent for Business.
8. The attached form is to be used, signed, and forwarded to the Assistant Superintendent for Business for approval. Once approved, the form will be returned to the building where it is to be kept on file.

Adoption date: December, 1991

Revised: December 2006

**THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**8330-E**

**AUTHORIZED USE OF SCHOOL-OWNED MATERIALS  
AND EQUIPMENT EXHIBIT**

**THREE VILLAGE CENTRAL SCHOOL DISTRICT  
SETAUKET, NEW YORK**

**REQUEST FOR LOAN OF DISTRICT EQUIPMENT**

NAME \_\_\_\_\_ BUILDING \_\_\_\_\_

DATE \_\_\_\_\_ DATE OF LOAN: \_\_\_\_\_ FROM \_\_\_\_\_ TO: \_\_\_\_\_

TYPE OF EQUIPMENT \_\_\_\_\_  
\_\_\_\_\_

IDENTIFICATION OF EQUIPMENT (serial number, building ID number,  
etc.) \_\_\_\_\_

PURPOSE OF LOAN \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I accept full responsibility for the equipment that I have borrowed. I also accept any liability that might occur from my use of the equipment.

\_\_\_\_\_  
Signature

The above named person has satisfied me that he/she can operate the equipment. The borrower has accepted responsibility for the safekeeping of the equipment.

\_\_\_\_\_  
Building Principal/Director

\_\_\_\_\_  
Assistant Superintendent for Business

Adoption Date: December, 1991

Revised: December 2006

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8332

## USE OF DISTRICT OWNED CELL PHONES

The Board of Education recognizes that certain District employees will be required to carry District-owned cell phones in order to meet their job responsibilities. Such phones should be provided only when a less costly alternative is not available or is not appropriate in the circumstances.

A list of job titles requiring District-owned cell phones shall be maintained in the Business Office and reported to the Board for its approval each year at its organizational meeting in July. All cellular telephone contracts shall be secured through the appropriate purchasing process (e.g., competitive bid, RFP process) and shall be subject to review and approval by the Board. Job titles that do not require the walkie-talkie cell phone feature, shall be reimbursed for the usage of their personal cell phones at a rate recommended by the Superintendent or designee and approved by the Board of Education.

Cell phones are to be used for school district business purposes only and anything other than incidental private use is prohibited. Failure to follow these guidelines may result in revocation of the phone and discipline of the employee. In addition, since employees are issued District owned cell phones in connection with their work responsibilities, employees should not have an expectation of privacy with respect to information contained on the device (e.g., text messages, records of phone calls).

As with any District-owned equipment, employees must take proper care of cell phones and take all reasonable precautions against damage, loss, or theft. Any damage, loss, or theft must be reported immediately to the Business Office. Since employees are responsible for the safe return of District-owned cell phones, employees who use District-owned cell phones may be liable for damages or loss which occur during the period of its use.

At least once per year, the Business Office shall evaluate and report to the Board on the cost and effectiveness of the District's cellular telephone plan.

Ref: Fourth Amendment, U.S. Constitution  
Fourteenth Amendment, U.S. Constitution  
City of Ontario, California v. Quon 560 US \_\_\_ (2010)

Adoption date: April, 2005

Revised: March 22, 2011

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8334

## USE OF CREDIT CARDS

The Board of Education permits the use of district credit cards by certain school officials and Board members to pay for actual and necessary expenses incurred in the performance of work-related duties for the district. A list those individuals that will be issued a district credit card will be maintained in the Business Office and reported to the Board each year at its reorganizational meeting in July. All credit cards will be in the name of the school district.

The District shall establish a credit line not to exceed \$5,000 for the cards issued to the Purchasing Agent and the Director of Facilities and \$2,500 for each card issued to other approved cardholders, and an aggregate credit limit of \$25,000 for all cards issued to the district.

The Board shall ensure that the credit card is secured through an RFP process and the relationship between the District and the credit card company is 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, the Board will ensure that no claim shall be paid unless an itemized voucher approved by the officer whose action gave rise or origin to the claim, shall have been presented to the Board and shall have been audited and allowed.

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.

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.

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.

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8334

The Superintendent of Schools, in consultation with the Assistant Superintendent of Business and the District's Purchasing Agent, shall establish regulations governing the issuance and use of credit cards. Each cardholder shall be apprised of the procedures governing the use of the credit card and a copy of this policy and accompanying regulations shall be given to each cardholder.

The Assistant Superintendent of Business shall periodically, but no less than twice a year, monitor the use of each credit card and report any serious problems and/or discrepancies directly to the Superintendent and the Board.

Cross-ref: 6700, Purchasing  
6830, Expense Reimbursement

Ref: Education Law §§1724(1); 2524(1) (itemized, audited, and approved vouchers required)  
Opns. St. Compt. No. 79-202 (use of multi-purpose credit cards by municipal employees)  
Opns. St. Compt. No. 79-494  
Opns. St. Compt. No. 78-897 (gas credit cards)

Adoption date: February 10, 2016

Revised: October 15, 2017

**STUDENT TRANSPORTATION**

The Board of Education affirms its responsibility to provide a reasonably safe and economical transportation system for district students in grades K-12. Transportation shall be provided at district expense to those students who are eligible as authorized by the Board of Education and as approved by the voters.

The major objectives in the management of the student transportation program shall include the following:

1. to provide efficient, effective and safe service;
2. to ensure that all students whose disability or distance from school requires them to receive necessary transportation does in fact receive it;
3. to adapt the system to the demands of the instructional program;
4. to maintain transportation vehicles in the best possible physical condition;
5. to review at least once a year school bus schedules and routing plans to ensure that maximum efficiency and safety are maintained; and
6. to review at least once a year the eligibility for transportation of students residing in the District, to ensure that all entitled to the services receive them.

The Superintendent of Schools shall be responsible for administering the transportation program. The student transportation program shall comply with all applicable laws, regulations and policies established by federal, state and local authorities.

Cross-ref: 5320, Student Conduct on School Buses

Ref: Education Law "305(14); 1807; 3602(7); 3635 et seq.

Matter of Handicapped Child, 24 EDR 41

Matter of Zakrezewski, 22 EDR 391

Matter of Nowak, 22 EDR 91

Matter of Fox, 19 EDR 439

Adoption date: December, 1991

Revised: April 22, 2015

# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**8411**

## **SCHOOL BUS SCHEDULING AND ROUTING**

The Superintendent of Schools or his/her designee shall annually establish bus routes and make all rules and regulations necessary concerning student entitlement to bus transportation. Authorized bus stops shall be located at convenient intervals in places where students may embark and disembark the buses, cross highways, and await the arrival of buses in the utmost safety allowed by road conditions.

Adoption date: December, 1991

**SCHOOL BUS SAFETY**

District personnel shall cooperate with the governmental agencies on matters of safety. The Superintendent of Schools or his/her designee shall arrange for at least three bus emergency drills per year, including instruction in the use of windows as a means of escape in case of fire or accident and the use of seat belts; shall establish and check loading and unloading procedures at each school; and shall monitor student conduct on buses.

District personnel shall work closely with the bus contractor in developing driver safety programs and procedures. Bus contractors shall provide safe, efficient service in regularly inspected and maintained vehicles operated by drivers trained in accordance with the regulations of the Commissioner of Education and the Motor Vehicle Department.

All school buses transporting students of the district shall be equipped with seat belts approved by the New York State Department of Transportation and the New York State Education Department. Instructions shall be given at least three times annually concerning the use of such seat belts in accordance with the Regulations of the Commissioner of Education. Such instruction shall include, but not be limited to:

1. proper fastening and release of seat belts;
2. acceptable placement of seat belts on pupils;
3. times at which seat belts should be fastened and released;
4. acceptable placement of seat belts when not in use; and
5. encouragement to use seat belts in any vehicle.

Ref: 8 NYCRR Part 156

Adoption date: December, 1991

# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**8414.1**

## **BUS DRIVER QUALIFICATIONS AND TRAINING**

The Superintendent of Schools and the Director of Transportation shall ensure that the bus contractor hires and trains appropriately licensed and qualified bus drivers in accordance with the Regulations of the Commissioner of Education and Department of Motor Vehicles.

Ref: Education Law '3624  
8 NYCRR ' 156.3

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8414.3

## STUDENT CONDUCT ON SCHOOL BUSES

While the law requires the school district to furnish transportation, it does not relieve parents or students from the responsibility of supervision until such time as the child boards the bus in the morning and after the child leaves the bus at the end of the school day.

Once a child boards the bus, and only at that time, does he/she become the responsibility of the school district. Such responsibility shall end when the child is delivered to the regular bus stop at the close of the school day.

In view of the fact that a bus is an extension of the classroom, the Board of Education shall require children to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Uniform disciplinary procedures will be developed by the transportation office with the advice of the Building Principals and shall be ordered into effect by the Superintendent and enforced by the Building Principals in a uniform manner.

Children who become a serious disciplinary problem on the school bus may have their riding privileges suspended by the Principal. In such cases, the parents of the children involved shall be responsible for seeing that their children get to and from school safely.

Cross-ref: 5300, Student Conduct

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8417

## STUDENT TRANSPORTATION IN PRIVATE VEHICLES

Transportation of students by staff members is not sanctioned by the District except:

1. to and from a medical facility or the student's home in the case of an emergency or illness; or
2. when regular district transportation is not available to transport the student(s) to and from a district-sponsored event and prior written authorization by the Superintendent of Schools or designee is issued.

Satisfactory evidence of automobile liability insurance in an amount determined adequate for the circumstance by the Superintendent of Schools or designee shall be a mandatory predicate to such authorization.

Such staff members shall be protected by the district from negligence claims over and above their own automobile liability insurance.

For the safety of all concerned, staff members transporting students are encouraged to have attended a certified defensive driving course within the past three (3) years.

Compliance with the district's smoke-free policy is required whenever students are being transported pursuant to this policy.

Reimbursement for mileage shall be at the district established rate.

Cross-ref: 8700, Insurance

Adoption date: December, 1991

Revised: August, 1993

**THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**8417-E**

**STUDENT TRANSPORTATION IN PRIVATE VEHICLES EXHIBIT**

AUTHORIZATION TO TRANSPORT STUDENT IN PRIVATE VEHICLE

I hereby grant permission to the staff member indicated below to transport my child(ren), whose names are indicated below, in the staff member's private vehicle for the school-related purpose(s) indicated.

Name of Staff Member: \_\_\_\_\_

Name of Child(ren): \_\_\_\_\_

\_\_\_\_\_

Purpose of Trip(s): \_\_\_\_\_

\_\_\_\_\_

Destination: \_\_\_\_\_

\_\_\_\_\_

Date of Trip(s): \_\_\_\_\_

Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Signature

Address: \_\_\_\_\_

\_\_\_\_\_

Tel. No.: \_\_\_\_\_

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8500

## FOOD SERVICE MANAGEMENT

The Board of Education recognizes that school cafeterias are a part of the total school program. The Board shall therefore provide adequate facilities, resources and personnel for all elementary and secondary students in district schools.

Food service management is the responsibility of the School Lunch Director. The school food service should be operated in the most economical, efficient and satisfactory method given the student's needs and the district's resources.

The Board of Education shall approve the prices set by the School Lunch Director for lunches, milk, and other food items.

The Building Principal has the responsibility for ensuring that student conduct in the cafeteria is in conformance with district policy.

Cross-ref: 5300, Student Conduct  
8520, Free and Reduced Price Food Services

Ref: Education Law '305(14)(a)

Adoption date: December, 1991

## CHARGING SCHOOL MEALS AND PROHIBITION AGAINST SHAMING

The goal of the Three Village CSD Child Nutrition Program is to provide student access to nutritious no- or low-cost meals each school day. The Board of Education recognizes that on occasion, students may not have enough funds for a meal. To ensure that students do not go hungry, but also to promote responsible student behavior and minimize the fiscal burden to the District the Board will allow students who do not have enough funds to “charge” the cost of meals to be paid back at a later date. In addition to procedures for allowing meal “charges” the intent of this policy is to establish procedures to address unpaid meal charges throughout the district in a way that does not stigmatize, distress or embarrass students and aims to safeguard the pupil whose parent/guardian has unpaid school meal fees so the student is not shamed or treated differently than a pupil whose parent/guardian does not have unpaid meal fees.

Unpaid charges are a financial burden to the District and taxpayers and can negatively affect the school program. The purpose of this policy is to insure compliance with federal and state requirements for the USDA Child Nutrition Program and, to provide oversight and accountability for the collection of outstanding student meal balances. Unpaid meal charges shall be considered “delinquent” as per the District’s accounting practices. The District shall attempt to recover unpaid meal charges before the end of the school year, but may continue efforts into the next school year.

To Comply with State guidelines and maintain a system for accounting for charged meals the Board shall:

- 1) Allow charged meals to be the same regular reimbursable meals offered to all students, excluding extras, a la carte items, snacks (“competitive foods”) and adult meals. Non reimbursable food is expressly prohibited from being charged on account.
- 2) Prohibit the action of denying a student the ability to purchase a reimbursable meal of their choice if they have money to pay for a meal that day.
- 3) Allow the use of a computer generated point of sale system, which identifies and records all meals as well as collects repayments. Charged meals must be counted and claimed for reimbursement on the day that the student charged (received) the meal, not the day the charge is paid back. When charges are paid, these monies are not to be considered “a la carte” transactions.
- 4) Allow free eligible students to receive a free reimbursable breakfast meal (available in Murphy, Gelinas, and WMHS) and reimbursable lunch meal of their choice each day. If meal charges are incurred prior to a student becoming eligible for Free meals the parent/guardian is responsible for the charges. Students eligible for a Free meal shall not be denied a reimbursable meal, even if they have accrued a negative balance, unless the student's parent or guardian has specifically provided written permission to the school to withhold a meal.

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8505

- 5) Allow reduced price eligible students to receive a reimbursable breakfast meal (available in Murphy, Gelinas and WMHS) of their choice for \$.25 each day and reimbursable lunch meal of their choice each day for \$.25. If meal charges are incurred the charge meals offered to students will be the reimbursable meals available to all students, unless the student's parent or guardian has specifically provided written permission to the school to withhold a meal. Reduced price charges must be repaid. If meal charges are incurred prior to a student becoming eligible for Reduced Price Meals the parent/guardian is responsible for the regular cost of the meals charged.
- 6) Allow full Pay Students to pay for meals at the schools published paid meal rate each day. The charge meals offered to students will be the same reimbursable meals available to all students, unless the student's parent or guardian has specifically provided written permission to the school to withhold a meal.
- 7) Allow the Child Nutrition Department within reason to limit or deny students purchases of a la carte items when they have five or more unpaid meal charges.
- 8) Allow parents to submit a written request to deny their student the ability to charge meals.

Parents will be notified in writing of the students charge balance on a regular basis. The Child Nutrition Department will carefully consider all options regarding collection of charges and work with: Building Administration, Superintendent or Designee; and Social Services regarding these concerns.

### Ongoing Staff Training:

Staff will be trained annually and throughout the year as needed on the procedures for managing meal charges using the NYSED Webinar or the schools' training program. Staff training includes ongoing eligibility certification for free or reduced price meals.

### Parent Notification:

Parents/guardians will be notified that a student's account balance is exhausted and has accrued meal charges as follows: Parents/guardians of Elementary students that have charged meals will receive notification within 5 school days through a letter placed in the students' backpack. The notice will be sealed and non-descript on the outside. Parents of secondary students will receive a notice mailed home at the end of each month. Notification will continue until the account is replenished. Parents will be encouraged to sign up for MySchoolBucks.com and receive low balance and negative balance emails alerts. Currently there is no fee charged for families to sign up and utilize the low or negative balance alert features. Convenience fees are charged by myschoolbucks.com for funding accounts with a credit card. This fee is a responsibility of the parent/guardian. Parents must repay all unpaid charges remaining at the end of the year or before their child leaves the District, whichever occurs first. The District shall offer repayment plans, and may take other actions that do not result in harm or shame to the child, until unpaid charges are resolved. The District will not use a debt collector (as defined in section eight hundred three of the federal consumer credit protection act, 15 U.S.D. Sec. 1692a).

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8505

## Parent Outreach:

The child nutrition department will communicate with parents/guardians who have children that owe five or more meal charges to determine eligibility for free or reduced price meals through; phone call, email or mail.

School staff will make two documented attempts through; phone call, email or mail to reach out to those parents/guardians to complete a meal application in addition to the application and instructions provided in the school enrollment or start of year packet.

School staff will contact the parent/guardian to offer assistance with completion of meal application to determine if there are other issues within the household causing the child to have insufficient funds, offering any other assistance that is appropriate.

If a parent regularly fails to provide meal money and does not qualify for free or reduced price meals, the District may take other actions as appropriate, including notifying the local department of social services if neglect is suspected.

## Minimizing Student Distress:

School will not publicly identify or stigmatize any student on the meal line or discuss any outstanding meal debt in the presence of any other students

Students who incur meal charges will not be required to wear a wristband or handstamp or to do chores or work to pay for meals

Schools will not throw away a reimbursable meal after it has been served because of the student's inability to pay for the meal or because of previous meal charges

Schools will not take any action directed at a pupil to collect unpaid school meal fees

Schools will deal directly with parents/guardians regarding unpaid school meal fees, if students inquire about account balances food service personnel will provide information limited to positive balances regarding current purchases and a la carte options or restrictions based on parental restrictions and funds available.

## Ongoing Eligibility Certification:

The Child Nutrition Department will conduct direct certification with NYSSIS or using NYSED Roster Upload to maximize free eligibility. NYSED provides updated direct certification data monthly.

School staff will provide parents/guardians with the free and reduced price application and instructions at the beginning of each school year, in school enrollment packet, and will post the application/instructions on the district website. Directions will clearly instruct parents/guardians that they are not required to complete the application if they are eligible to be directly certified.

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8505

In the event that electronic meal applications are utilized the school will provide to the parent/guardians an explanation of the process in the school enrollment packet and instructions on how to request a paper application at no cost.

The Child Nutrition Department will provide at least two additional free and reduced price applications throughout the school year to families identified as owing 5 or more meal charges.

The District will encourage families to apply for free and reduced price meals and will provide applications to families in a language and reading level they can understand, and may offer individual assistance in filling out the application.

The District will use administrative prerogative judiciously, only after using exhaustive efforts to obtain a completed application from the parent/guardian only with available information on family size and income that falls within approvable guidelines

The District will assign school liaisons as are required for homeless, foster, and migrant students and they shall coordinate with the Director of Child Nutrition providing necessary documentation to enable the qualification of eligible students for free school meals, in accordance with federal law.

The District will provide free and reduced price students a carryover of eligibility into the new school year for 30 days or until a new eligibility determination is made, whichever is first.

Free or reduced price eligibility for transfer families indicating they were entitled at a previous district will be accepted after contacting the previous district; with the exception of students transferring from CEP or provision 2 participating schools, they will be provided free eligibility for 30 days or until a new determination is made (whichever is first).

## School Meal Payments and Refunds:

Students/Parents/Guardians may pay for meals in advance. Cash, and checks, are accepted at both the cash registers in the cafeterias and at the Child Nutrition office located at 100 Suffolk Ave., Stony Brook, NY. Accounts may also be funded with a credit card through [myschoolbucks.com](http://myschoolbucks.com) (a processing fee is charged). Schools will encourage parents to maintain funds in student accounts to minimize the possibility that a child may be without meal money on any given day. Any remaining funds for a particular student will be carried over to the next school year.

Refunds of remaining account balances for withdrawn and graduated students may be provided only when a written or e-mailed request is submitted. For students who are graduating at the end of the year the district provides the option to transfer remaining funds to a sibling's account, with a written or e-mail request. When the graduating senior is the only student in the district a letter or email requesting a refund must be submitted by the parent/guardian. Unclaimed Funds must be requested within three months of withdrawal or graduation. After three months unclaimed funds become the property of the Three Village CSD Child Nutrition Program.

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8505

The District will ensure the non-profit food service account is reimbursed for all outstanding meal charges by no later than June 30<sup>th</sup> of each school year.

**Nondiscrimination Statement:** This explains what to do if you believe you have been treated unfairly.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), (AD-3027) found online and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

Adoption date: October 18, 2017

Revised: August 22, 2018

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8520

## FREE AND REDUCED PRICE FOOD SERVICES

The Board of Education recognizes that the nutrition of district students is an important factor in their educational progress. The Board therefore shall participate in federally funded school lunch programs, and shall provide free or reduced price food services to qualified district students.

### 1. Eligibility Determination

The School Lunch Director shall make final determinations as to which children are eligible to receive such services.

### 2. Standards of Eligibility

Any child who is a member of a family unit whose income is below the New York State Minimum Scale for family units of the same number shall be eligible to receive such services.

### 3. Application Procedures

- a. Application forms will be mailed to residents annually and will also be available in the main office of each school building and on the district web site.
- b. Completed forms must be submitted to the School Lunch Director prior to any determination of eligibility.
- c. The adult responsible for the child will be informed of the School Lunch Director's determination within one week of receiving a properly completed application.

### 4. Provision for Anonymity

All reasonable effort will be extended in protecting the anonymity of the student in accordance with federal regulations governing such programs.

### 5. Provision for Appeal

When the application furnished by a family is not complete or does not meet the eligibility criteria for free or reduced price benefits, the district must document and retain the reasons for ineligibility and must retain the denied application. In addition, the district must promptly provide written notice to each family denied benefits. At a minimum, the notice shall include: (i) The reason for the denial of benefits, e.g. income in excess of allowable limits or incomplete application; (ii) Notification of the right to appeal; (iii) Instructions on how to appeal; and (iv) A statement reminding parents that they may reapply for free or reduced price benefits at any time during the school year. Upon written request, the Assistant Superintendent for Personnel will hear appeals of determination regarding such services in compliance with federal regulations governing the National School Lunch Program.

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

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In addition, in order to reach students who are eligible for free and reduced price meals and to comply with state law, three times per school year the School Lunch Director will review the list made available by the State Education Department of children ages three to eighteen who are in households receiving federal food assistance or Temporary Assistance for Needy Families (TANF) to identify students within the district. The district will send a notice to those families apprising them of their student's eligibility to participate in the school meal program without further application. Parents may decline participation by informing the district in writing. If the service is declined, the student will be removed from the eligibility list. Children in Head Start, or who have been determined to be homeless, migrant or runaway, or in foster care can be directly certified to participate in the district free and reduced price meal program.

Administration, including School Lunch Director and Building Principals, will ensure compliance with USDA and State regulations regarding student anonymity and proper meal accounting.

Ref: National School Lunch Act of 1946, as amended (42 USC 1751-1760)  
Child Nutrition Act of 1966, Public Law 89-642, 80 Stat. 885, as amended  
7 CFR Part 245 and Social Services Law §95(7)

Adoption date: December, 1991

Revised: December 11, 2013

## COMPUTER RESOURCES AND DATA MANAGEMENT

The Board of Education recognizes that computers are a powerful and valuable education and research tool and as such are an important part of the instructional program. In addition, the District depends upon computers as an integral part of administering and managing the schools' resources, including the compilation of data and recordkeeping for personnel, students, finances, supplies and materials. This policy outlines the Boards expectations in regard to these different aspects of the District's computer resources.

### General Provisions

The Superintendent shall be responsible for designating a Director of Instructional Technology who will oversee the use of District computer resources. The Director of Instructional Technology will prepare in-service programs for the training and development of District staff in computer skills, appropriate use of computers and for the incorporation of computer use in subject areas.

The Superintendent, working in conjunction with the designated purchasing agent for the District, and Director of Instructional Technology will be responsible for the purchase and distribution of computer software and hardware throughout the schools. They shall prepare and submit for the Board's approval a comprehensive multi-year technology plan which shall be revised as necessary to reflect changing technology and/or District needs.

The Superintendent, working with the Director of Instructional Technology shall establish regulations governing the use and security of the District's computer resources. (Computer resources include all devices that process data, including but not limited to laptops, fax machines, copiers, and scanners.) The security and integrity of the District computer network and data is a serious concern to the Board and the District will make every reasonable effort to maintain the security of the system. All users of the District's computer resources shall comply with this policy and regulation, as well as the District's Internet/Network Use and Internet Safety Student Code of Conduct (4526 and 4526.1). Failure to comply may result in disciplinary action, as well as suspension and/or revocation of computer access privileges.

All users of the District's computer resources must understand that use is a privilege, not a right, and that use entails responsibility. Users of the District's computer network must not expect, nor does the District guarantee, privacy for electronic mail (e-mail) or any use of the District's computer network. The District reserves the right to access and view any material stored on District equipment or any material used in conjunction with the District's computer network.

### Management of Computer Records

The Board recognizes that since District data is managed by computer, it is critical to exercise appropriate control over computer records, including financial, personnel and student information. The Superintendent, working with the Director of Instructional Technology and the District's

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business official, shall establish procedures governing management of computer records, taking into account whether the records are stored onsite on District servers or on remote servers in the “cloud”.

The procedures will address:

- passwords,
- system administration,
- separation of duties,
- remote access,
- encryption
- user access and permissions appropriate to job titles and duties,
- disposal of computer equipment and resources (including deleting District data or destroying the equipment),
- inventory of computer resources (including hardware and software),
- data back-up (including archiving of e-mail),
- record retention, and
- disaster recovery plans and notification plans.

If the District contracts with a third-party vendor for computing services, the Superintendent, in consultation with the Director for Instructional Technology, will ensure that all agreements address the procedures listed above, as applicable.

## Review and Dissemination

Since computer technology is a rapidly changing area, it is important that this policy be reviewed periodically by the Board and the District’s internal and external auditors. The regulation governing appropriate computer use will be distributed annually to students and will be included in student handbooks.

Cross-ref: 1120, School District Records  
4526, Internet/Network Use  
4526.1, Internet Safety  
6600, Fiscal Accounting and Reporting  
6700, Purchasing  
8635, Information and Data Privacy, Security, Breach and Notification

Adoption date: April 9, 2013

Revised: April 22, 2015

December 9, 2020

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## COMPUTER RESOURCES AND DATA MANAGEMENT REGULATION

The following rules and regulations govern the use of the district's computer network system, employee access to the Internet, and management of computerized records. For purposes of this regulation, the computer network coordinator refers to the Executive Director of Instructional Technology.

### I. Administration

- The Superintendent of Schools shall designate a *computer network coordinator* to oversee the district's computer network.
- The *computer network* shall monitor and examine all network activities, as appropriate, to ensure proper use of the system.
- The computer network coordinator shall develop and implement procedures for data back-up and storage. These procedures will facilitate the disaster recovery and notification plan and will comply with the requirements for records retention in compliance with the district's policy on School District Records (1120), taking into account the use of onsite storage or storage in the cloud.
- The computer network coordinator shall be responsible for disseminating and interpreting district policy and regulations governing use of the district's network at the building level with all network users.
- The computer network coordinator shall provide employee training for proper use of the network and will ensure that staff supervising students using the district's network provide similar training to their students.
- The computer network coordinator shall take reasonable steps to protect the network from viruses, other software, and network security risks that would comprise the network.
- Consistent with applicable internal controls, the Superintendent in conjunction with the school business official and the computer network coordinator will ensure the proper segregation of duties in assigning responsibilities for computer resources and data management.

### II. Internet Access

Student Internet access is addressed in policy and regulation 4526, Computer Internet/Network Use and 4526.1, Internet Safety and Student Code of Conduct. District employees and third party users are governed by the following regulations:

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- Employees will be issued an e-mail and network account through the district's computer network.
- Employees are expected to review their e-mail daily on work days.
- Communications with parents and/or students should be saved as appropriate and the district will archive the e-mail records according to procedures developed by the computer network coordinator.
- Employees may access the internet for education-related and/or work-related activities.
- Employees shall refrain from using computer resources for personal use.
- Employees are advised that they must not have an expectation of privacy in the use of the district's computers.
- Use of computer resources in ways that violate the acceptable use and conduct regulation, outlined below, will be subject to discipline.

### III. Acceptable Use and Conduct

The following regulations apply to all staff and third party users of the district's computer system:

- Access to the district's computer network is provided solely for educational and/or research purposes and management of district operations consistent with the district's mission and goals.
- Use of the district's computer network is a privilege, not a right. Inappropriate use may result in the suspension or revocation of that privilege.
- Each individual in whose name an access account is issued is responsible at all times for its proper use.
- All network users will be issued a login name and password. Passwords must be changed periodically.
- All network users are expected to abide by the generally accepted rules of network etiquette. This includes being polite and using only appropriate language. Abusive language, vulgarities and swear words are all inappropriate.
- Network users identifying a security problem on the district's network must notify appropriate staff. Any network user identified as a security risk or having a history of violations of district computer use guidelines may be denied access to the district's network.

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## IV. Prohibited Activity and Uses

The following is a list of prohibited activity for all staff and third party users concerning use of the district's computer network. Any violation of these prohibitions may result in discipline or other appropriate penalty, including suspension or revocation of a user's access to the network.

- Using the network for commercial activity, including advertising.
- Infringing on any copyrights or other intellectual property rights, including copying, installing, receiving, transmitting or making available any copyrighted software on the district computer network.
- Using the network to receive, transmit or make available to others obscene, offensive, or sexually explicit material.
- Using the network to receive, transmit or make available to others messages that are racist, sexist, abusive or harassing to others.
- Use of another's account or password.
- Attempting to read, delete, copy or modify the electronic mail (e-mail) of other system users.
- Forging or attempting to forge e-mail messages.
- Engaging in vandalism. Vandalism is defined as any malicious attempt to harm or destroy district equipment or materials, data of another user of the district's network or of any of the entities or other networks that are connected to the Internet. This includes, but is not limited to, creating and/or placing a computer virus malware, on the network, and not reporting security risks as appropriate.
- Using the network to send anonymous messages or files.
- Revealing the personal address, telephone number or other personal information of oneself or another person.
- Intentionally disrupting network traffic or crashing the network and connected systems.
- Installing personal software or downloading files on the district's computers and/or network.
- Using district computing resources for fraudulent purposes or financial gain.

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- Stealing data, equipment or intellectual property.
- Gaining or seeking to gain unauthorized access to any files, resources, or computer or phone systems, or vandalize the data of another user.
- Wastefully using finite district resources.
- Changing or exceeding resource quotas as set by the district without the permission of the appropriate district official or employee.
- Using the network while your access privileges are suspended or revoked.
- Using the network in a fashion inconsistent with directions from teachers and other staff and generally accepted network etiquette.

## V. No Privacy Guarantee

Users of the district's computer network should not expect, nor does the district guarantee, privacy for electronic mail (e-mail) or any use of the district's computer network. The district reserves the right to access and view any material stored on district equipment or any material used in conjunction with the district's computer network.

## VI. Sanctions

All users of the district's computer network and equipment are required to comply with the district's policy and regulations governing the district's computer network. Failure to comply with the policy or regulation may result in disciplinary action as well as suspension and/or revocation of computer access privileges.

Any information pertaining to or implicating illegal activity will be reported to the proper authorities. Transmission of any material in violation of any federal, state and/or local law or regulation is prohibited. This includes, but is not limited to materials protected by copyright, threatening or obscene material or material protected by trade secret. Users must respect all intellectual and property rights and laws.

## VII. District Responsibilities

The district makes no warranties of any kind, either expressed or implied, for the access being provided. Further, the district assumes no responsibility for the quality, availability, accuracy, nature or reliability of the service and/or information provided. Users of the district's computer network and the Internet use information at their own risk. Each user is responsible for verifying the integrity and authenticity of the information.

The district will not be responsible for any damages suffered by any user, including, but not limited to, loss of data resulting from delays, non-deliveries, misdeliveries, viruses, malware,

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or service interruptions caused by the user's own negligence or any other errors or omissions. The district also will not be responsible for unauthorized financial obligations resulting from the use of or access to the district's computer network or the Internet.

The district will take reasonable steps to protect the information on the network and provide a secure network for data storage and use, including ensuring that contracts with vendors address data security issues and that district officials provide appropriate oversight.

Further, even though the district may use technical or manual means to regulate access and information, these methods do not provide a foolproof means of enforcing the provisions of the district policy and regulation.

Adoption date: April 9, 2013

Revised: April 22, 2015

**FINANCIAL SOFTWARE POLICY**

The Board recognizes the importance of ensuring that the District's financial accounting software (the "software") and the financial network facilities are adequately secured. Accordingly, the following procedures will be implemented.

- Passwords  
Passwords must be changed every 90 days for all staff who use the software.
  
- Systems Administrator  
A Systems Administrator and a selected alternate will be designated by the Superintendent of Schools. The Systems Administrator shall report to the Executive Director of Instructional Technology and shall have the authority to change the permissions for the users of the software.

The Systems Administrator shall not be an employee who otherwise works in the business office and shall serve no business function for the District.

Guidelines for changing such permissions are as follows:

1. Electronic permissions of employees shall appropriately reflect their duties.
  2. A request to the Systems Administrator for a change in the permissions must originate from the business administrator and set forth the current and proposed permissions, as well as the reason for the proposed change.
  3. Any change must be approved in writing by the business administrator.
- 
- Segregation of Duties  
Segregation of duties in the software and related procedures will be consistent with the financial software manual.
  
  - Remote Access  
Remote access shall not be provided to anyone except the Assistant Superintendent for Business Services and his/her designee.
  
  - Maintenance of Records  
The Business Administrator will be responsible for keeping appropriate records of the permissions granted, including a history file that shows the employees' names and permission level.
  
  - Reports  
The following reports will be generated by the business administrator on a quarterly basis:

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Trial Balance  
Appropriations Report  
Revenue Report  
Complete Transfer Report  
Audit Trail Report for System Maintenance  
User Activity Report

- Data Backup  
The District's accounting and other financial data will be backed up on a daily basis.  
A backup of such data will be maintained offsite.

Adoption Date: October 28, 2008

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## INFORMATION, DATA PRIVACY, SECURITY BREACH, AND NOTIFICATION

The Board of Education acknowledges the State's concern regarding the rise in identity theft and the need for secure networks and prompt notification when security breaches occur. The Board adopts the National Institute for Standards and Technology Cybersecurity Framework Version 1.1 (NIST CSF) for data security and protection. The Data Protection Officer is responsible for ensuring the District's systems follow NIST CSF and adopt technologies, safeguards and practices that align with it. This will include an assessment of the District's current cybersecurity state, their target future cybersecurity state, opportunities for improvement, progress toward the target state, and communication about cyber security risk.

The Board will designate a Data Protection Officer ("DPO") who will be responsible for the implementation of the policies and procedures required in Education Law §2-d and its accompanying regulations, and to serve as the point of contact for data security and privacy for the district. This appointment will be made at the annual organizational meeting.

The Board directs the Superintendent of Schools, in accordance with appropriate business and technology personnel, and the DPO (where applicable) to establish regulations which address:

- the protections of "personally identifiable information" ("PII") of students, teachers, and principals under Education Law §2-d and Part 121 of the Regulations of the Commissioner of Education;
- the protections of "private information" under State Technology Law §208 and the NY SHIELD Act; and
- procedures to notify persons affected by breaches or unauthorized access of protected information.

### *I. Student, Teacher, and Principal "Personally Identifiable Information" under Education Law §2-d*

#### A. General Provisions

PII as applied to student data is as defined in the Family Educational Rights and Privacy Act ("FERPA"), which includes certain types of information that could identify a student, and is listed in the accompanying regulation 8635-R. PII as applied to teacher and principal data, means results of Annual Professional Performance Reviews that identify the individual teachers and principals, which are confidential under Education Law §§3012-c and 3012-d, except where required to be disclosed under state law and regulations.

The DPO is responsible for ensuring that every use and disclosure of PII by the district benefits the students and the district (e.g., improve academic achievement, empower parents and students with information, and/or advance efficient and effective school operations), and that PII will not be included in public reports or other documents.

The District will protect the confidentiality of student, teacher, and principal PII while stored or transferred using industry standard safeguards and best practices, such as encryption, firewalls, and passwords. The district will monitor its data systems, develop incident response

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plans, limit access to PII to district employees and third-party contractors who need such access to fulfill their professional responsibilities or contractual obligations, and destroy PII when it is no longer needed.

Certain federal laws and regulations provide additional rights regarding confidentiality of and access to student records, as well as permitted disclosures without consent, which are addressed in Policy 5500 – Student Records and Regulation 5500-R – Student Records Regulation.

The District will not sell PII, disclose PII for any marketing or commercial purpose, facilitate its use or disclosure by any other party for any marketing or commercial purpose, or permit another party to do so. The District will take steps to minimize the collection, processing, and transmission of PII.

Except as required by law or in the case of enrollment data, the District will not report the following student data to the State Education Department:

1. juvenile delinquency records;
2. criminal records;
3. medical and health records; and
4. student biometric information.

The District created and adopted a Parents' Bill of Rights for Data Privacy and Security (see Exhibit 8635-E). It is published on the District's website at [threevillagecsd.org](http://threevillagecsd.org) and can be requested from the District clerk.

## B. Third-Party Contractors

The District will ensure that contracts with third-party contractors or separate data sharing and confidentiality agreements require the confidentiality of shared student and/or teacher or principal PII be maintained in accordance with federal and state law and the District's data security and privacy policy.

Each third-party contractor that receives student data and/or teacher or principal data must:

1. adopt technologies, safeguards and practices that align with the NIST CSF;
2. comply with the District's data security and privacy policy and applicable laws impacting the District;
3. limit internal access to PII to only those employees or sub-contractors that need access to provide the contracted services;
4. not use the PII for any purpose not explicitly authorized in its contract;
5. not disclose any PII to any other party without the prior written consent of the parent or eligible student (i.e., students who are eighteen years old or older):
  - a. except for authorized representatives of the third-party contractor to the extent they are carrying out the contract and in compliance with state and federal law, regulations and its contract with the District; or
  - b. unless required by statute or court order and the third-party contractor provides notice of disclosure to the District no later than the time the information is disclosed, unless providing notice of disclosure is expressly prohibited by the statute or court order.
6. maintain reasonable administrative, technical and physical safeguards to protect the security, confidentiality and integrity of PII in its custody;

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7. use encryption to protect PII in its custody while in motion or at rest; and
8. not sell, use, or disclose PII for any marketing or commercial purpose, or facilitate its use or disclosure by any other party for any marketing or commercial purpose, or permit another party to do so. Third party contractors may release PII to subcontractors engaged to perform the contractor's obligations, but such subcontractors must abide by data protection obligations of state and federal law, and the contract with the District; and
9. incorporate the Parents' Bill of Rights into the contract with the District.

If the third-party contractor has a breach or unauthorized release of PII, it will promptly notify the District in the most expedient way possible without unreasonable delay but no more than seven calendar days after the discovery of the breach.

## C. Third-Party Contractors' Data Security and Privacy Plan

The District will ensure that contracts with all third-party contractors include the third-party contractor's data security and privacy plan. This plan must include a signed copy of the Parents' Bill of Rights and must be accepted by the District.

At a minimum, each plan will:

1. outline how the third-party contractor will implement all state, federal, and local data security and privacy contract requirements over the life of the contract, consistent with this policy;
2. specify the administrative, operational and technical safeguards and practices it has in place to protect PII it will receive under the contract;
3. demonstrate that it complies with the requirements of Section 121.3(c) of Part 121;
4. specify how officers or employees of the third-party contractor and its assignees who have access to student and/or teacher or principal data receive or will receive training on the federal and state laws governing confidentiality of such data prior to receiving access;
5. specify if the third-party contractor will utilize sub-contractors and how it will manage those relationships and contracts to ensure PII is protected;
6. specify how the third-party contractor will manage data security and privacy incidents that implicate PII including specifying any plans to identify breaches and unauthorized disclosures, and to promptly notify the District;
7. describe if, how and when data will be returned to the District, transitioned to a successor contractor, at the District's option and direction, deleted or destroyed by the third-party contractor when the contract is terminated or expires.

## D. Training

The District will provide annual training on data privacy and security awareness to its officers and employees with access to student and/or teacher or principal PII. Such training will include training on state and federal laws that protect PII, and how employees can comply with such laws.

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## E. Reporting

Any breach of the District's information storage or computerized data which compromises the security, confidentiality, or integrity of student and/or teacher or principal PII maintained by the District will be promptly reported to the DPO, the Superintendent and the Board of Education.

## F. Notifications

The DPO will report every discovery or report of a breach or unauthorized release of student and/or teacher or principal PII to the State's Chief Privacy Officer without unreasonable delay, but no more than ten calendar days after such discovery.

The District will notify affected parents, eligible students, teachers and/or principals in the most expedient way possible and without unreasonable delay, but no more than 60 calendar days after the discovery of a breach or unauthorized release or third-party contractor notification.

However, if notification would interfere with an ongoing law enforcement investigation, or cause further disclosure of PII by disclosing an unfixed security vulnerability, the District will notify parents, eligible students, teachers and/or principals within seven calendar days after the security vulnerability has been remedied, or the risk of interference with the law enforcement investigation ends.

The Superintendent, in consultation with the DPO, will establish procedures to provide notification of a breach or unauthorized release of student, teacher or principal PII, and establish and communicate to parents, eligible students, and District staff a process for filing complaints about breaches or unauthorized releases of student, teacher, or principal PII.

### II. *"Private Information" under State Technology Law §208*

"Private information" is defined in State Technology Law §208, and includes certain types of information, outlined in the accompanying regulation, which would put an individual at risk for identity theft or permit access to private accounts. "Private information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

Any breach of the District's information storage or computerized data which compromises the security, confidentiality, or integrity of "private information" maintained by the District shall be promptly reported to the Superintendent and the Board of Education.

The Board directs the Superintendent of Schools, in accordance with appropriate business and technology personnel, to establish regulations which:

- Identify and/or define the types of private information that is to be kept secure.
- Include procedures to identify any breaches of security that result in the release of private information; and
- Include procedures to notify persons affected by the security breach as required by law.

### III. *Employee "Personal Identifying Information" under Labor Law § 203-d*

Pursuant to Labor Law §203-d, the District will not communicate employee "personal identifying information" to the general public. This includes

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1. social security number;
2. home address or telephone number;
3. personal electronic email address;
4. Internet identification name or password;
5. parent's surname prior to marriage; and
6. driver's license number.

In addition, the District will protect employee social security numbers in that such numbers shall not: be publicly posted or displayed, be printed on any ID badge, card or time card, be placed in files with unrestricted access, or be used for occupational licensing purposes.

Employees with access to such information shall be notified of these prohibitions and their obligations.

Cross-ref: 1120, School District Records  
5500, Student Records  
8630, Computer Resources and Data Management

Ref: State Technology Law §§201-208  
Labor Law §203-d  
Education Law §2-d  
8 NYCRR Part 121

Adoption date: December 11, 2013

Revised: April 22, 2015 ,  
July 8, 2020

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## INFORMATION AND DATA PRIVACY, SECURITY, BREACH AND NOTIFICATION REGULATION

This regulation addresses information and data privacy, security, breach and notification requirements for student, teacher, and principal personally identifiable information (“PII”) under Education Law §2-d, as well as private information under State Technology Law §208.

### *I. Student, Teacher, and Principal “Personally Identifiable Information” under Education Law §2-d*

#### A. Definitions

This policy hereby incorporates by reference the definitions contained in Part 121 of the Regulations of the Commissioner of Education.

“*Biometric record*,” as applied to student PII, means one or more measurable biological or behavioral characteristics that can be used for automated recognition of person, which includes fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting.

“*Breach*” means the unauthorized acquisition, access, use, or disclosure of student PII and/or teacher or principal PII by or to a person not authorized to acquire, access, use, or receive the student and/or teacher or principal PII.

“*Disclose*” or “*Disclosure*” mean to permit access to, or the release, transfer, or other communication of PII by any means, including oral, written, or electronic, whether intended or unintended.

“*Personally Identifiable Information*” as applied to students means personally identifiable information as defined in section 99.3 of Title 34 of the Code of Federal Regulations implementing the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, which includes the following information for District students:

1. the student's name;
2. the name of the student's parent or other family members;
3. the address of the student or student's family;
4. a personal identifier, such as the student's social security number, student number, or biometric record;
5. other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
6. other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does

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- not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
7. information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

“*Personally Identifiable Information*” as applied to teachers and principals means results of Annual Professional Performance Reviews that identify the individual teachers and principals, which are confidential under Education Law §§3012-c and 3012-d, except where required to be disclosed under state law and regulations.

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

## B. Complaints of Breaches or Unauthorized Releases of PII

If a parent, eligible student, teacher, principal or other District employee believes or has evidence that student and/or teacher or principal PII has been breached or released without authorization, they must submit this complaint in writing to the District. Complaints may be received by the Data Protection Officer (“DPO”), but may also be received by any District employee, who must immediately notify the DPO. This complaint process will be communicated to parents, eligible students, teachers, principals, and other District employees.

The District will acknowledge receipt of complaints promptly, commence an investigation, and take the necessary precautions to protect PII.

Following its investigation of the complaint, the District will provide the individual who filed a complaint with its findings within a reasonable period of time, no more than 60 calendar days from the receipt of the complaint.

If the District requires additional time, or if the response may compromise security or impede a law enforcement investigation, the District will provide the individual who filed a complaint with a written explanation that includes the approximate date when the District anticipates it will respond to the complaint.

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The District will maintain a record of all complaints of breaches or unauthorized releases of student data and their disposition in accordance with applicable data retention policies, including the Records Retention and Disposition Schedule ED-1.

## C. Notification of Student, Teacher, and Principal PII Breaches

If a third-party contractor discovers that a breach or unauthorized release of PII has occurred, it will promptly notify the DPO in the most expedient way possible, without unreasonable delay, but no more than seven calendar days after the breach's discovery.

The Data Privacy Officer will then notify the State Chief Privacy Officer of the breach or unauthorized release no more than 10 calendar days after it receives the third-party contractor's notification using a form or format prescribed by the State Education Department.

The Data Privacy Officer will report every discovery or report of a breach or unauthorized release of student, teacher or principal data to the Chief Privacy Officer without unreasonable delay, but no more than 10 calendar days after such discovery.

The District will notify affected parents, eligible students, teachers and/or principals in the most expedient way possible and without unreasonable delay, but no more than 60 calendar days after the discovery of a breach or unauthorized release or third-party contractor notification.

However, if notification would interfere with an ongoing law enforcement investigation or cause further disclosure of PII by disclosing an unfixed security vulnerability, the District will notify parents, eligible students, teachers and/or principals within seven calendar days after the security vulnerability has been remedied or the risk of interference with the law enforcement investigation ends.

Notifications will be clear, concise, use language that is plain and easy to understand, and to the extent available, include:

- a brief description of the breach or unauthorized release,
- the dates of the incident and the date of discovery, if known;
- a description of the types of PII affected;
- an estimate of the number of records affected;
- a brief description of the District's investigation or plan to investigate; and
- contact information for representatives who can assist parents or eligible students with additional questions.

Notification must be directly provided to the affected parent, eligible student, teacher or principal by first-class mail to their last known address; by email; or by telephone.

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Where a breach or unauthorized release is attributed to a third-party contractor, the third-party contractor will pay for or promptly reimburse the District for the full cost of such notification.

The unauthorized acquisition of student social security numbers, student ID numbers, or biometric records, when in combination with personal information such as names or other identifiers, may also constitute a breach under State Technology Law §208 if the information is not encrypted, and the acquisition compromises the security, confidentiality, or integrity of personal information maintained by the District. In that event, the District is not required to notify affected people twice, but must follow the procedures to notify state agencies under State Technology Law §208 outlined in section II of this regulation.

## II. *“Private Information” under State Technology Law §208*

### A. Definitions

*“Private information”* means either:

1. personal information consisting of any information in combination with any one or more of the following data elements, when either the data element or the combination of the personal information plus the data element is not encrypted or encrypted with an encryption key that has also been accessed or acquired:
  - Social security number;
  - Driver’s license number or non-driver identification card number;
  - Account number, credit or debit card number, in combination with any required security code, access code, password or other information which would permit access to an individual’s financial account;
  - account number or credit or debit card number, if that number could be used to access a person’s financial account without other information such as a password or code; or
  - biometric information (data generated by electronic measurements of a person’s physical characteristics, such as fingerprint, voice print, or retina or iris image) used to authenticate or ascertain a person’s identity; or
2. a user name or email address, along with a password, or security question and answer, that would permit access to an online account.

*“Private information”* does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

*“Breach of the security of the system”* means unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the District. Good faith acquisition of personal information by an employee or agent of the District for the purposes of the District is not a breach

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of the security of the system, provided that the private information is not used or subject to unauthorized disclosure.

## B. Procedure for Identifying Security Breaches

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or a person without valid authorization, the District will consider:

1. indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer, or other device containing information;
2. indications that the information has been downloaded or copied;
3. indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported; and/or
4. any other factors which the District shall deem appropriate and relevant to such determination.

## C. Notification of Breaches to Affected Persons

Once it has been determined that a security breach has occurred, the District will take the following steps:

1. If the breach involved computerized data *owned or licensed* by the District, the District will notify those New York State residents whose private information was, or is reasonably believed to have been accessed or acquired by a person without valid authorization. The disclosure to affected individuals will be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and to restore the integrity of the system. The District will consult with the New York State Office of Information Technology Services to determine the scope of the breach and restoration measures.
2. If the breach involved computer data *maintained* by the District, the District will notify the owner or licensee of the information of the breach immediately following discovery, if the private information was or is reasonably believed to have been accessed or acquired by a person without valid authorization.

The required notice will include (a) District contact information, (b) a description of the categories information that were or are reasonably believed to have been accessed or acquired without authorization, (c) which specific elements of personal or private information were or are reasonably believed to have been acquired and (d) the telephone number and website of relevant state and federal agencies that provide information on security breach response and identity theft protection and prevention. This notice will be directly provided to the affected individuals by either:

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1. Written notice
2. Electronic notice, provided that the person to whom notice is required has expressly consented to receiving the notice in electronic form; and that the District keeps a log of each such electronic notification. In no case, however, will the District require a person to consent to accepting such notice in electronic form as a condition of establishing a business relationship or engaging in any transaction.
3. Telephone notification, provided that the District keeps a log of each such telephone notification.

However, if the District can demonstrate to the State Attorney General that (a) the cost of providing notice would exceed \$250,000; or (b) that the number of persons to be notified exceeds 500,000; or (c) that the District does not have sufficient contact information, substitute notice may be provided. Substitute notice would consist of all of the following steps:

1. E-mail notice when the District has such address for the affected individual;
2. Conspicuous posting on the District's website, if they maintain one; and
3. Notification to major media.

Notification may be delayed if a law enforcement agency determines that such notification impedes a criminal investigation. In such an event, the notification will be made after such law enforcement agency determines that such notification no longer compromises such investigation.

However, the District is not required to notify individuals if the breach was inadvertently made by individuals authorized to access the information, and the District reasonably determines the breach will not result in misuse of the information, or financial or emotional harm to the affected persons. The District will document its determination in writing and maintain it for at least five years. If the breach affected over 500 residents of New York, the District shall provide the written determination to the State Attorney General within ten days of making the determination.

Additionally, if the District has already notified affected persons under any other federal or state laws or regulations regarding data breaches, including the federal Health Insurance Portability and Accountability Act, the federal Health Information Technology for Economic and Clinical Health (HI TECH) Act, or New York State Education Law §2-d, it is not required to notify them again. Notification to state and other agencies is still required.

## D. Notification to State Agencies and Other Entities

Once notice has been made to affected New York State residents, the District shall notify the State Attorney General, the State Department of State, and the State Office of Information Technology Services as to the timing, content, and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York residents.

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If more than 5,000 New York State residents are to be notified at one time, the District will also notify consumer reporting agencies as to the timing, content and distribution of the notices and the approximate number of affected individuals. Such notice shall be made without delaying notice to affected New York residents. A list of consumer reporting agencies will be furnished, upon request, by the Office of the State Attorney General.

If the District is required to notify the U.S. Secretary of Health and Human Services of a breach of unsecured protected health information under the federal Health Insurance Portability and Accountability Act (HIPAA) or the federal Health Information Technology for Economic and Clinical Health (HI TECH) Act, it will also notify the State Attorney General within five business days of notifying the Secretary.

Adoption date: December 11, 2013

Revised: April 22, 2015

July 8, 2020

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

8635-E.1

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

Pursuant to New York State Education Law §2-d, parents, legal guardians and persons in parental relation to a student are entitled to certain rights with regard to their child's personally identifiable information, as defined by Education Law §2-d. This document contains a plain-English summary of such rights.

1. A student's personally identifiable information cannot be sold or released for any commercial purposes.
2. Parents have the right to inspect and review the complete contents of their child's educational records maintained by the Three Village Central School District.
3. State and Federal Laws protect the confidentiality of personally identifiable student information, and safeguards associated with industry standards and best practices, including, but not limited to, encryption, firewalls, and password protection must be in place when data is stored or transferred.
4. A complete list of all student data elements collected by New York State is available for review at the New York State Education Department website: <http://www.p12.nysed.gov/irs/sirs>.

The list may also be made available by writing to:

Office of Information & Reporting Services  
New York State Education Department  
Room 863 EBA  
89 Washington Avenue  
Albany, NY 12234

5. Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed to:

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Deidre Rubenstrunk  
Data Protection Officer  
Three Village Central School District  
100 Suffolk Avenue  
Stony Brook, NY 11790  
Email: [drubenst@3villagecsd.k12.ny.us](mailto:drubenst@3villagecsd.k12.ny.us)  
Telephone: 631-730-4040

OR

Chief Privacy Officer  
New York State Education Department  
89 Washington Avenue  
Albany, NY 12234  
Email: [privacy@mail.nysed.gov](mailto:privacy@mail.nysed.gov)  
Telephone: (518) 474-0937

6. Each contract with a third-party contractor which will receive student data, or teacher or principal data will include supplemental information addressing the following:
  - a. The exclusive purposes for which the student data or teacher or principal data will be used.
  - b. How the third-party contractor will ensure that the subcontractors, persons or entities that the third-party contractor will share the student data or teacher or principal data with, if any, will abide by data protection and security requirements.
  - c. When the agreement expires and what happens to the student data or teacher and principal data upon expiration of the agreement.
  - d. If and how a parent, student, a student over eighteen years of age, teacher or principal may challenge the accuracy of the student data or teacher or principal data that is collected.
  - e. Where the student data or teacher or principal data will be stored, described in such a manner as to protect data security, and the security protections taken to ensure such data will be protected and data security and privacy risks mitigated.

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- f. Address how the data will be protected using encryption while in motion and at rest.

7. Third-party contractors are also required to:

- a. Provide training on federal and state law governing confidentiality to any officers, employees, or assignees who have access to student data or teacher or principal data.
- b. Limit internal access to education records to those individuals who have a legitimate educational interest in such records.
- c. Not use educational records for any other purpose than those explicitly authorized in the contract.
- d. Except for authorized representatives of the third-party contractor to the extent they are carrying out the contract, not disclose personally identifiable information to any other party (i) without the prior written consent of the parent or eligible student; or (ii) unless required by statute or court order and the third-party contractor provides a notice of the disclosure to the New York State Education Department, board of education, or institution that provided the information no later than the time the information is disclosed, unless providing notice of the disclosure is expressly prohibited by the statute or court order.
- e. Maintain reasonable administrative, technical and physical safeguards to protect the security, confidentiality and integrity of personally identifiable student information in its custody.
- f. Use encryption technology to protect data while in motion or in its custody from unauthorized disclosure as specified in Education Law §2-d.
- g. Notify the Three Village Central School District of any breach of security resulting in an unauthorized release of student data or teacher or principal data, in the most expedient way possible and without unreasonable delay, but no more than seven calendar days after the discovery of such breach.
- h. Provide a data security and privacy plan outlining how all state, federal and local data security and privacy contract requirements will be implemented over the life of the contract.

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- i. Provide a signed copy of this Bill of Rights to the Three Village Central School District thereby acknowledging that they are aware of and agree to abide by this Bill of Rights.
8. This Bill of Rights is subject to change based on regulations of the Commissioner of Education and the New York State Education Department's Chief Privacy Officer, as well as emerging guidance documents.

Adoption date: July 8, 2020

**SCHOOL DISTRICT COMPLIANCE**  
**WITH COPYRIGHT LAW AND INTELLECTUAL PROPERTY**

The Board of Education acknowledges the necessity of complying with Federal laws governing the use of copyrighted material.

Infringement on copyrighted material, whether prose, poetry, graphic images, music, video or computer code, is a serious offense against Federal law and contrary to the ethical standards required of staff and students alike. It is each staff member's responsibility to comply with the District's copyright procedures. The District is not responsible for violations of the copyright laws by its staff or students.

Use of Copyrighted Materials

It is well-recognized that limited use of copyrighted material for educational purposes, without permission, is allowable under the "fair use" doctrine. In order to determine if the use of copyrighted material is permitted under the fair use doctrine, the following factors must be weighed:

1. The purpose and character of the use (i.e., is it for instructional purposes?);
2. The nature of the copyrighted work (i.e. is it a newspaper article or photograph?);
3. The amount and substantiality of the portion used in relation to the work as a whole (i.e., is it a short excerpt?);
4. The effect of the use upon the potential market for or value of the copyrighted work (i.e. by reproducing it, does it impact the ability of the author/owner to sell it?)

Staff members should consult with the Superintendent or designee when they have a question as to the use of copyrighted material or if they need assistance in obtaining proper authorization for the use of material.

Intellectual Property

The Board of Education of the Three Village Central School District shall be the owner of all intellectual property (e.g., copyright, trademark, service mark, patent, etc.) created and/or obtained by any District employee within the scope of his or her employment.

The District shall also be the owner of all intellectual property created and/or obtained by any of the District's contractors within the scope of his/her/its agreement with the District.

The District shall be considered the author of any such work unless there is a written agreement approved by the Board of Education that the employee or the contractor will own intellectual property.

The Superintendent of Schools is hereby directed to keep accurate records of all materials involving copyright laws and to develop such rules and regulations as he/she may deem appropriate to carry out this policy.

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Cross-ref: 4526, Computer Use in Instruction  
8630, Computer Resources and Data Management

Ref: 17 U.S.C. §§101; 106; 107; 117; 201; 302  
*Basic Books, Inc. v. Kinko's Graphics Corp.*, 758 F. Supp. 1522 (SDNY 1991)  
H.R. Rep. No. 94-1476, 94th Cong., 2d Sess. (1976)

Adoption date: January 25, 2011

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## SCHOOL DISTRICT COMPLIANCE WITH COPYRIGHT LAW REGULATION

The Board of Education recognizes that the Doctrine of Fair Use covers copyrighted materials used for educational purposes. The fair use of a copyrighted work, including such use by reproduction in copies or by any other means specified by the section, for purposes such as criticism, comment, teaching (including multiple copies for classroom use), scholarship, or research is not an infringement of copyright. If an activity is authorized under fair use, a school may carry out the activity without requesting permission from the holder of the copyright.

Four private guideline agreements exist in conjunction with fair use between the education community and copyright proprietors. These guideline agreements include:

1. photocopying of printed materials;
2. photocopying of music;
3. photocopying - inter-library arrangements; and
4. off-air taping of television programs.

The guidelines can be found in H.R. Rep. No. 1476, 94th Cong., 2nd Sess.68,70(1976), H.R. Rep. No. 1733, 94th Cong., 2nd Sess.72(1976), and 127 Cong. Rec. E4751 (daily ed. October 14, 1982).

In determining whether the use made of a work in any particular case is a fair use, the factors to consider shall include:

1. the purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational purposes;
2. the nature of the copyrighted work;
3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. the effect of the use upon the potential market for or value of the copyrighted work.

The Assistant Superintendent for Business Services is to determine, on a case-by-case basis, if the use of a copyrighted material constitutes fair use. Special attention shall be given to matters regarding paid performers, promoters, and organizers of a non-dramatic literary or musical work.

Library use, photocopying of printed materials, copying of music, off-air-taping of television programs, and computer software use by school employees shall be done in accordance within the fair use standards. However, computer software use is governed by additional provisions. Notwithstanding the other provisions, it is not an infringement for the owner of a copy of a computer program to make or authorize the making of another copy or adaptation of that computer program provided:

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1. that such a new copy or adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and that it is used in no other manner; or
2. that such new copy or adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful.

Any exact copies prepared in accordance with the provisions may be leased, sold, or otherwise transferred, along with the copy from which such copies were prepared, only with the authorization of the copyright owner.

In accordance with fair use standards, additional copies of materials shall not be made which exceed the number required for classroom use. If a teacher believes more copies are needed, he/she shall petition the Assistant Superintendent for Business, who shall design and implement a procedure to hear appeals when any such request is denied. Any willful violation of copyright law shall be subject to disciplinary action.

The District is the holder of the copyright for works made for hire (e.g., materials prepared by an employee within the scope of his or her employment, including instructional texts, tests, answer sheets, etc., and materials specifically commissioned). The district shall be considered the author unless there is an agreement that the employee will own the copyright. When the material is created during school hours and/or using school machinery, the district owns the copyright. When a work is specifically commissioned and the author is not an employee of the district, there shall be a written agreement providing, among other things, that the commissioned work shall be considered a "work made for hire," and that the district shall be considered the author for copyright purposes.

The District shall keep accurate records of all materials involving copyright laws. The Assistant Superintendent for Business Services shall report periodically to the Board and Superintendent.

Ref: 17 U.S.C. "101; 106; 197; 201(b)

Adoption date: December, 1991

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## INSURANCE

The District shall purchase insurance coverage necessary to protect the district to an optimum extent from loss of property and judgments and awards arising out of liability claims. Records of all insurance policies shall be kept in the Central Office safe. The Board of Education shall select a broker who shall advise it in the administration of the insurance program. All actions involving the purchase of insurance shall be subject to Board approval.

The Superintendent of Schools shall have general knowledge of the provisions of all insurance policies carried by the district. At time of accident or loss, he/she shall see that action is taken necessary to protect the interests of the school district.

The Board shall purchase with district funds the type and amount of insurance appropriate to protect itself as a corporate body, its individual members, its appointed officers, and its employees from financial loss arising out of any claim, demand, suit or judgment by reason of alleged negligence or other act resulting in accidental bodily injury to any person or accidental damage to the property of any person within or without the school buildings while the above-named insured are acting in the discharge of their duties within the scope of their employment and/or under the direction of the Board. Such purchase will take into account the price of insurance, appropriate deductibles, and other relevant factors.

Premiums for student accident insurance as is deemed appropriate for students in all grades intramural, interscholastic and physical education sports activities, or while engaged in practice preparation for such games, sports, or contests will be paid from the General Fund.

The Assistant Superintendent for Business Services shall annually review the insurance program for the purpose of recommending to the Board adjustments in coverage resulting from, but not limited to, expansion of the district's risks, relevant new laws, and superseding conditions which make changes in coverage appropriate.

Ref: Education Law "1709(8)(8-a)(8-b); 3023; 3028; 3811  
General Municipal Law "50-c and 50-e

Adoption date: December, 1991

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## ENERGY MANAGEMENT

The Board of Education will direct the Superintendent of Schools to develop and implement both immediate and long range plans designed to conserve district energy sources. Such plans will include the designation of an energy manager to oversee energy consumption levels of all facilities, including transportation.

The energy manager will also make recommendations for operations and maintenance procedures, as well as any capital expenditures necessary to achieve maximum cost-efficiency of all district energy use. He/She will work with the Superintendent to develop contingency plans in the event of an energy shortage.

The Board will apply for any applicable grants to initiate and/or sustain its energy conservation program. Progress reports on the implementation of energy conservation measures will be made to the Board on an annual basis.

Adoption date: December, 1991