

**ROSLYN UNION FREE SCHOOL DISTRICT  
Meeting of the Board of Education**

**Thursday, November 1, 2018**

**8:00 P.M.**

**Roslyn High School – Cafeteria**

**7:00 p.m. - Executive Session**

**8:00 p.m. - Board of Education Meeting**

Preliminary Announcements  
Emergency Procedures  
Cell Phones

**Pledge of Allegiance**

**Recognition:** Board of Education

Recommendation to accept the Claims Audit Report for September 2018

Recommendation to accept the minutes from the following meeting(s):  
October 4, 2018; October 18, 2018

**Board President's Comments**

**Superintendent's Comments**

**Student Delegate's Comments**

**Discussion Item(s):**

1. Presentation of Independent Audit to Board of Education – Jill Sanders
2. School Signs

**PUBLIC COMMENT #1 Limited to Agenda Items ONLY**

(Will be limited to ½ hour, no more than 2 minutes per speaker).

Though not required by law, the Roslyn Board of Education invites public comment during its meetings. Citizens will be recognized by the presiding officer. Please state your name and address before speaking and direct all comments to the Board. This is not a time for citizen to citizen exchanges. We ask that comments not include the names of students or staff members, and comments are not permitted with respect to confidential matters. Please also be reminded that Board meetings are designed by law to facilitate the school district's business and provide for public Board deliberations. Thank you

**ACTION ITEMS**

Action may be taken for each individual resolution or by the titled subgroups. Bracketed information following resolutions is not part of the Board's official action and does not become part of the official record.

## **PERSONNEL:**

### **ALL PERSONNEL APPOINTMENTS LISTED ARE FUNDED IN THE CURRENT BUDGET UNLESS OTHERWISE NOTED**

- P.1.** It is the recommendation of the Superintendent of Schools that the following resolution be adopted:

**RESOLVED**, that the Roslyn Board of Education approves the appointments, resignations, terminations, elimination of positions, transfers, and leaves of absence as detailed in the Personnel Action Reports attached as **(Attachment P.1 Professional)**

- P.2.** It is the recommendation of the Superintendent of Schools that the following resolution be adopted:

**RESOLVED**, that the Roslyn Board of Education approves the appointments, resignations, terminations, elimination of positions, transfers, and leaves of absence as detailed in the Personnel Action Reports attached as **(Attachment P.2 Classified)**

## **BUSINESS/FINANCE:**

### **ALL ITEMS ON THE BUSINESS/FINANCE PORTION OF THE AGENDA ARE WITHIN THE BUDGET UNLESS OTHERWISE SPECIFIED**

- B.1.** Recommendation to approve the following contracts and to authorize the Board of Education President to execute (those contracts marked with an asterisk have been prepared pursuant to a previous award of an RFP or bid):

- (i) Contractor: The Center for Discovery  
Services: Instructional/Residential services for 1 student for the 2018-19 summer and school year  
Fees: \$13,071.00 for summer program  
\$78,428.00 for the school year  
Total estimated to be \$91,499.00  
(Agreement is subject to review and approval by district counsel)
- (ii) Contractor: Great Neck Union Free School District  
Services: Health & Welfare Services for 32 students attending out of district schools for the 2014-15 school year.  
Fees: \$937.02 per student  
Total estimated to be \$29,984.64

Recommendation to **amend** the following contract (iii) which was approved by the Board of Education on June 14, 2018 (item B.1. (xxxvi)):

- (iii) Contractor: Anderson Center for Autism  
Services: Instructional services for 1 student for the 2018-19 school year

Fees: \$39,519.16 - summer program tuition and maintenance (\$9,035 tuition + \$30,484.16 summer maintenance daily rate (\$491.68 x 62 days)  
~~\$54,211~~ \$114,246.57 - 10-month program tuition *plus* 38.424% of maintenance owed to Nassau County DSS  
 Total estimated to be ~~\$93,730.16~~ \$153,765.73

Recommendation to **amend** the following contract (iv) which was approved by the Board of Education on June 14, 2018 (item B.1. (xxxix)):

(iv) Contractor: Devereux-Glenholme School Residential  
 Services: Instructional/Residential services for 1 student for the 2018-19 summer and school year  
 Fees: \$27,228.67 per student for summer program (Tuition: \$303.29/daily rate x 35 days (July 9, 2018 through August 24, 2018) = \$10,615.15; maintenance: \$267.96/daily rate x 62 days (full summer resident rate) = \$16,613.52)  
~~\$54,588.60~~ \$85,785.77 per student for the school year *plus* 38.424% of maintenance owed to Nassau County DSS  
 Total estimated to be ~~\$81,817.27~~ \$113,014.44

Recommendation to **amend** the following contract (v) which was approved by the Board of Education on June 14, 2018 (item B.1. (xliv)):

(v) Contractor: Harmony Heights Residential  
 Services: Instructional/Residential services for 1 student for the 2018-19 summer and school year  
 Fees: \$18,104.80 for summer program (\$4,843 tuition; \$13,261.80 maintenance daily rate (\$213.90/day x 62 days))  
~~\$29,059.00~~ \$52,700.01 for the school year *plus* 38.424% of maintenance owed to Nassau County DSS  
 Total estimated to be ~~\$47,163.80~~ \$70,804.81

Recommendation to **amend** the following contract (vi) which was approved by the Board of Education on June 14, 2018 (item B.1. (xlii)):

(vi) Contractor: The Summit School (Upper Nyack) Residential  
 Services: Educational/Residential services for 1 student for the 2018-19 summer and school year  
 Fees: \$27,318.58 for summer program (\$5,681 tuition; \$339.59/daily x 62 days maintenance fee, = \$21,054.58, \$583 summer dormitory authority fee)  
~~\$37,585.00~~ \$77,121.67 for school year (\$34,088 tuition; \$3,497 dormitory authority fee; \$39,536.67 *representing* 38.424% of maintenance fees owed to Nassau County DSS)  
 Total estimated to be ~~\$64,903.58~~ \$104,440.25

**B.2.** Recommendation to approve Capital Budget Appropriation Transfers as per attached. (**Attachment B.2.**)

**B.3.** Recommendation to approve **2018-19** general fund appropriation requests:

<u>FROM BUDGET CODE</u>		<u>AMOUNT</u>
2110-110-06-0900-303	TCHR SAL-KG	\$50,000.00
2110-120-04-2000-303	TCHR SAL EH PHYS ED	\$50,000.00
2110-120-06-2000-303	TCHR SAL HGTS PHYS ED	\$50,000.00
2110-120-07-1900-303	TCHR SAL HH MUSIC	\$25,000.00
2110-120-07-2100-303	TCHR SAL HH READING	\$25,000.00
2110-120-04-9000-303	TCHR SAL EH	\$25,000.00
2110-120-07-9000-303	TCHR SAL HH	\$25,000.00
2110-121-03-9000-303	TCHR SAL ELEM ADDL	\$25,000.00
<b>Subtotal</b>		<b>\$275,000.00</b>

<u>TO BUDGET CODE</u>		<u>AMOUNT</u>
2250-472-03-9000-307	PRIVATE SCH TUITION	\$275,000.00
<b>Subtotal</b>		<b>\$275,000.00</b>

REASON FOR TRANSFER REQUEST: This transfer will allow us to meet our obligation to reimburse Nassau County DSS for our share of the cost.

**B.4.** Recommendation to approve **2018-19** general fund appropriation requests:

<u>FROM BUDGET CODE</u>		<u>AMOUNT</u>
9060-800-03-9000-303	MEDICAL INS ADM	\$20,000.00
<b>Subtotal</b>		<b>\$20,000.00</b>

<u>TO BUDGET CODE</u>		<u>AMOUNT</u>
2110-432-08-2800-801	Testing Fees AP Exams	\$20,000.00
<b>Subtotal</b>		<b>\$20,000.00</b>

REASON FOR TRANSFER REQUEST: To cover the costs associated with facilitating this year's AP Exams. Expenses are reimbursed via the students' payments for the exams in the spring.

**B.5.** Recommendation to approve a payment in the amount of \$17,562.14 to Ingerman Smith, L.L.P. for legal services rendered to the district for the period ending 09/30/2018.

**B.6.** Recommendation to approve the following payments to KG&D Architects for professional services rendered to the district and reimbursable expenses pertaining to capital improvements at the locations indicated in the table below. [Funds will be deducted from the Capital Budget Codes indicated in the table below.

<b>Payment</b>	<b>Location/ Project</b>	<b>Budget</b>	<b>PO #S</b>	<b>Inv #</b>
\$36.34	HH Reimbursable	2110-245-07-1507	H15-00014	41
\$56.84	HH Reimbursable	2110-245-07-1507	H15-00014	42
\$60.70	HS Reimbursable	2110-245-08-1508	H15-00014	42
\$32.48	HS Reimbursable	2110-245-08-1508	H15-00014	43
\$8.12	New Bus Garage Reimbs.	2110-245-03-1502	H15-00014	44

- B.7.** Recommendation to approve the following payments to Park East Construction Corporation for construction management services and reimbursements rendered to the district pertaining to various projects at the locations indicated in the table below. [Funds will be deducted from the Capital Budget Codes indicated in the table below.]

<b>Payment</b>	<b>Location/Project</b>	<b>Budget</b>	<b>PO #</b>	<b>Inv #</b>
\$2,979.07	Hts Reimbursable	2110-201-06-1506	H15-00015	RSD 2018-10 EXP
\$88.86	HH Reimbursable	2110-201-07-1507	H15-00015	RSD 2018-10 EXP
\$106.89	HS Reimbursable	2110-201-08-1508	H15-00015	RSD 2018-10 EXP
\$20,000.00	Hts Prof. Svcs.	2110-201-06-1506	H15-00015	34
\$1,500.00	HH Prof. Svcs.	2110-201-07-1507	H15-00015	34
\$5,000.00	HS Prof. Svcs.	2110-201-08-1508	H15-00015	34

- B.8.** Recommendation to approve a change order as indicated below. This change order will increase the contract with Baruti Construction in the amount of \$45,194.44 and therefore increase the purchase order to Baruti in account code H-1620-293-06-1606.

Baruti Construction Inc. (HTS GC-016) represents the cost to remediate peeling lead paint, encapsulate same and clean up any contamination as per JC Broderick walkthrough on Monday July 16, 2018. Additional areas identified by JC Broderick include second floor classroom 25, the two stairwells at both ends of the building and the Music Room B10, Corridor C2 & Storage B10A. This was first presented to the Board of Education as a pending change order (PCO #21) in the estimated amount of \$45,500 as item B10 on the agenda of 7/19/18.

- B.9.** Recommendation to approve a change order as indicated below. This change order will increase the contract with Baruti Construction in the amount of \$158,481.54 and therefore increase the purchase order to Baruti in account code H-1620-293-06-1606.

Baruti Construction Inc. (HTS GC-018) represents the cost to provide labor and materials to replace all the classroom ceilings on the second floor and 5 ceilings each on the first floor and in the basement for a total of 16 classrooms at Heights School. This was first presented to the Board of Education as a pending change order (PCO #19) in the estimated amount of \$160,000 as item B6b on the agenda of 7/19/18.

- B.10.** Recommendation to approve a proposed change order as indicated below. It is understood that: 1) the work of the change orders is required in order to continue the projects and meet the projected completion date; 2) a formal change order prepared by the architect and executed by the architect and the construction manager and the contractor will be subsequently presented for formal approval by the board of education and executed by the board president at a future meeting; and 3) the amount estimated for these change orders will be the maximum allowed unless specifically approved by the BOE when the formal change order is presented.

HTS General Construction PCO #34: Baruti Proposed Change Order PCO #34 at an estimated cost of \$69,000. This change order represents the cost to provide labor and materials to install additional estate fencing and chain link enclosures as per the attached plan, as requested. Park East Construction Corp. has reviewed the proposal and finds it to be fair based on the scope of work. Upon BOE approval the office of KG&D Architects will create a formal change order and forward for signatures.

- B.11.** Recommendation to approve a proposed change order as indicated below. It is understood that: 1) the work of the change orders is required in order to continue the projects and meet the projected completion date; 2) a formal change order prepared by the architect and executed by the architect and the construction manager and the contractor will be subsequently presented for formal approval by the board of education and executed by the board president at a future meeting; and 3) the amount estimated for these change orders will be the maximum allowed unless specifically approved by the BOE when the formal change order is presented.

HTS General Construction PCO #35: Baruti Proposed Change Order PCO #35 at an estimated cost of \$17,136. This change order represents the cost to provide labor and materials to install a concrete paving stone walkway under the canopy to the new main entrance of the new building addition to match the High School in color and pattern. Park East Construction Corp. has reviewed the proposal and finds it to be fair based on the scope of work. Upon BOE approval the office of KG&D Architects will create a formal change order and forward for signatures.

- B.12** Recommendation to approve a change order as indicated below. This change order will increase the contract with Baruti Construction in the amount of

\$17,564.40 and therefore increase the purchase order to Baruti in account code H-1620-293-06-1606.

Baruti Construction Inc. (HTS GC-022) represents the cost to provide labor and materials for the installation of two (2) new drywells in the new bus loop. This was first discussed with the Board of Education as a pending change order (PCO #32) in the estimated amount of \$18,000 on the agenda of 8/19/18.

- B.13.** Recommendation by Dr. Michael Brostowski, Director of Health, Physical Education, and Athletics, to declare as surplus the following items which have been declared obsolete, cannot be used in their current state, and cannot be repaired. **(Attachment B.13.)**
- Two (2) ping pong tables (no asset tags)

### **CURRICULUM AND INSTRUCTION:**

- C&I.1** Recommendation to accept the confidential stipulations of the CPSE for the dates listed below as well as the implementation plans for the corresponding special education programs, services and parent notification as previously approved by the Committee on October 10, 2018; October 15, 2018; and October 16, 2018.
- C&I.2** Recommendation to accept the confidential stipulations of the CSE for the dates listed below as well as the implementation plans for the corresponding special education programs, services and parent notification as previously approved by the Committee on September 26, 2018; September 27, 2018; September 28, 2018; October 5, 2018; October 9, 2018; October 10, 2018; October 12, 2018; and October 16, 2018.
- C&I.3** Recommendation to approve 20 students and 2 chaperones from the Roslyn High School Tennis Team to attend the Wild World of Sports Spring Break Training in Orlando, Florida from February 16 through 21, 2019 at an estimated cost to the district of \$5,301.00. [Total cost of trip is \$38,226.00; student contribution \$32,925.00; district contribution \$5,301.00.]
- C&I.4** Recommendation to approve 26 students and 4 chaperones from the Roslyn High School Forensics Club to attend the Princeton Classic Tournament in Princeton, New Jersey from November 29 through December 2, 2018 at an estimated cost to the district of \$11,274.92. [Total cost of the trip is \$15,962.78; student contribution \$4,687.86; district contribution \$11,274.92.]

## **BOARD OF EDUCATION:**

### **BOE.1** Recommendation to conduct the *first* reading of Board of Education Policies

5162 Student Dismissal Precautions

5550 Student Privacy

6685 Medicaid Compliance

To abolish the following:

2700 Board Staff Communications

9020 Board-Staff Communications

9210 Professional Staff Positions

9211 Professional Staff Qualifications

9211-R Professional Staff Qualifications Regulation

9211-E Professional Staff Qualifications Exhibit

9220 Professional Staff Contracts and Compensation Plans

9221 Professional Staff Salary Schedules

9222 Professional Staff Fringe Benefits

9223 Professional Staff Leaves and Absences

9241 Arrangements for Professional Staff Substitutes

9253.1 Reduction in Professional Staff Work Force

9253.2 Resignation of Professional Staff Members

9260 Professional Staff Assignments and Transfers

9270 Professional Staff Time Schedules

9271 Professional Staff Extra Duty

9272 Professional Staff Meetings

9280 Professional Staff Development

9290 Miscellaneous Staff Policies

9292 Professional Research & Publishing

9294 Professional Organizations

9410 School Board Negotiating Powers, Rights and Duties

9420 Recognized Employee Collective Bargaining Agents

9440 Staff Job Actions

9510 Personnel Records

9520 Staff Complaints

**(Attachment BOE.1)**

### **BOE.2** Recommendation to conduct the *second* reading of Board of Education Policies: 5152 Admission of Non-Resident Students, 5460 Child Abuse, Maltreatment or Neglect Outside the Educational Setting, and 5465 Child Abuse in an Educational Setting. **(Attachment BOE.2)**

### **BOE.3** Recommendation to conduct the *third reading* to abolish Board of Education Policies: 2240 Board/Superintendent Relationship, 2270 School Attorney, 2280 Consultants to the Board, 4329 Youth Center, 4332 Travel Study, 4334 Advanced College Placement, 4340 Adult Education Programs **(Attachment BOE.3)**



**BOE.4 WHEREAS**, an application was made to Section VIII of the New York State Public High School Athletic Association to consolidate and combine the Roslyn UFSD Boys' Swimming Team with the Port Washington UFSD Boys' Swimming Team for the 2018-2019 winter season;

**WHEREAS**, the Roslyn UFSD was notified that Section VIII recommended and approved said application;

**WHEREAS**, the District Administration recommends that the Board of Education approve the consolidation of the Roslyn UFSD Boys' Swimming Team with the Port Washington UFSD Boys' Swimming Team;

**WHEREAS**, the Board of Education has determined that it is in the best interest of the Roslyn UFSD to combine the Roslyn UFSD Boys' Swimming Team with the Port Washington UFSD Boys' Swimming Team;

**NOW THEREFORE, BE IT RESOLVED** that the Board of Education of the Roslyn Union Free School District hereby authorizes the Roslyn UFSD to enter into an Agreement with the Port Washington UFSD in connection with the consolidation of the Roslyn UFSD Boys' Swimming Team with the Port Washington UFSD Swimming Team, subject to the terms and conditions of an Agreement to be prepared by District counsel;

**BE IT FURTHER RESOLVED** that the Board of Education hereby authorizes the Board President to execute said Agreement on behalf of the Board of Education.

**BOE.5 RESOLVED**, upon the recommendation of the Citizens Audit Advisory Committee, that the Board of Education of the Roslyn Union Free School District accepts the External Audit Report for the 2017-2018 school year submitted by Cullen Danowski, LLP.

## **Public Comments #2**

## **EXECUTIVE SESSION (if needed)**

## **Adjournment**

Personnel Action Report  
Professional

P.1  
November 1, 2018

Item	Name	Action	Position / Replacing	Location	From	To	Tenure Area	Certification Class / Step Salary
1	Melanie Herz	Appointment	After School Instructional Teaching - PACT	HH	11/5/18	6/30/19		Per RTA Contract
2	Martin King	Substitute Appointment	Per Diem Substitute Teacher		11/5/18	6/30/19		Spanish 7-12, \$130/day
3	Laura Gilady	Substitute Appointment	Per Diem Substitute Teacher		11/5/18	6/30/19		Elementary & Nursery-Gr 6, \$130/day
4	Rachel Tubian	Substitute Appointment	Per Diem Substitute Teacher		11/5/18	6/30/19		Childhood Ed & Students w/Disabilities Gr 1-6, \$130/day
5	Leonard Novick	Coach Appointment	I/1 JV-B Boys Basketball		11/13/18	3/17/19		Per RTA Contract
6	James Schmachtenberg	Coach Appointment	II/1 JV Boys Lacrosse		3/4/19	6/9/19		Per RTA Contract
7	Cherie Totillo	Childcare Leave	Guidance Counselor	HS	1/18/19	6/30/19		Per RTA Contract
8	Irena Tsarevsky	Revise Appointment	Honor Society	HS	9/1/18	10/26/18		
9	Susan Guthrie	Substitute Appointment	Intramural Activity Substitute - Athletics	MS	11/5/18	6/30/19		Per RTA Contract
10	Diana Zabaleta Grasso	Revise Appointment	IPG Teacher (not to exceed 2.5 hours/week)	HS	9/18/18	11/2/18		Per RTA Contract
11	Christine Burns	Substitute Appointment	IPG Teacher Substitute	HS	11/5/18	6/30/19		Per RTA Contract
12	Delfina Hennep	Substitute Appointment	IPG Teacher Substitute	HH	11/5/18	6/30/19		Per RTA Contract
13	Daphne Ringgold	Substitute Appointment	IPG Teacher Substitute	MS	11/5/18	6/30/19		Per RTA Contract
16	Tara Guiffre	Substitute Appointment	Per Diem Substitute Teaching Assistant	DW	11/5/18	6/30/19		TA I, \$100/day

\* Placement may change subject to verification of education and employment.

Personnel Action Report  
Classified

P.2  
November 1, 2018

Item	Name	Action	Position / Replacing	Class	Type of Appt	Location	From	To	Certification Class / Step Salary
1	Manisha Bhardwaj	Appointment	Monitor (R. Bowie)			HH	On or about 11/7/18*		\$15.56/hour, Per RPA Contract
2	Terri Frobey	Resignation	Monitor			HH		10/16/18 (last day of employment)	
3	Christopher Engel	Appointment	Security Aide (hourly)				On or about 11/19/18*		\$25.00/hour
4	Tomas Gil	Probationary Appointment	Head Custodian I (F. Metzger)	Comp	Prob	MS	On or about 11/19/18* (pending Civil Service approval)		Grade 8/Step 1, Per RCBDMA Contract

*\*Pending Civil Service Approval*

**Roslyn Union Free School District Capital Budget  
APPROPRIATION TRANSFERS**

**Attachment B.2.**

Item	Transfer Dollar Amount	From Code	Previous Appropriation	Revised Appropriation	To Code	Previous Appropriation	Revised Appropriation
1	\$ 7,700.00	H1620 000 03 1898	\$ 726,913.00	\$ 719,213.00	H2110 245 04 1804	\$ 15,000.00	\$ 22,700.00
		Unalloc Budget 17/18			Architectual fees EH 001-026		
For:	additional services for citi boces - third party review of technology project						
2	\$ 70,000.00	H1620000 03 1498	\$ 113,455.41	\$ 43,455.41	H2110 201 06 1506	\$ 317,106.61	\$ 387,106.61
		Unalloc Budget 13/14			Construction Mangager HTS 007-024		
For:	construction manager additional services						
3	\$ 5,000.00	H1620000 03 1498	\$ 43,455.41	\$ 38,455.41	H2110 201 07 1507	304,510.62	\$ 309,510.62
		Unalloc Budget 13/14			Construction Mangager HH 009-025		
For:	construction manager additional services						
4	\$ 20,991.60	H1620000 03 1498	\$ 38,455.41	\$ 17,463.81	H1620 295 08 1608	\$ 312,804.69	\$ 333,796.29
		Unalloc Budget 13/14			Plumbing HS 002-041		
For:	change order hs pc 009 to provide additional planting at the hs						
5	\$67,598.73	H1620 000 03 1198	\$135,951.42	\$68,352.69	H2110 200 06 1606	\$-	\$67,598.73
		Unalloc Budget 10/11			Furniture HTS 007-024		
For:	hts library furniture						
6							
For:							

APPROVED: Joseph C. Dragone \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED: Allison Brown \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED: \_\_\_\_\_ Item #: \_\_\_\_\_

**Michael Betts**

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**From:** Joseph Dragone  
**Sent:** Monday, October 22, 2018 3:38 PM  
**To:** Michael Betts  
**Cc:** Michael Brostowski  
**Subject:** FW: Discarding of Ping Pong Tables

Please add to the upcoming BOE agenda.

*Joseph C. Dragone*

Assistant Superintendent for Business and Administration  
Roslyn Union Free School District  
300 Harbor Hill Road – Post Office Box 367  
Roslyn, New York 11576

v: (516) 801-5030  
f: (516) 801-5037  
c: (631) 512-1948

[Roslyn UFSD Administrative Building](#)

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**From:** Michael Brostowski  
**Sent:** Monday, October 22, 2018 2:54 PM  
**To:** Joseph Dragone <jdragone@roslynschools.org>  
**Subject:** Discarding of Ping Pong Tables

Dear Mr. Dragone,

I am writing this email to discard two broken ping pong tables at Roslyn Middle School. The tables cannot be used in their current state and cannot be repaired. Neither tables have asset tags.

Sincerely,

Michael Brostowski

Michael Brostowski, Ed.D.  
Director of Health, Physical Education , and Athletics  
Roslyn Public Schools  
475 Round Hill Road  
Roslyn Heights, NY 11577  
516-801-5160

# **POLICY 5162**

## **Student Dismissal Precautions**

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### **REVISED POLICY**

<b>Policies Being Replaced</b>	<b>Policy 5162 Student Dismissal Policy 5762 Student Dismissal</b>
<b>Reason for Revision</b>	<b>(1) Consolidate existing policy statements into one policy (2) Updating substance of policy to reflect current practice and law</b>

No student may be released from school to anyone other than his/her parent, guardian or child protective services personnel and law enforcement officers pursuant to law, unless the individual's name seeking release of the student appears on a list provided by the parent or guardian. A student may be released to either parent unless a custodial parent supplies the Superintendent of Schools with a certified copy of a court order or divorce decree to the contrary. Certified copies of any court orders or divorce decrees provided by the custodial parent, which restrict a parent's ability to seek the release of their child, shall be maintained by the Superintendent of Schools or his/her designee.

Parents or guardians may submit a list of individuals authorized to obtain the release of their children from school at the time of the child's enrollment. The signature of the parent or guardian must be on or attached to such list. A parent or guardian may amend the list of individuals authorized to obtain the release of his/her child(ren) from school at any time, in writing. The Superintendent of Schools or his/her designee shall maintain a list of individuals who are authorized to obtain the release of students in attendance in the School District. No student may be released to the custody of any individual not the parent or guardian of the student, unless the individual's name appears upon the list.

If any individual seeks the release from school of a student he or she must report to the school office and present identification deemed satisfactory by the Superintendent of Schools or his/her designee, who must check the authorized list and relevant court orders or divorce decrees before a student may be released.

Parents are urged to make appointments with physicians, dentists, special tutors, etc., after school hours. If a request is necessary, parents should make note of the date, time and reason for the release. Children cannot be excused without advance written request by parent/guardian, and must be released in care of parent/guardian, unless otherwise noted. Elementary students who must leave school early must bring a note from their parent/guardian to the Main Office before leaving the building. Middle and High School students must bring such note to the Attendance Office. Early release of a student for emergency reasons should be requested in writing by a parent/guardian. Medical releases are handled through the Nurse's Office. All other reasons for release must go through the Main Office, and students must be picked up in the Main Office. The person seeking the release must sign the register in the office.

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

Cross-Ref: 8130 School Safety Plans and Teams  
8134 Emergency Closings

Ref: Education Law §3210(1)(c)

Adoption Date:

# **POLICY 5550**

## **Student Privacy**

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### **NEW POLICY**

<b>Policies Being Replaced</b>	<b>None</b>
<b>Reason for New Policy</b>	<b>Adopt new policy – Policy required by law</b>



The Board of Education recognizes its responsibility to enact policies that protect student privacy, in accordance with law. This is particularly relevant in the context of the administration of student data which is collected surveys that collect personal information, the disclosure of personal information for marketing purposes and in conducting physical exams.

### **Privacy and Security of Student Data**

The Board of Education is committed to protecting the privacy and security of each and every student's data. In accordance with law, the following shall govern parental rights concerning their child's data:

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 education record.
3. The confidentiality of a student's personally identifiable information is protected by existing state and federal laws, and safeguards such as encryption, firewalls, and password protection, must be in place when data is stored or transferred.
4. Parents have the right to file complaints about possible breaches of student data. Parents may submit a complaint regarding a potential breach by the School District to your student's building principal. Complaints pertaining to the State Education Department or one of its third party vendors should be directed in writing to the Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany NY 12234, email to CPO@mail.nysed.gov. The complaint process is under development and will be established through regulations to be proposed by the State Education Department's Chief Privacy Officer.
5. The School District will post a Parents' Bill of Rights in accordance with the requirements of Education Law.
6. Upon the adoption of regulations and guidance from the State Education Department, as required by Education Law 2-d(3)(d) and 2-d(5)(a-b), if the School District enters into a contract with a third party in which student, teacher, or principal data is shared with the third party, supplemental information for each such contract will be appended to this Parent's Bill of Rights.

### Surveys

The Board of Education recognizes that student surveys are a valuable tool in determining student needs for educational services. In accordance with law and Board policy, parental consent is required for minors to take part in surveys which gather any of the following information:

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
7. religious practices, affiliations or beliefs of the student or the student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

In the event that the School District plans to survey students to gather information included in the list above, the School District will obtain written consent from the parent/guardian in advance of administering the survey. The notification/consent form will also apprise the parent/guardian of their right to inspect the survey prior to their child's participation.

### Marketing

It is the policy of the Board of Education not to collect, disclose, or use personal information gathered from students for the purpose of marketing or selling that information or providing it to others for that purpose. "Personal Information" is defined as: "individually identifiable information concerning the student, including a student's or parent's first and last name, home address, telephone numbers and/or social security number." This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to students or educational institutions such as:

1. College or other postsecondary education recruitment, or military recruitment;
2. Book clubs, magazines and programs providing access to low-cost literary products;
3. Curriculum and instructional materials used in schools;
4. Tests and assessments used to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information for students or to generate other statistically useful data for the purpose of securing such tests and assessments, and the subsequent analysis and public release of the aggregate data from such tests and assessments;

5. Student recognition programs; and
6. The sale by students of products or services to raise funds for school-related activities.

In the event that such data is collected by the School District, disclosure or use of student personal information will be protected by the School District pursuant to the requirements of the Family Educational Rights and Privacy act (FERPA). [For guidance regarding the disclosure of “directory information,” rather than personal information, see Policy 5500, Student Records.]

### **Inspection of Instructional Material**

Parents/guardians shall have the right to inspect, upon request, any instructional material, used as part of the educational curriculum for students. “Instructional material” is defined as: “instructional content that is provided to a student, regardless of format including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). It does not include tests or academic assessments.”

A parent/guardian who wishes to inspect and review such instructional material shall submit a request in writing to the Building Principal. Upon receipt of such request, arrangements shall be made to provide access to such material to within 30 calendar days after the request has been received.

### **Invasive Physical Examinations**

Prior to the administration of any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school not necessary to protect the immediate health or safety of the student or other students and not otherwise permitted or required by state law, a student’s parent/guardian will be notified and given an opportunity to opt their child out of the exam. Hearing, vision and scoliosis screenings are not subject to prior notification. The term “invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injecting into the body, but does not include a hearing, vision or scoliosis screening.

### **Notification**

Parents/guardians and eligible students shall be notified of this policy at least annually, at the beginning of the school year and when enrolling students for the first time in District schools. In the annual notification, the School District shall notify the parents/guardians and eligible students of the specific or approximate dates during the school year when the activities involving collection, disclosure or use of personal information collected from students for the purpose of

marketing or selling the information, administration of any surveys, and any non-emergency, invasive physical exams or screenings, are scheduled or expected to be scheduled. The annual notification shall also inform parents/guardians and students eighteen (18) years of age or older that the School District must disclose to military recruiters and institutions of higher learning, upon request, the names, addresses and telephone numbers of high school students. Parents/guardians and students eighteen (18) years of age or older wishing to exercise their option to withhold their consent to the release of the above information to the military recruiters and/or institutions of higher learning must make such requests in writing to the high school principal. The School District shall also notify Parents/guardians or students eighteen (18) years of age or older within a reasonable period of time after any substantive change to this policy.

Cross-ref:

Ref: 20 USC §1232h  
20 USC §7908  
34 CFR Part 98  
Education Law, section 2-a  
Education Law, section 2-d  
Education Law §903

Adoption date:

# **POLICY 6685**

## **Medicaid Compliance**

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### **NEW POLICY**

<b>Review New Policy</b>	<b>NONE</b>
<b>Reason for New Policy</b>	<b>Adopt policy as required by law</b>

The Board of Education recognizes its obligation to put a plan and program in place to prevent or otherwise detect fraud, waste and abuse in the Medicaid program. In general, the Board of Education expects that its officers and employees will operate with integrity and in conformance with its adopted code of ethics.

The Board of Education will appoint a Medicaid Compliance Officer at its annual organization meeting. The role of the Compliance Officer shall be to oversee the compliance program, receive and promptly investigate reports of noncompliance and report findings as appropriate to the Medicaid Inspector General, as well as to the Board of Education and the Superintendent of Schools. The Compliance Officer will report to the Board of Education fraud, significant findings or patterns of noncompliance. The Compliance Officer shall periodically report to the Board of Education on the activities of the compliance program.

All employees involved in Medicaid covered services, as well as those responsible for oversight, will receive annual training in accordance with state and federal requirements. The Board of Education expects all employees involved in Medicaid services to participate in general compliance training upon initial hire. Board members will also receive appropriate training so that they can fulfill their responsibilities. The School District will keep appropriate records documenting the training program.

The Director of Pupil Personnel Services will keep abreast of services that are covered by Medicaid so that the School District files compliant claims. The Board of Education expects that School District staff and/or contractors and agents will avoid filing false/inaccurate claims which would subject the School District to civil and criminal liability.

Necessary steps will be taken to communicate appropriate standards and procedures to all employees by disseminating information that explains what is required. The School District's program will include mechanisms to ensure that compliance issues are responded to appropriately as they are raised. The Compliance Officer is responsible for ensuring that the system for receiving reports and responding appropriately is implemented. This shall include the posting of this policy.

The School District will ensure it does not hire or contract with service providers who have been excluded from Medicare or the Medicaid program. The Director of Pupil Personnel Services will check the credential of the provider before the School District engages their services. School District employees will be required to sign an agreement that said employee will inform the Compliance Officer and the Superintendent of Schools or his/her designee upon receipt of any notification or knowledge that the individual's license has been suspended, revoked or lapsed, or if they have been excluded from participation in the Medicaid program. Upon notice by the employee, the School District will take remedial steps as soon as possible. Contracts with outside providers will include provisions to address this requirement.

All contractors and agents who furnish or authorize the furnishing of Medicaid services on behalf of the School District, or perform billing or coding functions are required to communicate these policies and procedures to their employees and are responsible for ensuring that such communication occurs.

The Compliance Officer will check the list of excluded providers monthly to determine if any School District employees who deliver Medicaid-covered services, or if any contractors, have been added to the list or have been reinstated. If any have been excluded, it will be reported immediately to the Superintendent of Schools who will initiate remedial action.

Once a suspected violation has been reported, the Board of Education, acting upon the recommendation of the Superintendent of Schools and the Compliance Officer, will take reasonable steps to respond appropriately and to prevent further violations, which shall include, any necessary modifications to its program designed to prevent and detect violations of applicable law.

Any employee of the School District who has knowledge of activities that he or she believes may violate a law, rule, or regulation has an obligation to promptly report this matter to the designated Compliance Officer and/or his or her immediate supervisor. Reports may be made anonymously and employees will not be penalized for reports made in good faith. Failure to report known violations, failure to detect violations due to negligence or reckless conduct and intentionally making false reports and/or participating in non-compliant behavior shall be grounds for disciplinary action.

Medicaid claims will be included as part of the School District's risk assessment. The claims will be reviewed as part of the School District's risk assessment, at a minimum of every two years. In addition, the Medicaid claims function will be tested and reviewed as part of the School District's internal audit plan routinely, or as directed by the Audit Committee or Board of Education. When the internal audit reveals weaknesses, a corrective action plan will be initiated by the Superintendent of Schools.

The Compliance Officer and the Superintendent of Schools are charged with responsibility for enforcing School District policy, which protects individuals who, in good faith, report or investigate suspected cases of fraud, waste or abuse in the School District's Medicaid program from retaliation or intimidation. Any act of retaliation against any person who in good faith reported potential issues, investigated issues and/or participated in the investigative process, is prohibited and illegal, and therefore subject to disciplinary action up to and including termination, in conformance with applicable laws and collective bargaining agreements.

The Board of Education directs the Superintendent of Schools to ensure that this policy is disseminated to employees as well as those entities providing Medicaid covered services, with

particular attention to those employees involved in administering the programs and services associated with Medicaid and their billing.

The Board of Education will periodically review and update this policy.

Ref. False Claims Act, 31 U.S.C. §3729, et seq.  
State Finance Law §187 et seq. (New York False Claims Act)  
Social Services Law §§145-b (False Statements); 145-c (Sanctions);  
363-d (Provider Compliance Program)  
Labor Law §740 (Prohibits Retaliation)  
18 NYCRR §521.1 et seq. (Provider Compliance Program regulations)

Adoption date:



## **POLICIES TO BE ABOLISHED**

**ROSLYN PUBLIC SCHOOLS**  
Roslyn, New York

**POLICY #2700**

**BOARD/STAFF COMMUNICATIONS**

The Board of Education recognizes that the staff plays an important role in developing an effective educational program and strives to foster open communication between the staff and the Board.

The Superintendent of Schools, as professional leader of the staff and the chief executive of the Board, shall help to establish the avenues for Board/staff communications by acting as a liaison between the two.

All communications or reports to the Board of Education from staff members and staff organizations will be submitted to the Board through the Superintendent. However, this will not be construed as denying the right of any staff member to appeal any action or decision of the Superintendent to the Board.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9020**

**BOARD-STAFF COMMUNICATIONS**

For pertinent information refer to Article IX of the Professional Negotiations Agreement by and between Roslyn UFSD and Roslyn Teachers Association.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9211**

**PROFESSIONAL STAFF QUALIFICATIONS**

The Board of Education shall comply with the requirements for certification prescribed by the Commissioner of Education, subject to the approval of the Board of Regents, in the appointment and continuing employment of all certified personnel. No school monies will be paid to an unqualified (non-certified) person, except as permitted by the regulations of the Commissioner of Education.

:FPB

Adopted: 12/1989

Ref: Education Law §§3001; 3001-a; 2009; 3010  
8 NYCRR §80.2 (c)

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9210**

**PROFESSIONAL STAFF POSITIONS**

The Board of Education shall appoint all professional personnel only upon the recommendation of the Superintendent of Schools.

The Superintendent shall select and recommend for employment to the Board those professional personnel who meet the legal requirements, and seem in his/her opinion, and of those whom he/she has delegated to help make such recommendation, the best qualified in terms of training and experience for the particular position.

:FPB

Adopted: 12/1989

Ref.: Education Law §3012

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**REGULATION #9211-R**

**PROFESSIONAL STAFF QUALIFICATIONS-REGULATION**

Each certified member of the staff prior to commencing his/her duties, shall file with the Superintendent of Schools, a certificate of satisfactory health signed by his/her personal physician and Medical Inspector of the District.

The Board of Education may require, in order to safeguard the health of pupils, a medical examination of any certified person by a physician of his/her choice or a Medical Inspector of the District to determine the physical or mental capacity of such person to perform his/her duties.

A general medical examination certifying satisfactory health is required from all certified personnel at the time of employment, and prior to appointment to tenure. Exemption may be made on the basis of recommendation by school physician.

All professional staff employees, including coaches who are required by law or regulation to possess a first aid card as a condition of employment, shall keep such first aid card and certification current.

:FPB

Adopted: 12/1989

Ref.: Education Law §§906, 913

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9220**

**PROFESSIONAL STAFF CONTRACTS AND  
COMPENSATION PLANS**

For pertinent information, refer to Articles III, XII of the Professional Negotiations Agreement by and between Roslyn UFSD and Roslyn Administrators and Supervisors Association.

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Adopted: 12/1989

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**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9221**

**PROFESSIONAL STAFF SALARY SCHEDULES**

For pertinent information on bargained for salary schedules, refer to Article XI and Appendixes A, B, and C of the Professional Negotiations Agreement by and between Roslyn UFSD and Roslyn Teachers Association along with Article V and Appendix A of the agreement by and between Roslyn UFSD and Roslyn Administrators and Supervisors Association.

:FPB

Adopted: 12/1989

Ref.: Education Law §1709(13)(16)(33)



**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9222**

**PROFESSIONAL STAFF FRINGE BENEFITS**

For pertinent information refer to of the agreement between the Roslyn UFSD and Roslyn Administrators and Supervisors Association and the agreement between Roslyn UFSD and the Roslyn Teachers Association.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9223**

**PROFESSIONAL STAFF LEAVES AND ABSENCES**

For pertinent information, refer to the agreement between Roslyn UFSD and Roslyn Administrators and Supervisors Association and the agreement between Roslyn UFSD and Roslyn Teachers Association. Professional personnel who are not part of a recognized bargaining unit shall be entitled to no fewer than the number of leaves provided for in the contract with administrators.

:FPB

Adopted: 12/1989

Ref.: Military Law §§242; 243; 246

**ROSLYN PUBLIC SCHOOLS**  
Roslyn, New York

**POLICY #9241**

**ARRANGEMENTS FOR PROFESSIONAL STAFF  
SUBSTITUTES**

This policy is designed to insure greater continuity in the teaching-learning process and to mitigate the negative impact of teacher absence.

The district shall engage substitutes for absent teachers. The Administration shall make every attempt to engage substitute teachers who are certificated in the specific academic area of the absent teacher.

If such substitute teacher is unavailable, the Administration shall use its discretion in providing a certificated (in other areas) substitute teacher. In the fields of Industrial Arts, Home Economics, and Physical Education for which a "safety" concern exists, no out of license substitute will be hired.

The graduate assistant and long-term substitute programs approved by the Board of Education may be implemented. Non-certificated teachers shall not be utilized as substitute teachers unless the Board is advised.

On the elementary level, no substitute will be provided when the psychologist, speech, reading, or mathematics laboratory teacher is absent for five (5) days or fewer, unless approved by the Superintendent of Schools, and at the secondary level, substitutes for any period of time in the area of guidance, reading, and psychological services shall not be engaged unless approved by the Superintendent.

POLICY #9241

Page 2

Also refer to Article III of the agreement between Roslyn UFSD and the Roslyn Teachers Association.

:FPB

Adopted: 12/1989

Ref.: Education Law §§3001; 3009  
8 NYCRR §80.36

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9253.1**

**REDUCTION IN PROFESSIONAL STAFF WORK FORCE**

For pertinent information refer to Articles XVIII and XXII of the agreement between Roslyn UFSD and the Roslyn Teachers Association.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9253.2**

**RESIGNATION OF PROFESSIONAL STAFF MEMBERS**

All letters of resignation of professional personnel shall be addressed to the Superintendent of Schools. Copies should also be submitted to the Principal or other administrator to which the person may be directly responsible. Such letters should be submitted in time to provide at least thirty (30) days notice, and shall become effective upon acceptance by the Board of Education.

For additional information refer to Article XV of the agreement between Roslyn UFSD and Roslyn Teachers Association as well as Article X of the agreement between Roslyn UFSD and the Roslyn Administrators and Supervisors Association.

:FPB

Adopted: 12/1989

Ref.: Education Law §3019-a

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9260**

**PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS**

All requests for transfer by members of the certified staff will be in writing and addressed to the Superintendent of Schools. Copies should be submitted to the Principal or other administrator to whom the person is directly responsible.

Also refer to Article XX of the agreement between Roslyn UFSD and the Roslyn Teachers Association.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9270**

**PROFESSIONAL STAFF TIME SCHEDULES**

For pertinent information, refer to Articles IV, VI and X of the agreement between Roslyn UFSD and the Roslyn Teachers Association.

:FPB

Adopted: 12/1989



**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9271**

**PROFESSIONAL STAFF EXTRA DUTY**

For pertinent information, refer to Articles IV and VI of the agreement between Roslyn UFSD and the Roslyn Teachers Association.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9272**

**PROFESSIONAL STAFF MEETINGS**

For pertinent information, refer to Article XIV of the agreement between Roslyn UFSD and the Roslyn Administrators and Supervisors Association.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9280**

**PROFESSIONAL STAFF DEVELOPMENT**

Full credit on the salary schedule will be given to certified personnel for all in-service courses offered in the District. However, such courses must meet the State requirements in terms of length, two (2) hours per session, and number of sessions, fifteen (15). Each person, in order to receive such credit, must meet the requirements of attendance.

Also, refer to Article XIII of the agreement between Roslyn UFSD and Roslyn Teachers Association.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9290**

**MISCELLANEOUS STAFF POLICIES**

For pertinent information on Motor Vehicle Damage Protection, refer to Article XXIII of the agreement between Roslyn UFSD and the Roslyn Teachers Association.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9292**

**PROFESSIONAL RESEARCH AND PUBLISHING**

For pertinent information, refer to Article XVII of the agreement between Roslyn UFSD and the Roslyn Teachers Association.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9294**

**PROFESSIONAL ORGANIZATIONS**

For pertinent information, refer to Article II of the agreement between Roslyn UFSD and the Roslyn Teachers Association; and Article II of the agreement between Roslyn UFSD and the Roslyn Administrators and Supervisors Association.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9410**

**SCHOOL BOARD NEGOTIATING POWERS, RIGHTS AND DUTIES**

For pertinent information, refer to Articles III, IV and XIV of the agreement between Roslyn UFSD and the Roslyn Administrators and Supervisors Association.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9420**

**RECOGNIZED EMPLOYEE COLLECTIVE BARGAINING  
AGENTS**

For pertinent information refer to:

Articles I and II of the agreement between Roslyn UFSD and  
Roslyn Teachers Association,

Articles I and II of the agreement between Roslyn UFSD and  
Roslyn Administrators and Supervisors Association,

Articles I and II of the agreement between Roslyn UFSD and  
the Roslyn Food Service Association,

Articles I and II of the agreement between Roslyn UFSD and  
Custodial Bus Drivers and Maintenance Association,

Articles I and II of the agreement between Roslyn UFSD and  
Roslyn Educational Secretaries Association, and

Article I of the agreement between Roslyn UFSD and Roslyn  
Paraprofessional Association.

:FPB

Adopted: 12/1989



**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9440**

**STAFF JOB ACTIONS**

For pertinent information, refer to Article XIX of the agreement between Roslyn UFSD and the Roslyn Teachers Association.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
Roslyn, New York

**POLICY #9510**

**PERSONNEL RECORDS**

For pertinent information, refer to Article VIII of the agreement between Roslyn UFSD and the Roslyn Teachers Association.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #9520**

**STAFF COMPLAINTS**

For pertinent information, refer to Article XVI of the agreement between Roslyn UFSD and the Roslyn Teachers Association, and Article XI of the agreement between Roslyn UFSD and the Roslyn Administrators and Supervisors Association.

:FPB

Adopted: 12/1989

# **ROSLYN UNION FREE SCHOOL DISTRICT**

## **2nd Reading of Policies**

**November 1, 2018**

# **POLICY 5152**

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

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### **REVISED POLICY**

<b>Policies Being Replaced</b>	<b>1) Policy 5152 – Admission of Non-Resident Students. 2) Policy 5152.1 – Admission of Exchange Students</b>
<b>Reason for Revision</b>	<b>Updating substance of policy to align with current law</b>

***-DRAFT REVISED POLICY-*****ROSLYN UNION FREE SCHOOL DISTRICT****ADMISSION OF NON-RESIDENT STUDENTS****POLICY 5152**

**Definition:** For the purpose of attendance in the School District's schools, a resident is defined as an individual whose domicile is within the School District.

Non-resident pupils shall be denied the privilege of attending the School District's schools except in the following circumstances:

**Eligibility of Former Residents:**

A student who has attended Roslyn High School for grades 9 through 11 and whose parents move from the School District after the student completes his/her 11<sup>th</sup> grade year will be permitted to attend Roslyn High School for the student's senior year without payment of tuition. Transportation will not be provided for such non-resident students.

**Eligibility of Special Non-Residents Under Contract From Other School Districts:**

This policy shall not apply to non-resident students who are placed in a School District program as a result of another public school district's Committee on Special Education recommendation, when such recommendation has been consented to by the School District and for which a contract between the School District and the other public school district exists.

**Reservation of Rights:**

The School District reserves the right to refuse to admit a non-resident student if the Superintendent of Schools or her/his designee determines that:

- placement in the School District's program would result in the exclusion of a resident student;
- the admission of the non-resident student will result in an increase in the size of the faculty or staff necessary to educate the non-resident student;
- the student has been disciplined, suspended or excluded from her/his previous school for disruptive behavior or endangering the health and safety of other students; or
- when such exclusion is deemed to be in the interests of the School District.

**Review of Policy**

The Superintendent of Schools shall periodically review the operation of this policy.

Cross-ref:     5150 School Admissions  
                     5151 Homeless Children

Ref:     Education Law §3202, Education Law §1709(13); 8 NYCRR 174.2

Adopted:

# **EXISTING POLICY**

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #5152**

**ADMISSION OF NON-RESIDENT STUDENTS**

The Board of Education affirms that its primary responsibility is to provide the best possible educational opportunities for the children who are legal residents of the District and who are of legal age to attend school. The District does not accept tuition-paying students; however, permission to attend the Roslyn Schools as a non-resident may be granted by the Board of Education in limited circumstances.

In the best interest of the students, non-resident students may be permitted to attend the Roslyn Schools as follows:

1. A resident student enrolled in the District in grades Kindergarten through 11, who becomes a non-resident after completing the third quarter of instruction during the school year (as measured by the High School calendar) may continue for the remainder of that school year in the school which he/she has been attending without payment of tuition. Such non-resident tuition-free attendance and right of attendance under this provision shall not entitle the student to attend District schools after the close of said school year and non-resident attendance in District schools under this provision shall not constitute "residency" but rather such student shall be deemed a non-resident under all provisions of this policy as of the actual date that said student ceased to reside in the District. Transportation will not be provided for such non-resident students.
2. A student who completes their 11<sup>th</sup> grade year at Roslyn High School and whose parents move from the District after the student completes his/her 11<sup>th</sup> grade year will be permitted to attend Roslyn High School for the student's senior year without payment of tuition. Transportation will not be provided for such non-resident students.
3. Application Process for Non-Resident Students Meeting the Requirements Set Forth in Paragraphs 1 and 2 above.
  - a. Applications for admission of a non-resident student to the Roslyn Schools shall be accepted only from parents or person who can produce satisfactory evidence of legal custody of such student. Such application shall be made on forms furnished by the School District upon request. A full response to all questions thereon and compliance with any directions stated on the application shall be a prerequisite to consideration for student admission under this policy.
  - b. Applications must be submitted to the Office of Pupil Personnel Services/Registration, which Office shall receive the applications on behalf of the Superintendent of Schools. Upon request, applicant shall be required to furnish such additional information or



clarification in writing if in the discretion of the Superintendent such information or clarification is necessary to evaluate eligibility under this policy.

c. Failure to file a fully completed application or to promptly furnish additional information or clarification in writing upon request shall be deemed a withdrawal and cancellation of the application.

d. An applicant seeking admission for a non-resident student as defined hereinbefore at paragraphs one (1) and two (2) shall be advised by notice set forth on the application that same will be considered on the basis of information furnished to the District.

e. In the event that the application is granted based on inaccurate and/or false or misleading information, which information if correctly stated in the application would have resulted in a denial of same pursuant to this policy, the applicant shall be responsible to pay over to the District on demand all reasonable costs for attendance at the Roslyn Schools during the non-residency period.

f. Anything herein to the contrary notwithstanding, applications for attendance in District schools by non-residents shall be subject to the decision of the Board of Education. The Superintendent shall consider conformity of the application with the foregoing and shall base his/her decision on the best interests of the: (a) School District, including, without limitation, the fiscal impact on the District; (b) applying non-resident students; and (c) resident students.

g. In the event that the Superintendent of Schools disapproves an application for non-resident attendance, the applicant may request in writing at least seven (7) days before the next regular or special meeting of the Board of Education that that Board of Education review such application.

h. In every case of non-residency, it shall be the responsibility of the parent to provide transportation.

i. Unusual requests and/or circumstances shall be brought to the attention of the Board of Education.

#### Contract Services

The District may allow outside school districts to send special education students to the District's special education programs upon payment of tuition by the non-resident student's home school district, provided that space exists and no District student is denied access to an appropriate education. Tuition fees are established consistent with State formulae.

Ref: Education Law §§1709(13); 3202(2)

Adoption Date: June 2, 2011

**POLICY #5152-R**

**ADMISSION OF NON-RESIDENT STUDENTS  
REGULATION**

**Procedures for Determination of Student Residency**

Resident students shall be defined as those who reside in the District with a parent or parents who have custody and control of the student, unless the parent or parents has executed an affidavit acknowledging a legitimate transfer of custody and control to a person in parental relation who resides within the District.

The term "person in parental relation" includes the child's father or mother, by birth or adoption, his/her stepfather or stepmother, his/her legally appointed guardian, or his/her custodian whether one or more, lawfully having the custody and control of such child.

The term "resident student" shall include emancipated minors who are beyond compulsory school age, who are independent and living apart from their parents, but are not in need or receipt of foster care and who have executed an affidavit of emancipation. The parents of such emancipated minor may also be requested to furnish an affidavit stating their knowledge as to the items included on an affidavit of emancipation.

Non-resident students shall be defined as those who reside outside the School District with a person in parental relation.

The Board of Education authorizes the Superintendent of Schools, Assistant Superintendent for Pupil Services and Personnel, Assistant Superintendent for Curriculum and Instruction, Assistant Superintendent for Business, and/or Director of K-12 Guidance to determine questions of student residency.

Prior to making a determination of entitlement to attend the schools of the District, the Board or its designee shall afford the child's parent, the person in parental relation to the child or the child as appropriate, the opportunity to submit information concerning the child's right to attend school in the District.

When the Board or its designee determines that a child is neither a resident of the District nor entitled to attend its schools, such Board or its designee shall within two (2) business days, provide written notice of its determination to the child's parent, to the person in parental relation to the child, or to the child, as appropriate.

Such written notice shall state:

1. That the child is not entitled to attend the public schools of the District;
2. The basis for the determination that the child is neither a resident of the school district nor entitled to attend its schools.
3. The date, if applicable, as of which the child will be excluded from the schools of the District; and
4. That the determination of the Board may be appealed to the Commissioner of Education, in accordance with Education Law §310, within thirty (30) days of the date of the determination, and that the procedure for taking such an appeal may be obtained from the Office of Counsel, New York State Education Department, State Education Building, Albany, New York 12234.

Ref: Education Law §§1709(3); 3202(2); 3212(1)

Adopted: January 28, 2010

# **POLICY 5460**

## **Child Abuse, Maltreatment or Neglect Outside the Educational Setting**

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### **REVISED POLICY**

<b>Policies Being Replaced</b>	<b>Policy 5460 Suspected Child Abuse, Neglect and Maltreatment</b>
<b>Reason for Revision</b>	<b>(1) Updating substance of policy to reflect current practice and law</b>

***-DRAFT REVISED POLICY-*****ROSLYN UNION FREE SCHOOL DISTRICT****CHILD ABUSE, MALTREATMENT OR NEGLECT  
OUTSIDE THE EDUCATIONAL SETTING****POLICY 5460**Mandated Reporting

New York State Social Services Law §413 et seq., sets forth the requirements for reporting suspected cases of child abuse or maltreatment. School officials include: teachers, school nurses, school guidance counselors, school psychologists, school social workers, administrators, coaches or other school personnel required to hold a teaching or administrative license or certificate. While the law provides that any person may make a report of child abuse or maltreatment to the appropriate agencies, it is believed that it is in the best interests of the children and staff at the School District that a School District central reporting procedure, consistent with the applicable laws, be implemented.

General Definitions

1. Abused Child: According to by Social Services Law and the Family Court Act, is a child less than eighteen (18) years of age whose parent or other person legally responsible for his or her care:
  - a. inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ; or
  - b. creates or allows to be created a substantial risk of physical injury to such a child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted impairment of physical or emotional health, or protracted loss or impairment of the function of any bodily organ; or
  - c. commits, or allows to be committed, a sex offense against such child, as defined in the penal law, provided, however, that the corroboration requirements contained therein shall not apply to proceedings under this article.
2. Neglected or Maltreated Child: According to the Family Court Act, a neglected or maltreated child is one who is under the age of eighteen (18) years of age:
  - a. whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure to exercise a minimum degree of care:
    - i. in supplying food, shelter, clothing or education, in accordance with the educational law, or medical, dental, optometrical or surgical care, though financially able to do so or offered financial or other reasonable means to do so; or

***-DRAFT REVISED POLICY-*****ROSLYN UNION FREE SCHOOL DISTRICT****CHILD ABUSE, MALTREATMENT OR NEGLECT  
OUTSIDE THE EDUCATIONAL SETTING****POLICY 5460**

- ii. in providing the child with proper supervision or guardianship; by unreasonably inflicting harm, or a substantial risk thereof, or by misusing a drug or drugs; or by misusing alcoholic beverages to the extent that he loses self-control of his actions; or by any other acts of a similarly serious nature; or
- b. who has been abandoned by his/her parent(s) or other person legally responsible for his/her care.

In order for a report of educational neglect to be accepted, three elements need to be established:

- a. Excessive absence from school by the child;
  - b. Reasonable cause to suspect that the parent is aware or should have been aware of the excessive absenteeism and the parent has contributed to the problem or is failing to take steps to effectively address the problem; and
  - c. Reasonable cause to suspect educational impairment or harm to the child or imminent danger of such impairment or harm.
3. Person legally responsible includes the child's custodian, guardian, or any other person responsible for the child's care at the relevant time. Custodian may include any person continually or at regular intervals found in the same household as the child when the conduct of such person causes or contributes to the abuse or neglect of the child.

Establishing Written Procedure

The School District shall prepare written instructions for members of the staff regarding oral and written reporting procedures, provisions for taking a child into protective custody, mandatory reporting of deaths, immunity from liability, penalties for failing to report and obligations for the provision of services and procedures necessary to safeguard the life or health of the child. All oral reports must be followed by a written report within forty-eight (48) hours. The School District shall provide all current and new employees with written information explaining the School District's reporting requirements, the current definitions of abuse and maltreatment, and a list of the information necessary to complete the report.

School District Relationship with Local Social Service District

The School District will cooperate to the extent possible with authorized child protective

***-DRAFT REVISED POLICY-*****ROSLYN UNION FREE SCHOOL DISTRICT****CHILD ABUSE, MALTREATMENT OR NEGLECT  
OUTSIDE THE EDUCATIONAL SETTING****POLICY 5460**

services workers in investigations of alleged child abuse. The Superintendent of Schools, or his or her designee, will represent the School District when collaborating with local social service agencies to address instances of abuse or maltreatment, and in the development of policy and procedures regarding abuse or maltreatment (including educational neglect). In addition, the Superintendent of Schools or his/her designee will share a copy of the School District's attendance policy with the local social service district.

**Staff Members to Report to Administration**

New York State Law permits any person to report suspected child abuse or maltreatment directly to the appropriate agency. It shall be the policy of the School District that all members of the staff shall report suspected child abuse or maltreatment to the administrator of the school where the child is enrolled or participating in any activity, and must either make an independent report to Child Protective Services, or verify specifically that the school administrator had notified Child Protective Services on behalf of the school.

**Confidentiality**

The School District shall ensure confidentiality of all reports and shall provide that no copy of any report be released to any person except the State or local Child Protective Services, or other such agency required by law.

1. **Request for copy of report:** If a request is made by any other person for a copy of any report, the School District shall deny that request upon the basis that disclosure could be detrimental to the child named in the report and that a duplicate copy of any report has been filed with the appropriate agency from which the person requesting copy may request a copy. If the School District is required by law to release any report, then the School District, consistent with New York State Social Services Law §422, shall prohibit the release of information that would identify the person who made the report or who cooperated in any investigation, or the name of the place of employment of such person or persons.
2. **Designated record keeper:** To ensure confidentiality, the School District shall designate one person at each school who shall maintain all reports made pursuant to this policy in one location. The School District shall provide for no more than one copy of any report being held at the central location designated at each school, and one copy of any report being held at the central location designated at each school, and one copy in a centralized location at central administration. At no time shall copies of any report made under this

***-DRAFT REVISED POLICY-*****ROSLYN UNION FREE SCHOOL DISTRICT****CHILD ABUSE, MALTREATMENT OR NEGLECT  
OUTSIDE THE EDUCATIONAL SETTING****POLICY 5460**

section be filed in a child's academic folder, nor shall any notation be made in a child's academic folder that such a report has been made.

3. Destruction of reports: If Child Protection Services or other such appropriate agency determines the allegations of child abuse or maltreatment are unfounded, then the School District shall expunge immediately from both the building and central administration records all information identifying the child's name or names of other persons in the report. In all other cases, the report of any child shall be expunged no less than twelve (12) months after the report is made by the School District to the appropriate agency.

Immunity

The School District shall emphasize to the members of the staff that New York Social Services Law provides immunity, both civil and criminal, to all persons who in good faith make a report pursuant to its guidelines as set forth in this policy and School District procedures.

School employees will not be subject to retaliatory action, as defined in state law, as a result of making a report when they reasonably suspect that a child has been abused or maltreated.

The Board of Education recognizes that knowingly reporting a false claim of child abuse is a violation of state law and this policy acknowledges that it is a crime to do so. The School District will make every reasonable effort to ensure the integrity of the School District's child abuse reporting process and procedure.

Liability

The School District shall emphasize that a person identified as a mandated reporter who fails to report a case of suspected child abuse or maltreatment can be found guilty of a class A misdemeanor, and may be liable for civil damages caused by such failure.

Continuing Education

The School District shall establish an annual mandatory training program for all current and new school officials regarding the policies and procedures established under this policy and the New York State Social Services Law. The training program will address the identification and reporting of child abuse and maltreatment, including the legal implications of reporting and not reporting. Attendance records shall be kept, and notations will be made in personnel files as to the dates of attendance. As least once per year the School District shall make available to all



***-DRAFT REVISED POLICY-***

**ROSLYN UNION FREE SCHOOL DISTRICT**

**CHILD ABUSE, MALTREATMENT OR NEGLECT  
OUTSIDE THE EDUCATIONAL SETTING**

**POLICY 5460**

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employees a speaker or such other program to increase awareness of child abuse and maltreatment.

The Superintendent of Schools or his/her designee shall develop, with input from appropriate personnel, a plan for implementation of such a training program, to be approved by the Board of Education. In addition, the policy will be distributed annually to all school personnel.

Cross-ref: 5100 Student Attendance  
5465 Child Abuse in an Educational Setting  
5500 Student Records

Ref: Child Protective Services Act of 1973, Social Services Law §§411 et seq.  
Social Services Law §34-a  
Family Court Act §1012  
Family Educational Rights and Privacy Act, 20 USC §1232g, 45 CFR §99.36  
Education Law §3209-a  
Penal Law §240.50

Adoption Date:

# **EXISTING POLICY**

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #5460**

**SUSPECTED CHILD ABUSE, NEGLECT AND  
MALTREATMENT**

The Board of Education recognizes that because of their sustained contact with school-aged children, employees are in an excellent position to identify abused or maltreated children and refer them for treatment and protection.

Pursuant to applicable law, any school official or employee who has reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment will immediately report this to the Building Principal who will report the case to the New York State Child Abuse and Maltreatment Register, as required by law.

The report shall be made by telephone or by facsimile machine on a form supplied by the Commissioner of Social Services. A written report shall be made within forty-eight hours to the appropriate local child protective service, and to the statewide Central Register for Child Abuse and Maltreatment. School employees and officials will not contact the child's family or any other person to determine the cause of the suspected abuse or maltreatment. It is not the responsibility of the school official or employee to prove that the child has been abused or maltreatment.

Any school official or employee who has cause to suspect that the death of any child is a result of child abuse or maltreatment must report that fact to the appropriate medical examiner or coroner.

In accordance with the law, any employee who fails to report an instance of suspected child abuse or maltreatment may be guilty of a Class A misdemeanor and may be held liable for the damages caused by the failure to report. The

## POLICY #5460

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law grants immunity to employees and other persons who report in good faith instances of child abuse from any liability that might otherwise be incurred.

The district will cooperate to the extent possible with authorized Child Protective Services workers in investigations of alleged child abuse.

The school district shall maintain an ongoing training program which will address the identification and reporting of child abuse and maltreatment.

The Superintendent shall develop, with input from appropriate personnel, a plan for implementation of such a training program, to be approved by the Board. In addition, the policy and regulations will be included in all employee handbooks and distributed annually to all personnel who are not covered under existing handbooks. The Superintendent will prepare and implement all regulations as are necessary to accomplish the intent of this policy.

A copy of this policy, along with the administrative regulations explaining the reporting requirements, shall be distributed to all appropriate staff.

:FPB

Adopted: 6/1991

Ref: Child Protective Services Act of 1973  
Social Services Law §§411 et seq.  
Family Court Act §1012  
Family Educational Rights and Privacy Act,  
20 USC §1232g, 45 CFR §99.36  
Education Law §3209-a

Cross-ref: 5314, Corporal Punishment Complaints  
5500, Student Records

**ROSLYN PUBLIC SCHOOLS**  
Roslyn, New York

**REGULATION #5460-R**

**SUSPECTED CHILD ABUSE, NEGLECT AND  
MALTREATMENT REGULATION**

New York State Law (Child Protective Service Act of 1973, as amended) provides for reponing of suspected cases of child abuse by school personnel. These regulations are designed to implement this law within the district and to help protect students from the harmful effects of child abuse.

Definitions

The definition of child abuse and maltreatment is established by law.

Abused Child, according to Social Services Law and the Family Court Act, is a child less than 18 years of age whose parent or other person legally responsible for his/her care:

1. inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ; or
2. creates or allows to be created a substantial risk of physical injury to such a child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted impairment of physical or emotional health, or protracted loss or impairment of the function of any bodily organ; or

## REGULATION #5460-R

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3. commits, or allows to be committed, a sex offense against such child, as defined in the penal law, provided, however, that the corroboration requirements contained therein shall not apply to proceedings under this article.

Neglected or maltreated child, according to the Family Court Act, is a child less than 18 years of age:

1. whose physical, mental, or emotional condition has been impaired or is in danger of becoming impaired as a result of the failure of his/her parents or other person legally responsible for his/her care to exercise a minimum degree of care:
  - a. in supplying the child with adequate food, clothing, shelter, or education in accordance with provisions of Part One, Article 65 of the Education Law, or medical, dental, optometrical or surgical care though financially able to do so or offered financial or other reasonable means to do so; or
  - b. in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment; or by using a drug or drugs; or by using alcoholic beverages to the extent that he/she loses self-control of his/her actions; or by any other acts of a similarly serious nature requiring the aid of the court; or
2. who has been abandoned by his/her parent(s) or other person legally responsible for his/her care.

Person Legally Responsible, includes the child's custodian, guardian, or any other person responsible for the child's care at the relevant time. Custodian may include any person continually or at regular intervals found in the same household as the child when the conduct of such person causes or contributes to the abuse or neglect of the child.

Impairment of Emotional Health and Impairment of Mental or Emotional Condition, includes a state of substantially diminished psychological or intellectual functioning in relation to, but not limited to, such factors as failure to thrive, control of aggressive or self-destructive impulses, ability to think and reason, or acting out of misbehavior, including incorrigibility, ungovernability, or habitual truancy; provided, however, that such impairment must be clearly attributable to the unwillingness or inability of the parent, guardian, or custodian to exercise a minimum degree of care toward the child.

Reporting Procedures and Related Information:

1. All district employees, including building administrators, teachers, registered nurses, doctors, psychologists or psychiatrists, and all other employees who come in contact with students are required to report cases of suspected child abuse or maltreatment to the Building Principal.
2. The Building Principal is required to:
  - a. inform the Superintendent of Schools of the information received; and
  - b. either:
    - (1) phone the New York State Child Abuse and Maltreatment Center (800-342-3720) and inform them verbally of the problem; or

## REGULATION #5460-R

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- (2) contact the above agency by telephone facsimile machine on a form supplied by the Commissioner of Social Services; and
  - c. file a written report with the local child protective services agency and the statewide central registry of child abuse and maltreatment within forty-eight hours after the above report.
- 3. The Building Principal may take photographs or cause photographs to be taken of the areas of visible trauma on the child and/or, if medically indicated, cause an examination to be performed. Such actions may be performed at public expense if they will provide appropriate documentation when filing the report.
- 4. The written report that must be filed shall include:
  - a. the name and address of the child and his/her parent(s) or guardian(s);
  - b. if applicable, the name and address of the residential care facility or program in which the child resides or is receiving care;
  - c. the child's age, sex, and race;
  - d. the nature of the child's injuries, abuse or maltreatment, including evidence of prior injuries, abuse or maltreatment to the child and his/her siblings;
  - e. if known, the name of the person(s) alleged to be responsible for causing the injury(ies), abuse or maltreatment;
  - f. the members of the family/family composition (i.e., father, mother, 2 sisters, grandmother, etc.);
  - g. the source of the report;



- h. the person making the report and where he/she can be reached;
  - i. the actions taken by the reporting source, including the taking of photographs and/or x-rays, removal or retaining of the child, and/or notifying the medical examiner or coroner; and
  - j. any other information which the Commissioner of Social Services may require.
- 5. The school physician shall notify the appropriate police authorities or the local child protective service to take custody of any child the physician is treating, whether or not additional medical treatment is required, if he/she believes the child is in danger.
- 6. If it should be necessary for Child Protective Services to interview a child at school to ascertain whether he/she has been abused or maltreated, or to obtain documentation of such acts, the interview should be conducted in the presence of a school official, unless circumstances require otherwise. The school official shall examine and verify the credentials of Child Protective Services worker(s) before allowing such worker(s) to either interview the child or to examine the child's records.

If sexual abuse is indicated, the presence of a same-sex staff member during the interview is appropriate.
- 7. The Superintendent can request a summary report of an investigation of a case referred to Child Protective Services. The adult subject of a case of suspected child abuse or maltreatment has a right to a copy of all information in the State Central register. Personnel have the right to request that information which would identify the individual making the report be withheld if furnishing such data might prove

## REGULATION #5460-R

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detrimental to the safety or interest of that individual (§422(7), Social Services Law).

8. All district employees who are required to report suspected child abuse shall be required to attend ongoing training sessions regarding identification and reporting of all cases of suspected child abuse.
9. All district employees who are required to report suspected child abuse shall be provided with a copy of these regulations and the related Board policy concerning child abuse and reporting requirements.
10. Only one report of any suspected abuse is required.
11. School personnel who, in good faith, make a report or take photographs of injuries and bruises have immunity from any liability, civil or criminal. The good faith of any person required to report cases of child abuse or maltreatment is presumed, provided such personnel were acting in the discharge of their duties and within the scope of their employment, and their liability did not result from willful misconduct or gross negligence on their part (§419, Social Services Law).
12. School personnel who have reasonable cause to suspect that a child has died as a result of child abuse or maltreatment shall report that fact to the appropriate medical examiner or coroner.
13. Any person required to report suspected cases of child abuse or maltreatment and who fails to do so may be found guilty of a class A misdemeanor and may be held civilly liable for the damages caused by this failure.

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REGULATION #5460-R

14. If a report of child abuse or maltreatment has been determined to be unfounded, all records, both in the State Central Register and in school files, shall be expunged.

:FPB

Adopted: 6/1991

# **POLICY 5465**

## **Child Abuse in an Educational Setting**

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### **REVISED POLICY**

<b>Policies Being Replaced</b>	<b>Policy 5465 Child Abuse in an Educational Setting</b>
<b>Reason for Revision</b>	<b>(1) Updating substance of policy to reflect current practice and law</b>

## **ROSLYN UNION FREE SCHOOL DISTRICT**

### **CHILD ABUSE IN AN EDUCATIONAL SETTING**

### **POLICY 5465**

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The Board of Education recognizes that children have the right to an educational setting that does not threaten their physical and emotional health and development. Child abuse by school personnel and school volunteers violates this right and therefore is strictly prohibited.

Allegations of child abuse by school personnel and school volunteers shall be reported in accordance with the requirements of Article 23-B of the Education Law.

#### Required Reporters

Any person holding any of the following positions shall be required to promptly report written and oral allegations of child abuse in an educational setting:

- school administrator
- teacher
- school nurse
- school guidance counselor
- school psychologist
- school social worker
- coaches
- other school personnel required to hold a teaching or administrative license or certificate
- Board of Education member

For purposes of this policy, persons holding these positions shall be referred to as “required reporters.”

#### Definitions

“Educational setting” means the buildings and grounds of the School District, the vehicles provided by the School District to transport students to and from school buildings, field trips, co-curricular and extra-curricular activities both on and off School District grounds, all co-curricular and extra-curricular activity sites, and any other location where direct contact between an employee and volunteer and a child has allegedly occurred.

“Child” means a person under the age of twenty-one (21) enrolled in a New York State school district, other than New York City.

“Child abuse” means any one of the following acts committed in an educational setting by an employee or volunteer against a child:

- intentionally or recklessly inflicting physical injury, serious physical injury or death;  
or

## **ROSLYN UNION FREE SCHOOL DISTRICT**

### **CHILD ABUSE IN AN EDUCATIONAL SETTING**

### **POLICY 5465**

- intentionally or recklessly engaging in conduct that creates a substantial risk of physical injury, serious physical injury or death; or
- any child sexual abuse as prohibited by sections 130 or 263 of the Penal Law; or
- the commission or attempted commission against a child of the crime of disseminating indecent materials to minors pursuant to Article 235 of the Penal Law.

#### Reporting Requirements

In any case where a written or oral allegation of child abuse by an employee or volunteer in an educational setting is made to a required reporter, the required reporter shall:

1. promptly complete the required State Education Department report form; and
2. personally deliver it to the Principal of the school in which the child abuse allegedly occurred.

If the allegation involves a child who was allegedly abused by an employee or a volunteer of a school in another school district, the required reporter must promptly forward the report form to the superintendent of schools of the district of attendance and the superintendent of schools of the school district where the abuse allegedly occurred (if different).

Upon receiving a written report, the Principal shall determine whether there is reasonable suspicion to believe that an act of child abuse has occurred. In those circumstances where the Superintendent of Schools receives the written report directly, he or she will be responsible for making the reasonable suspicion determination.

If the Principal/Superintendent of Schools determines there is reasonable suspicion to believe that an act of child abuse has occurred, he or she shall promptly notify the parent of the alleged child victim (assuming that the parent is not the person who originally reported the alleged abuse) that an allegation of child abuse in an educational setting has been made and promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Regulations of the Commissioner of Education.

If the person making the allegation of abuse is someone other than the child or the child's parent, the Principal/Superintendent of Schools shall contact the person making the report to learn the source and basis for the allegation.

The Principal shall also promptly provide a copy of the written report to the Superintendent of Schools and send a copy to the appropriate law enforcement authorities. In no event shall the Principal delay in sending the report to law enforcement because of an inability to contact the Superintendent of Schools.

**ROSLYN UNION FREE SCHOOL DISTRICT**

**CHILD ABUSE IN AN EDUCATIONAL SETTING**

**POLICY 5465**

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The Superintendent of Schools shall send to the Commissioner of Education any written report forwarded to the local law enforcement authorities where the employee or volunteer alleged to have committed an act of child abuse holds a certification or license issued by the department.

Rights of Employees and Volunteers

Any employee or volunteer against whom an allegation of child abuse has been made and against whom the School District intends to take adverse action shall be entitled to receive a copy of the report and to respond to the allegations. In addition, such persons are entitled to seek disclosure of reports involving them under the Freedom of Information Law.

Confidentiality

All reports, photographs, and other written material submitted pursuant to this policy and Article 23-B of the Education Law shall be confidential and may not be redisclosed except to law enforcement authorities involved in investigating the alleged abuse or except as expressly authorized by law or pursuant to a court-ordered subpoena. The Principal and Superintendent of Schools shall exercise reasonable care to prevent unauthorized disclosure.

Willful disclosure of a written record required to be kept confidential to a person not authorized to receive or review such record is a class A misdemeanor.

Penalties

Willful failure of an employee to prepare and submit a written report of alleged child abuse required by Article 23-B of the Education Law shall be a class A misdemeanor.

Willful failure of any Principal or Superintendent of Schools to submit a written report of alleged child abuse to an appropriate law enforcement authority, as required by Article 23-B of the Education Law, shall be a class A misdemeanor. In addition, the Commissioner of Education may, following an administrative determination, impose a civil penalty of up to five thousand dollars on any administrator who fails to submit a report of child abuse to an appropriate law enforcement authority.

The law further prohibits any principal or superintendent of schools from agreeing to withhold from the appropriate law enforcement authorities, a superintendent of schools or the Commissioner of Education, where appropriate, an allegation of child abuse in an educational setting on the part of any employee or volunteer as required by law, in return for the resignation or voluntary suspension of the alleged perpetrator. Violation of this prohibition can result in a class E felony charge and a civil penalty of up to \$20,000.

**ROSLYN UNION FREE SCHOOL DISTRICT**

**CHILD ABUSE IN AN EDUCATIONAL SETTING**

**POLICY 5465**

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Record Retention

Any report of child abuse by an employee or volunteer that does not result in a criminal conviction shall be expunged from the records kept by the School District with respect to the subject of the report after five years from the date the report was made.

Training

The Superintendent of Schools or his/her designee shall be responsible for establishing and implementing on an ongoing basis a training program for all current and new required reporters on the procedures required under Article 23-B. The program shall include at a minimum all the elements specified in Commissioner's regulations.

Cross-ref:     5100 Student Attendance  
                     5460 Child Abuse, Maltreatment or Neglect Outside the Educational Setting  
                     5500 Student Records

Ref:     Education Law §§1125-1133  
              Penal Law §§130, 235, 263  
              8 NYCRR §100.2 (hh)

Adoption Date:



# **EXISTING POLICY**

**ROSLYN PUBLIC SCHOOLS**  
Roslyn, New York

**POLICY #5465**

**CHILD ABUSE IN AN EDUCATIONAL SETTING**

The Board of Education recognizes that children have the right to an educational setting that does not threaten their physical and emotional health and development. Child abuse by school personnel and school volunteers violates this right and therefore is strictly prohibited.

Allegations of child abuse by school personnel and school volunteers shall be reported in accordance with the requirements of Article 23-B of the Education Law.

**REQUIRED REPORTERS**

Any person holding any of the following positions shall be required to promptly report written and oral allegations of child abuse in an educational setting:

- school board member
- teacher
- school nurse
- school guidance counselor
- school psychologist
- school social worker
- school administrator
- other school personnel required to hold a teaching or administrative license or certificate.

For purposes of this policy, persons holding these positions shall be referred to as "required reporters."

Other district employees may, of course, report allegations of child abuse allegedly committed by district staff and volunteers and are encouraged to do so.

DEFINITIONS

For purposes of this policy, "educational setting" means the buildings and grounds of the district, the vehicles provided by the district to transport students to and from school buildings, field trips, co-curricular and extra-curricular activities both on and off school district grounds, all co-curricular and extra-curricular activity sites, and any other location where direct contact between an employee or volunteer and a child has allegedly occurred.

"Child" means a person under the age of 21 enrolled in a New York State school district, other than New York City.

"Child abuse" generally refers to any intentional or reckless act by an employee or a volunteer against a child which injures or kills a child or creates a risk of injury or death, or constitutes child sexual abuse, or involves the actual or attempted dissemination of indecent materials to minors. If a required reporter or any other district employee has a question as to whether alleged conduct constitutes "child abuse," he or she shall promptly raise the question to the Principal of the building where the abuse is alleged to have occurred. The Principal shall consult Article 23-B of the Education Law or the school attorney, if necessary, to determine whether the allegations constitute child abuse.

REPORTING REQUIREMENTS

Required reporters and any other district employee deciding to report an allegation of child abuse by district staff or volunteers shall complete a written report as soon as practical after receiving the allegation, but in no event shall a required reporter wait more than one workday to file a report.

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POLICY #5465

The required reporter shall personally file the report with the Principal of the school in which the child abuse allegedly occurred.

If the alleged abuse did not occur in a school building, the report shall be filed with the Principal of the school attended by the alleged victim.

If the alleged abuser is an employee or volunteer of another district, the report shall be sent to the Superintendent of the district where the alleged child victim attends school and to the Superintendent of the district where the abuse allegedly occurred (if different). The report shall be prepared on a standard form supplied by the district. Each Building Principal shall keep a supply of the forms available in his or her office.

Upon receiving a written report, the Principal shall determine whether there is reasonable suspicion to believe that an act of child abuse has occurred. If the person making the allegation of abuse is someone other than the child or the child's parent, the Principal shall contact the person making the report to learn the source and basis for the allegation.

If the Principal determines there is reasonable suspicion, he or she shall promptly notify the parent of the alleged child victim (assuming that the parent is not the person who originally reported the alleged abuse). The notice shall be given by telephone (if possible) and in writing, sent via overnight mail to the parent.

The notice shall inform the parent of his/her rights and responsibilities related to the allegations of abuse.

The Principal shall also promptly provide a copy of the written report to the Superintendent and send a copy to the

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appropriate law enforcement authorities. In no event shall the Principal delay in sending the report to law enforcement because of an inability to contact the Superintendent.

The Superintendent shall send to the Commissioner of Education any written report forwarded to the local law enforcement authorities where the employee or volunteer alleged to have committed an act of child abuse holds a certificate or license issued by the department.

#### RIGHTS OF EMPLOYEES AND VOLUNTEERS

Employees. Pending resolution of the allegations, no employee against whom an allegation of child abuse has been made shall be permitted to have unsupervised contact with any district student. Any employee against whom an allegation of child abuse has been made and against whom the district intends to take adverse action shall be entitled to receive a copy of the report and to respond to the allegations.

Volunteers. Pending resolution of the allegations, no volunteer against whom an allegation of child abuse shall be permitted to render volunteer services to the district. Any volunteer against whom an allegation of child abuse has been made and against whom the district decides to take adverse action shall be entitled to receive a copy of the report and to respond to the allegations.

#### CONFIDENTIALITY

All reports and other written material submitted pursuant to this policy and Article 23-B of the Education Law shall be confidential and may not be redisclosed except to law enforcement authorities involved in investigating the alleged abuse or except as expressly authorized by law or pursuant to a court-ordered subpoena. The Principal and

Superintendent shall exercise reasonable care to prevent unauthorized disclosure.

### PENALTIES

Required Reporters. Any required reporter who willfully fails to make a written report of alleged child abuse required by Article 23-B of the Education Law shall be subject to criminal penalties provided for in law, as well as disciplinary sanctions imposed in accordance with law and any applicable collective bargaining agreement.

Administrators. Any administrator who (1) willfully fails to submit a written report of alleged child abuse to an appropriate law enforcement authority as required by Article 23-B of the Education Law, or (2) makes any agreement to withhold from law enforcement authorities, the Superintendent or the Commissioner, the fact that an allegation of child abuse in an educational setting on the part of any employee or volunteer has been made in return for the employee's or volunteer's resignation or voluntary suspension from his or her position, or (3) willfully discloses a confidential record shall be subject to criminal penalties provided for in law, as well as disciplinary sanctions imposed in accordance with law and any applicable collective bargaining agreement. In addition, the Commissioner of Education may, following an administrative determination, impose a civil penalty of up to five thousand dollars on any administrator who fails to submit a report of child abuse to an appropriate law enforcement authority.

### RECORD RETENTION

Any report of child abuse by an employee or volunteer that does not result in a criminal conviction shall be expunged from the records kept by the district with respect to the subject of the report after five years from the date the report was made.

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TRAINING

The Superintendent shall be responsible for establishing and implementing on an ongoing basis a training program for all required reporters on the procedures required under Article 23-8. The program shall include at a minimum all the elements specified in Commissioner's regulations.

FPB:S

Adopted: 1/2003

Ref: Education Law §§1125-1133  
8 NYCRR §100.2 (hh) (Reporting of Child Abuse in  
an Educational Setting)

# **ROSLYN UNION FREE SCHOOL DISTRICT**

## **3<sup>rd</sup> Reading of Policies**

**November 1, 2018**



## **POLICIES TO BE ABOLISHED**

**ROSLYN PUBLIC SCHOOLS**  
Roslyn, New York

**POLICY #2240**

**BOARD/SUPERINTENDENT RELATIONSHIP**

The Board of Education believes that the legislation of policies is the most important function of a school Board and that the execution of the policies is the function of the Superintendent of Schools.

Delegation by the Board of its executive powers to the Superintendent provides freedom for the Superintendent to manage the schools within the Board's policies and frees the Board to devote its time to policy making and appraisal functions.

The Board holds the Superintendent responsible for the:

- a. administration of its policies;
- b. execution of Board decisions;
- c. operation of the internal machinery designed to serve the school program; and
- d. keeping the Board informed about school operations and problems.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #2270**

**SCHOOL ATTORNEY**

Legal Counsel shall be appointed by the Board of Education at the annual reorganization meeting to serve at the pleasure of the Board. Counsel shall:

- a. attend meetings of the Board as requested;
- b. offer the Board such legal advice as he/she may consider to be needed, and such advice and services as the Board may request.

Counsel shall be paid a fee as established by the Board. The Board may authorize additional special fees to Counsel for services of an unusual nature or requiring more than a normal expenditure of time.

The Board may appoint additional special Counsel as they deem necessary, and provide for compensation for such services.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
Roslyn, New York

**POLICY #2280**

**CONSULTANTS TO THE BOARD**

The Board of Education may employ annually consultants with special expertise to provide services to the District at a compensation fixed by the Board.

Where the Superintendent of Schools concludes that the District would benefit from the services of a consultant, he/she shall recommend such services to the Board. Each consultant so engaged shall have his/her services reviewed annually.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
Roslyn, New York

**POLICY #4329**

**YOUTH CENTER**

The Youth Center Program shall be available to all children who are residents of the District. Youth Center is open to students in grades 6-12, each Friday and Saturday during the school year, from 7:00 p.m. to 10:00 p.m. Youth Center is open during the summer for a maximum of four evenings a week during the same hours.

The program includes basketball, table games, arts and crafts, and a variety of sports and recreational activities. Facilities include the high school gymnasiums, lounges, halls, playgrounds, nearby recreational facilities, and various other sites.

Students using the facilities are expected to behave in a responsible manner.

:FPB

Adopted: 12/1989

Revised: 5/1990

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #4332**

**TRAVEL STUDY**

The Board of Education recognizes the value of Travel Study and supports it through American Field Service.

American Field Service, the oldest student exchange program in the country, has an active chapter at Roslyn High School. AFS promotes understanding through individual and group exchanges. These experiences involve both visiting and hosting students from various parts of the United States and the world. AFS holds informational meetings throughout the year and hosts a reception in honor of foreign students.

Foreign exchange students sponsored by American Field Service may attend the schools of the District without the payment of tuition.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
Roslyn, New York

**POLICY #4334**

**ADVANCED COLLEGE PLACEMENT**

Courses shall be offered for advanced college placement (AP credit) in various areas at the high school level.

:FPB

Adopted: 12/1989

**ROSLYN PUBLIC SCHOOLS**  
**Roslyn, New York**

**POLICY #4340**

**ADULT EDUCATION PROGRAMS**

The Roslyn School District shall offer a broad range of courses through the Adult Continuing Education Program. The number and type of courses offered will be recommended by the Superintendent of Schools to the Board of Education for approval prior to each semester.

Brochures for the fall and spring semesters are mailed to all District residents.

:FPB

Adopted: 12/1989



# ROSLYN PUBLIC SCHOOLS BOARD OF EDUCATION MEETING

## AGENDA ADDENDUM Thursday, November 1, 2018

### PERSONNEL

#### P.1 Professional

Item	Name	Action	Position / Replacing	Location	From	To	Tenure Area	Certification / Class / Step / Salary
46 14	Tara Guiffre	Substitute Appointment	Per Diem Substitute Teaching Assistant	DW	11/5/18	6/30/19		TA I, \$100/day
15	Kevin McKeown	Resignation	Lunch Recreation Specialist	MS		11/2/18 (last day of employment)		
16	Mark Steinmuller	Appointment	Lunch Recreation Specialist (K.McKeown)	MS	11/5/18	6/30/19		Per RTA Contract
17	Melissa Abruzzese	Appointment	Building Tutor - Math	EH	11/5/18	6/30/19		\$60/hour

### BUSINESS & FINANCE:

**B.5** Recommendation to approve a payment in the amount of \$17,562.14 to Ingerman Smith, L.L.P. for legal services rendered to the district for the period ending 09/30/2018. **(Tabled)**

**B.14.** Recommendation to approve a proposed change order as indicated below. It is understood that: 1) the work of the change orders is required in order to continue the projects and meet the projected completion date; 2) a formal change order prepared by the architect and executed by the architect and the construction manager and the contractor will be subsequently presented for formal approval by the board of education and executed by the board president at a future meeting; and 3) the amount estimated for these change orders will be the maximum allowed unless specifically approved by the BOE when the formal change order is presented.

HTS General Construction PCO #37: Baruti Proposed Change Order PCO #37 at an estimated cost of

\$2,700. This change order represents the cost to provide labor and materials to remove the existing deteriorated concrete walkway and install new to allow for the transition to the walkway steps due to the existing slope, as requested. Park East Construction Corp. has reviewed the proposal and finds it to be fair base on the scope of work. Upon BOE approval the office of KG&D Architects will create a formal change order and forward for signatures.

**B.15.** Recommendation to approve a proposed change order as indicated below. It is understood that: 1) the work of the change orders is required in order to continue the projects and meet the projected completion date; 2) a formal change order prepared by the architect and executed by the architect and the construction manager and the contractor will be subsequently presented for formal approval by the board of education and executed by the board president at a future meeting; and 3) the amount estimated for these change orders will be the maximum allowed unless specifically approved by the BOE when the formal change order is presented.

HTS General Construction PCO #38: Baruti Proposed Change Order PCO #38 at an estimated cost not to exceed \$29,000. This change order represents the cost to provide labor and materials to reconfigure the downspouts and gutters on the Heights front canopy including the re-pitching of the canopy to allow water to drain at the building wall left and right of the new front doors. The 2 downspouts and leaders on the 2 center columns will be deleted as they could not be hidden from sight. Park East Construction Corp. is negotiating the price with the subcontractor. Upon BOE approval the office of KG&D Architects will create a formal change order and forward for signatures.

### **CURRICULUM & INSTRUCTION**

**C&I.3** Recommendation to approve 20 students and 2 chaperones from the Roslyn High School Tennis Team to attend the ~~Wild~~ **Wide** World of Sports Spring Break Training in Orlando, Florida from February 16 through 21, 2019 at an estimated cost to the district of \$5,301.00. [Total cost of trip is \$38,226.00; student contribution \$32,925.00; district contribution \$5,301.00.]

### **BOARD OF EDUCATION:**

**BOE.1** Recommendation to conduct the *first* reading of Board of Education Policies

To abolish the following:

2700 Board Staff Communications **(Withdrawn)**