BOARD MEMBERS PRESENT:
Philip Matttraction
Iris Friedman
Wayne Storey
Willie Bruce Jr.
Jody Little
John Burns
Raymond Matthews
Rev. Julius Collins

ABSENT:
Maxine Chapin

ADMINISTRATORS:
Lisa A. Wiles, Superintendent
Angela Urbina-Medina, Asst. for C&I
Vince Napoli, Asst. Supt. for Business
Stuart Waxman, School Attorney
James Drohan, School Attorney

P. Matttraction, President, called the meeting to order at 5:00 p.m. in attendance were: P. Matttraction, I. Friedman, J. Little, W. Bruce Jr., W. Storey, J. Burns, R. Matthews, J. Collins and L. Wiles.

Motion by J. Burns, second by W. Bruce, Jr. to recess into executive session to discuss personnel, 3020A charges against employee.

Vote     Yes  8   No   0

Motion by W. Storey, second by J. Burns to adjourn the executive session and return to open session.

Vote     Yes  8   No   0

Executive session adjourned at 7:38 p.m.

Respectfully submitted,

P. Matttraction
02-35 ACCEPTANCE OF MINUTES

Motion by R. Matthews, second by J. Little, to accept the minutes of the following board meetings:

December 12, 2017

<table>
<thead>
<tr>
<th>Vote</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>8</td>
<td>0</td>
</tr>
</tbody>
</table>

02-36 PUBLIC FORUM

F. Gurgui – He spoke about using textbooks verses Chromebooks in the classroom.

Superintendent Wiles – Stated the Chromebooks do not go home with students.

02-37 PRESENTATIONS

Dr. Chuck Khoury, Ulster BOCES District Superintendent- He spoke about the services provided by Ulster County BOCES.

Angela Urbina-Medina and Kindergarten teachers- Showed a power point presentation and shared some experiences they had regarding the program. Ms. Porter, a parent spoke about how engaged her child is with Superkids and she can’t wait to tell her what she did in school everyday.

Angela Urbina-Medina- She stated for both Social Studies and Science, instruction has trended away from using traditional textbooks. The teachers have expanded their use of resources and will continue to do so as we move toward full implementation of the revised standards in all content areas. Ulster BOCES will be working with school districts on the rollout of the new standards.

02-38 REPORTS/INFORMATION AND/OR CORRESPONDENCE

P. Mattracion – He stated on March 1st is a Drug Awareness Presentation at the school regarding Opioid addiction and Chris Herren, a former NBA basketball player will be present; and the next regularly scheduled board meeting is Tuesday, February 13, 2018, at 7:30 p.m. in the high school media center.

J. Burns – Inquired about a date for the BoardDocs training for board members.

W. Storey – Stated his daughter is sharing a Chromebook and there are not enough for every student. He asked that the district look into this issue.

Reham Perry, Student Rep. Vice President – Update on sports events; Elementary Student Council put hats, gloves and scarfs all throughout town; Key Club is hosting a hat, glove and scarf drive; high school students with perfect attendance attended a pizza party to congratulate them; and Honor students went to an ice cream social the week before that.

L. Wiles, Superintendent – She stated a letter was sent to Wayne Lonstein on behalf of the board regarding the request for an additional bus at 5:45 p.m.

V. Napoli, Asst. Supt. for Business – He answered questions regarding the construction project.
DISCUSSION ITEM – None.

02-39 TABLED AND/OR NEW RESOLUTIONS

Motion by R. Matthews, second by W. Storey that Anna Brennecke who holds a Professional New York State certificate in Students with Disabilities (Grades 7-12), be appointed to a four-year probationary position of Special Education Teacher and in the tenure area of Special Education, effective February 12, 2018 through February 12, 2022, at a contractual rate of $77,949.00 (Step 7 B+43+M). Be it further resolved that, to the extent applicable under Education Law Section 3012-d and the accompanying Commissioner's Regulations, in order to be considered for tenure, Anna Brennecke must have received an APPR rating of effective or highly effective in three of the four probationary years and must not receive an ineffective in the final year.

Vote

Yes 8
No 0

Motion by J. Little, second by W. Storey that Jennifer Porter be appointed substitute clerical at a rate of $95.00 per day worked, substitute teacher aide at a rate of $77.00 per day worked and substitute cafeteria monitor at a rate of $11.00 per hour worked for the 2017-18 school year.

Vote

Yes 8
No 0

Motion by J. Collins, second by I. Friedman that Walter Ganga and Michael DePuy (mailroom) be appointed substitute cleaner's at a rate of $13.50 per hour worked for the 2017-2018 school year.

Vote

Yes 8
No 0

Motion by W. Bruce, Jr., second by W. Storey that Chris Mason be appointed uncertified substitute teacher at a rate of $95.00 per day worked for the 2017-18 school year.

Vote

Yes 8
No 0

Motion by J. Collins, second by W. Bruce, Jr. that the Co-curricular personnel, as set forth on the list below, be approved at the contractual rate listed for the 2017-18 school year.

<table>
<thead>
<tr>
<th>Timekeeper (sub)</th>
<th>Annette Steele</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chaperone (sub)</td>
<td>$62 per game</td>
</tr>
<tr>
<td></td>
<td>$43 per event</td>
</tr>
</tbody>
</table>

Vote

Yes 8
No 0

Motion by J. Collins, second by J. Little that the following clubs be created and approved.

<table>
<thead>
<tr>
<th>High School Chemistry Club</th>
</tr>
</thead>
<tbody>
<tr>
<td>Middle School Gay Straight Alliance Club</td>
</tr>
</tbody>
</table>

Vote

Yes 5
No 3

R. Matthews
P. Mattraction
J. Collins
I. Friedman
J. Little

J. Burns
W. Bruce, Jr.
W. Storey

1/9/18
Motion by W. Storey, second by W. Bruce, Jr. that the following High School Extended Day Program personnel, listed below, be approved at a rate of $42.00, per hour worked, 2 hours daily, 2 days per week, for the 2017-18 school year.

<table>
<thead>
<tr>
<th>AIS English As A New Language (ENL)</th>
<th>Carl Bueti</th>
</tr>
</thead>
</table>

Vote  Yes  8  No  0

Motion by J. Collins, second by J. Little that the following individuals be approved to work on the Wellness Committee after school for the 2017-18 school year not to exceed 10 hours worked, at the rate indicated below.

<table>
<thead>
<tr>
<th>Phil Althouse</th>
<th>$41.00 per hour worked</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rebecca Cole</td>
<td>$41.00 per hour worked</td>
</tr>
<tr>
<td>Lindsey Mead</td>
<td>$41.00 per hour worked</td>
</tr>
<tr>
<td>Maxwell Mead</td>
<td>$41.00 per hour worked</td>
</tr>
<tr>
<td>Kassandra Mariner</td>
<td>$41.00 per hour worked</td>
</tr>
</tbody>
</table>

Vote  Yes  8  No  0

Motion by J. Little, second by I. Friedman that the appointment of Katelyn Hall, Senior Typist be made permanent following a successful probationary period of six months, effective January 24, 2018.

Vote  Yes  8  No  0

Motion by R. Matthews, second by I. Friedman that the appointment of Sabrina Decker, Senior Typist be made permanent following a successful probationary period of six months, effective January 26, 2018.

Vote  Yes  8  No  0

Motion by W. Storey, second by I. Friedman that the probationary appointment of Gabriela McCombs be extended for an additional six months with a new probationary expiration date of June 30, 2018.

Vote  Yes  8  No  0

Motion by J. Burns to move resolutions 8.2.1 through 8.2.3, second by W. Storey.

8.2.1 Resolved that this be considered the second and final reading of Policy #3271, Solicitation of Charitable of Donations.
8.2.2 Resolved that this be considered the **second and final reading** of the following #6000 Policies:

- #6212, Certification and Qualifications.
- #6213, Registration and Professional Development.
- #6215, Probation and Tenure.
- #6217, Professional Staff: Separation.
- #6220, Temporary Personnel.
- #6310, Appointment-Support Staff.
- #6320, Supplementary School Personnel.
- #6420, Personnel Records And Release Of Information.
- #6440, Negotiations.
- #6450, Theft of Services or Property.
- #6460, Jury Dury.
- #6480, Use of Recording Devices in the District.
- #6510, Health Insurance.
- #6530, Employee Assistance Program (EAP).

8.2.3 Resolved that this be considered the **first reading** of the following #6000 and #7000 Policies:

- #6540, Defense and Indemnification of Board Members and Employees.
- #6550, Leaves of Absence.
- #6551, Family and Medical Leave Act.
- #6570, Payroll Deductions.
- #7111, Release Time of Students.
- #7120, Age of Entrance.
- #7131, Education of Homeless Children and Youth.
- #7132, Non-Resident Students.
- #7210, Student Evaluation.
- #7211, Provision of Interpreter Services to Parents Who Are Hearing Impaired.
- #7213, Class Rank/Weighted Grades for Advanced Placement Classes and College Level Courses.
- #7222, Credential Options for Students with Disabilities.
- #7223, Graduation Ceremonies.
- #7230, Dual Credit for College Courses.
- #7242, Military Recruiters’ Access to Secondary School Students and Information on Students.
- #7243, Student Data Breaches.
- #7250, Student Privacy, Parental Access to Information, and Administration of Certain Physical Examinations to Minors.

Motion by J. Burns to move resolutions 8.5.1 through 8.5.2, second by W. Bruce, Jr.

8.5.1 Resolved that the attached list of student IEP’s be acknowledged as appropriate (61). See attached.

8.5.2 Resolved that the following **volunteers** be approved for the 2017-18 school year, as attached.

<table>
<thead>
<tr>
<th>Vote</th>
<th>Yes</th>
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</tbody>
</table>
Motion by J. Burns to move resolutions 8.6.1 through 8.6.2, second by W. Bruce, Jr.

8.6.1 Resolved that change order #GC-06, for a deletion, in the amount of $6,707.00, for Darlind Associates, Inc., be approved.

8.6.2 Resolved that invoice GC-10 payment for the General Contractor, in the amount of $59,420.74 be approved for Darlind Associates, Inc.

Vote Yes 8 No 0

Motion by J. Burns to move resolutions 8.7.1 and 8.7.2, second by J. Little.

8.7.1 Resolved that the mileage rate be set at the current federal IRS rate of $.545 cents per mile and that adjustment be authorized in accordance with federal changes, effective January 1, 2018. (increase)

8.7.2 Resolved that the Board of Education of the Ellenville Central School District approve the contract with The Center for Discovery, Inc. to provide OT/PT services for student #19903016, for the 2017-18 school year.

Vote Yes 8 No 0

Motion by J. Collins, second by W. Bruce, Jr. to adjourn the meeting at 9:25 p.m.

Vote Yes 8 No 0

Respectfully submitted,

______________________________
Marisol Hembdt
District Clerk

Recorded and transcribed by:

______________________________
Nafeeza Doria
Board Secretary

1/9/18
SUBJECT: SOLICITATION OF CHARITABLE DONATIONS

School Children

Direct solicitation of charitable donations from children in the District schools on school property during regular school hours shall not be permitted. It will be a violation of District policy to ask District school children directly to contribute money or goods for the benefit of a charity during the hours in which District students are compelled to be on school premises.

This policy does allow the following types of fund raising activities:

a) Fund raising activities which take place on or off school premises, outside of regular school hours during before-school or after-school extracurricular periods;

b) The sale of tickets to students for a social, musical, theatrical or athletic event where a portion of the proceeds go to a charitable purpose;

c) Indirect forms of charitable solicitation on school premises that are non-coercive, such as placing a bin or collection box in a hallway or other common area for the donation of food, clothing, other goods or money. However, collection of charitable contributions of food, clothing, other goods or funds from students in the classroom or homeroom is prohibited.

The Superintendent shall decide which organizations, groups, etc. can solicit charitable donations and for what purposes, as long as the activities comply with the terms of this policy and the Rules of the Board of Regents.

School Personnel

Soliciting of funds from school personnel by persons or organizations representing public or private organizations shall be prohibited. The Superintendent of Schools shall have the authority to make exceptions to this policy in cases where such solicitation is considered to be in the District's best interest. The Board of Education shall be notified of these instances.

New York State Constitution Article 8, Section 1
Education Law Section 414
8 NYCRR Section 19.6

NOTE: Refer also to Policy #7450 -- Fund Raising by Students
Refer to Regulation #3271

Adoption Date
SUBJECT: CERTIFICATION AND QUALIFICATIONS

The following provisions shall govern certification and qualifications of District personnel:

a) In accordance with applicable statutes, Rules of the Board of Regents, and Regulations of the Commissioner of Education, each employee whose employment requires certification or other licensure shall inform the Superintendent of Schools immediately of any change in the status of his/her certification or licensure. The changes shall include, but not be limited to, the granting, revocation, upgrading, expiration, conversion and/or extension of these documents as to their periods of validity or their titles.

b) Commissioner's regulations extend the expiration dates for various certificate holders engaged in active military service for the period of active service and an additional 12 months from the end of such service. The regulations also reduce the professional development requirements for certification holders called to active duty for the time of such active service.

c) The original certificates and/or licenses must be presented for examination and copying in the Office of the Superintendent of Schools as soon as they are available to the employee. The copies will be maintained in the employee's personnel file in support of the legitimate employment of each affected employee. The failure of any such employee to possess the required certification or other licensure may result in the discharge of that employee.

d) Whether or not the District verifies an individual's certification or licensure does not waive the responsibility of the employee to maintain what is required for his/her assignment.

Qualifications of Teachers

a) The District must ensure that a candidate for a teaching certificate or license as a special education teacher shall, in addition to all other certification or licensing requirements, have completed enhanced course work or training in the area of children with autism.

b) Enhanced training in the needs of autistic children shall also be completed by each certified school administrator or supervisor assigned to serve as a special education administrator. Such training shall be provided prior to, or as soon as practicable following, assignment as a special education administrator. The enhanced course work or training shall be obtained from an institution or provider approved by the department except that a school district or a Board of Cooperative Educational Services (BOCES) may provide such training as part of its professional development program.
SUBJECT: CERTIFICATION AND QUALIFICATIONS (Cont'd.)

Parent Notification

The District is required to provide parents, upon request, with specific information about the professional qualifications of their children's classroom teachers. The following shall be provided by the District upon such requests:

a) If the teacher has met New York State qualifications and licensing criteria for the grade levels and subject areas he/she teaches;

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

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

d) If the child is provided services by any instructional aides or similar paraprofessionals and, if so, their qualifications.

All requests shall be honored in a timely manner.

20 USC Section 7801(23)
34 CFR Sections 200.55 and 200.56
Education Law Sections 210, 305, 3001, 3001-a, 3004, 3006 and 3008
8 NYCRR Subparts 52.21, 57-3, 80-1, 80-2, 80-3, 80.4, 80.5, 100.2(dd) and 100.2(o)
SUBJECT: REGISTRATION AND PROFESSIONAL DEVELOPMENT

Registration

All employees holding a lifetime certificate in classroom teaching, teaching assistant, or educational leadership service (school building leader, school district leader, or school district business leader) must register with the State Education Department (SED) every five years through the TEACH system. Only registered employees may teach or supervise in the District.

Teachers and administrators with a permanent, professional, or a Level III teaching assistant certificate issued before July 1, 2016 must apply for initial registration during the 2016-2017 school year during their birth month. These certificate holders must thereafter renew their registration every five years during their birth month.

Teachers and administrators with a professional or a Level III teaching assistant certificate issued on or after July 1, 2016 will be automatically registered. These certificate holders must thereafter renew their registration every five years during their birth month.

Certificate holders who do not timely register may not be employed and may be subject to monthly late fees after the first, transitional five-year registration period. Employees who change their name or address must also update SED within 180 days through the TEACH system.

Continuing Teacher and Leader Education (CTLE) Credit Hours

All District teachers and educational leaders with a professional or Level III teaching assistant certificate must complete 100 hours of acceptable CTLE during each five-year registration period to maintain a valid certificate. This requirement may be completed at any time over the course of a five-year period. Credit hours cannot carry over, however, to subsequent registration periods.

SED sets high standards for courses, programs, and activities that qualify for CTLE credit, and it must approve all CTLE sponsors. Generally, acceptable CTLE will be in the content area of any certificate title held by an individual or in pedagogy. Further, the CTLE will be aligned with professional development standards created by the New York Professional Standards and Practices Board for Teaching.

The District will describe opportunities for teachers and administrators to engage in CTLE in its Professional Development Plan. The District will provide CTLE opportunities that improve student performance and the teacher's or administrator's pedagogical or leadership skills, and that promote professionalism. A peer-review teacher or principal acting as an independent trained evaluator who conducts a classroom observation as part of a teacher evaluation under relevant sections of the Education Law may apply the observation time to fulfilling CTLE requirements. Time spent mentoring may also be counted toward required CTLE credit hours.
SUBJECT: REGISTRATION AND PROFESSIONAL DEVELOPMENT (Cont’d.)

Language Acquisition CTLE and Exemption

Employees holding English to Speakers of Other Languages certificate or bilingual extension annotations are required to complete 50 CTLE hours in language acquisition aligned with the core content area of instruction taught, including a focus on best practices for co-teaching strategies, and integrating language and content instruction for English Language Learner (ELL) students. All other certificate holders must complete at least 15 CTLE hours dedicated to language acquisition addressing the needs of ELLs, including a focus on best practices for co-teaching strategies and integrating language and content instruction for ELLs. Employees holding a Level III teaching assistant certificate must complete at least 15 CTLE hours in language acquisition addressing the needs of ELLs and integrating language and content instruction for ELLs.

Employees may be eligible for a waiver of language acquisition CTLE requirements. Each school year when there are fewer than 30 ELL students enrolled in the District or ELLs make up less than 5% of the total student population, the District may obtain an exemption. If the District obtains this exemption, employees would be exempt from the language acquisition CTLE requirement for each year that they are employed in the District.

CTLE Adjustments

The Commissioner may adjust an employee’s number of CTLE hours or time to complete them due to poor health, as certified by a health-care provider; extended active duty in the Armed Forces; or other acceptable good cause.

Any employee who obtains certification from the National Board for Professional Teaching Standards will be considered CTLE-compliant for the registration period in which he or she obtains this certification. The employee must still meet any language acquisition requirements, however.

Recordkeeping and Reporting Requirements

Employees must maintain a record of completed CTLE for at least three years from the end of the applicable registration period. The District will maintain a record of any professional development it conducts or provides for at least seven years from the date of completion. The District will also submit all required reports to SED each year.

8 NYCRR Subpart 80-3 and Section 100.2(dd)
NOTE: Refer also to Policy #6160 – Professional Growth/Staff Development

Adoption Date
SUBJECT: PROBATION AND TENURE

Probation

Certified staff members shall be appointed to a probationary period by a majority vote of the Board of Education upon recommendation of the Superintendent of Schools.

Teachers, all other members of the teaching staff, administrators, directors, supervisors, principals, and all other members of the supervisory staff, except associate, assistant, and other superintendents, will be appointed to a probationary period of four years. The probationary period will not exceed three years for teachers previously appointed to tenure in this or another school district or BOCES within the state, provided that the teacher was not dismissed from the prior district or BOCES and received an annual professional performance review (APPR) rating in his or her final year of service there. Additionally, up to two years of service as a regular substitute teacher may be applied toward probationary service. In order to be eligible for this credit, classroom teachers must receive APPR ratings in each of their years of service as a regular substitute.

During the probationary period, a staff member shall be given assistance in adjusting to the new position, but the essential qualifications for acceptable performance shall be assumed because of the possession by the staff member of the required certification or license.

A staff member's appointment may be discontinued at any time during his or her probationary period upon the recommendation of the Superintendent and by majority vote of the Board. Any person not recommended for tenure appointment will be notified in writing by the Superintendent no later than 60 days before his or her probationary period expires.

Tenure

The Board will follow all applicable laws and regulations regarding tenure.

At the expiration of the probationary period or within six months prior, the Superintendent will make a written report to the Board recommending for appointment to tenure 1) those non-teaching certified staff members who successfully completed their probationary period in the District, and 2) teachers and principals who have been found competent, efficient, and satisfactory, and who have received the APPR rating of effective or highly effective in at least three of the preceding four years. If a teacher or principal receive an APPR rating of ineffective in their final probationary year, the Board may not award tenure, but may extend that teacher's or principal's probationary time by an additional year. The teacher or principal may be eligible for immediate tenure if he or she successfully appeals the ineffective rating. The Board may then—by a majority vote—appoint to tenure any or all of the persons recommended by the Superintendent.
SUBJECT: PROBATION AND TENURE (Cont'd.)

The Board may also grant tenure contingent upon a teacher's or principal's receipt of a minimum APPR rating in the final year of the probationary period.

Resolutions Making Appointments

Each resolution making a probationary appointment or an appointment on tenure will specify:

a) The name of the appointee;

b) The tenure area or areas in which the professional educator will devote a substantial portion of his/her time;

c) The date of commencement of probationary service or service on tenure in each such area;

d) The expiration date of the appointment, if made on a probationary basis; For appointments of classroom teachers and principals, the resolution must state that:

1. To receive tenure, the individual must receive composite or overall APPR ratings of effective or highly effective in at least three of the four preceding years; and

2. If the teacher or principal receives an ineffective composite or overall APPR rating in his or her final year of probation, he or she will not be eligible for tenure at that time.

e) The certification status of the appointee in reference to the position to which the individual is appointed.

Education Law Sections 2509, 3012 and 3031
8 NYCRR Part 30

Adoption Date
SUBJECT: PROFESSIONAL STAFF: SEPARATION

A probationary professional staff member may be discontinued at any time during his/her probationary period on the recommendation of the Superintendent and by a majority vote of the Board of Education.

If the Superintendent will be submitting to the Board a negative recommendation for tenure or a recommendation to discontinue the services of a probationary professional staff member, the Superintendent must give the probationary employee written notice thirty (30) days prior to the Board meeting at which such recommendation will be considered. If a majority of the Board accepts the recommendation and votes to dismiss, the professional staff member must then be given a written notice at least thirty (30) days prior to the effective date of termination of services. The District will adhere to all other statutory timeframes.

The Board shall expect any professional staff member desiring to terminate his/her services to provide the Board with a minimum of thirty (30) days notice before the effective termination date.

When possible, a professional staff member shall make every effort to terminate employment at the end of the school year. Resignations must be in writing and include the effective date.

Education Law Sections 2509, 3012, 3019-a and 3031

Adoption Date
SUBJECT: TEMPORARY PERSONNEL

District's needs may sometimes require temporary appointments. The terms of these appointments shall be defined by the Board of Education on a case-by-case basis.

Student Teachers

The Ellenville Central School District may cooperate with teacher training institutions in the placement of student teachers in order to provide beginning teachers with the best possible student teaching experience.

Schools must allow student teachers to videotape themselves providing instruction in a classroom to meet their performance assessment requirements for their teaching certification. The video must remain confidential, is a confidential record of SED, and is not subject to viewing or disclosure to an individual or entity other than the student teacher applicant and relevant personnel. Students for whom videotaping is prohibited will be removed from view of the camera during the videotaping.

Student teachers shall be protected from liability for negligence or other acts resulting in accidental injury to any person by the School District, as provided by law.

Mentor teachers must be within sight and sound of student teachers when they are engaged in the classroom.

Substitute Teachers

A substitute teacher qualified to teach in the Ellenville Central School District shall be employed, whenever possible, by the Superintendent of Schools in the absence of a regular teacher. It is recognized that fully certified persons will not always be available for employment as substitute teachers.

Eligibility for Service

Per Commissioner's Regulations Section 80-5.4, there shall be three (3) categories of substitutes as follows:

a) Substitutes with valid teaching certificates or certificates of qualification. Service may be rendered in any capacity, for any number of days. If employed on more than an "itinerant" basis, such persons will be employed in an area for which they are certified.
SUBJECT: TEMPORARY PERSONNEL (Cont’d.)

b) Substitutes without a valid certificate, but who are completing collegiate study towards certification at the rate of not less than six (6) semester hours per year. Service may be rendered in any capacity, for any number of days, in any number of school districts. If employed on more than an "itinerant" basis, such persons will be employed in the area for which they are seeking certification. Substitutes are required to have at least 60 college credits.

c) Substitutes without a valid certificate and who are not working towards certification may serve for no more than 40 days per school year. In extreme circumstances—where there is an urgent need for a substitute teacher—however, the District may employ this substitute teacher beyond the 40-day limit, for up to an additional 50 days (90 days total in a school year), if the Superintendent certifies that the District conducted a good-faith recruitment search and there are no certified teachers available who can perform the duties of the position.

The District may hire this substitute teacher beyond the 90 days only if the Superintendent attests that the District conducted a good-faith recruitment search, but there are still no certified teachers available who can perform the duties of the position and that the District needs a particular substitute teacher to work with a specific class or group of students until the end of the school year.

Compensation

Per Diem Substitutes

The Board of Education shall annually establish the ordinary rate for per diem substitute teachers.

Long Term Substitutes

Long term substitutes, as defined by the collective bargaining agreement, will be appointed by the Board of Education with the recommendation of the Superintendent and in compliance with the collective bargaining agreement between the Ellenville Central School District and Ellenville Teachers’ and School Related Professionals’ Association, Teachers Unit.

Education Law Section 3023
8 NYCRR Sections 80-1.5 and 80-5.4

NOTE: Refer also to Policy #7240 -- Student Records: Access and Challenge

Adoption Date
SUBJECT: APPOINTMENT - SUPPORT STAFF

The recruitment and hiring of all non-instructional staff will be carried out in compliance with the appropriate Civil Service Laws and Regulations as monitored by the County Civil Service Department. In the absence of any Civil Service exam list for a given position, the District will seek candidates elsewhere. However, candidates selected will be required after provisional appointment to fulfill all Civil Service requirements as prescribed by the County Civil Service Department. The School Business Official is charged with assuring District compliance with these requirements. All employees must be appointed by the Board of Education.

The probationary period for all new civil service employees shall be for the maximum period established by the local Civil Service Commission.

The time, place and conditions of employment, including assignment and transfer, shall be assigned by the Superintendent of Schools who shall conduct such actions in compliance with all applicable contract provisions. The duties for each Civil Service employee shall be clearly defined.

Civil Service Law Section 63
SUBJECT: SUPPLEMENTARY SCHOOL PERSONNEL

Teacher Aides

In accordance with the Regulations of the Commissioner, the Board of Education may employ teacher aides to assist in the daily operation of the school through non-teaching duties.

The duties and responsibilities to be assumed by teacher aides shall be outlined by the Superintendent in accordance with Civil Service guidelines. Teacher aides shall be responsible to the Building Principal/designee.

A teacher aide may be assigned to assist teachers in such non-teaching duties as described in the appropriate job description.

Teaching Assistants

In accordance with the Regulations of the Commissioner, the Board of Education may employ teaching assistants to provide, under the general supervision of a licensed or certified teacher, direct instructional service to students.

Teaching assistants assist teachers by performing duties such as:

a) Working with individual students or groups of students on special instructional projects;

b) Providing the teacher with information about students that will assist the teacher in the development of appropriate learning aspects;

c) Assisting students in the use of available instructional resources and assisting in the development of instructional materials;

d) Utilizing their own special skills and abilities by assisting in instructional programs in such areas as foreign language, arts, crafts, music, and similar subjects; and

e) Assisting in related instructional work as required.
SUBJECT:  SUPPLEMENTARY SCHOOL PERSONNEL (Cont'd.)

Teaching assistants who hold a pre-professional teaching assistant certificate shall have the same scope of duties as enumerated above for other teaching assistants. Within that scope of duties, teaching assistants holding a pre-professional teaching assistant certificate may, at the discretion of the District, and while under the general supervision of a teacher, perform such duties as:

a) Working with small groups of students so that the teacher can work with a large group or individual students;

b) Helping a teacher to construct a lesson plan;

c) Presenting segments of lesson plans, as directed by the teacher;

d) Helping a teacher to train other teaching assistants when requested by Administration.

Licensure and certification requirements shall be as mandated pursuant to Commissioner's Regulations.

8 NYCRR Section 80-5.6, 80-5.9
SUBJECT: PERSONNEL RECORDS AND RELEASE OF INFORMATION

Personnel Records

Administrative regulations will be developed to implement the terms of this policy to maintain a personnel file for each teacher, administrator and support staff member employed by the District.

Regulations and procedures will be developed addressing the inspection by District employees of their personnel files.

Release of Personnel Information

All steps should be taken to protect the privacy of the employees of the School District. To ensure the individual’s privacy, directory or confidential information should not be shared with a third party except in the following situations:

a) When members of the Board of Education need information from the employee’s personnel record to aid them in performing their legal responsibilities in such matters as appointments, assignments, promotions, demotions, remuneration, discipline, dismissal or to aid in the development and implementation of personnel policies.

b) When the employee grants permission.

c) When required by law.

Release of Information Concerning Former Employees

The District shall not release information concerning the employment records, personnel file or past performance of a former employee, unless such information is required to be disclosed by law. Only the initial and final dates of employment and the position held shall be provided through a written response to a written request. The former employee may authorize the release of any additional information.

Public Officers Law Section 87
8 NYCRR Part 84

NOTE: Refer also to Policy #5673 -- Employee Personal Identifying Information

Adoption Date
SUBJECT: NEGOTIATIONS

Legal Status

The legal status for negotiations is the Public Employees' Fair Employment Law (Taylor Law), Civil Service Law Article 14.

Organizations recognized for the purposes of collective bargaining include:

a) Ellenville Teachers' and School Related Personnel Association (ETSRPA) – Teachers' Unit and School Related Professionals' Unit;

b) Ellenville Central School District Administrators and Supervisors Association (ECASA).

Superintendent's Role in Negotiations

The Superintendent of Schools and the District's attorney will be involved in the negotiating process.

Adoption Date
SUBJECT: THEFT OF SERVICES OR PROPERTY

The theft of services or property from the District by an employee will result in immediate disciplinary action that can lead to dismissal or other penalty, and shall not preclude the filing of criminal or civil charges by the District.

Penal Law Section 165.15

Adoption Date
SUBJECT: JURY DUTY

A District employee called for jury duty shall receive his/her full day's pay from the School District. No employee shall be entitled to receive the per diem allowance from the Unified Court System for any regularly scheduled workday on which jury duty is rendered if on such a day his/her wages are not withheld on account of such service.

Judiciary Law Section 521(b)
SUBJECT: USE OF RECORDING DEVICES IN THE DISTRICT

No employee may use any device to record their conversation with another District employee while on District premises or off premises when District business is being discussed, without the employee first receiving the permission of all of the employees who partake in the conversation prior to the recording being made.

This policy shall not apply to the use of a recording device at a public meeting of a Board of Education, or committee appointed thereby, or a meeting of the Committee on Special Education or Committee on Pre-School Special Education. The recording of a public meeting of a Board of Education, or committee appointed thereby, is permissible as long as the device is unobtrusive and will not distract from the true deliberative process of the Board. However, the Board President or chairperson of the committee shall be informed prior to the meeting that such recordings are being made. The Board and/or committee, in addition, reserve the right to direct that a recording be made to ensure a reliable, accurate, and complete account of Board meetings.

Reference for §2: Open Meetings Law, Public Officers Law §§100 et. seq.
SUBJECT: HEALTH INSURANCE

Health insurance for certified and support staffs shall be in accordance with their respective negotiated agreements and applicable law.

Continuation of Medical Insurance Coverage at Termination of Employment

Under the provisions of the federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), employees and their dependents are eligible to continue their insurance coverage for up to eighteen (18) months when termination of their insurance is due to a reduction in their hours worked, or upon termination of their employment for reasons other than gross misconduct.

Dependents and spouses of employees are eligible to continue their insurance for up to thirty-six (36) months upon occurrence of one (1) of the following events:

a) Death of the covered employee; or

b) Divorce or legal separation from the covered employee; or

c) An employee becomes eligible for Medicare and ceases to participate in the employer-sponsored plan; or

d) The dependents of a covered employee reach the maximum age for dependent coverage.

Those who are eligible to continue coverage have up to sixty (60) days to complete the Continuation of Coverage Election Form. Premiums and administrative costs will be paid in accordance with law.

Consolidated Omnibus Budget Reconciliation Act of 1985
Insurance Law Section 3221(m)(4)(5) and (6)
Patient Protection and Affordable Care Act (ACA), Public Law 111-148

Adoption Date
SUBJECT: EMPLOYEE ASSISTANCE PROGRAM (EAP)

The District will provide an Employee Assistance Program for employees who are experiencing personal difficulties. The purpose of the program is to assist employees in obtaining help to resolve such problems in an effective and confidential manner. This program recognizes that the primary obligation to seek assistance and to resolve the problem rests with the employee.

The Board recognizes that a wide range of problems that are not directly associated with an employee's job function may have an effect on an employee's job performance. The problems may involve physical illness, mental or emotional illness, alcohol abuse or alcoholism, drug abuse or dependency, tobacco abuse or personal problems such as those of a marital, family, or financial nature.

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
    #6150 -- Alcohol, Drugs and Other Substances (School Personnel)
    #6151 -- Drug-Free Workplace
SUBJECT: DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES

Liability Protection Pursuant to Education Law

The Board of Education recognizes its statutory obligation to indemnify School District employees (and in certain circumstances, Board of Education members and volunteers) pursuant to the provisions of Education Law Sections 3023, 3028 and 3811. For the purposes of this policy, the term "employee" shall be as defined in the applicable statute(s).

The District shall not be subject to the duty to defend unless the employee, within the time prescribed by statute, delivers appropriate notice of the claim to the Board of Education.

a) For purposes of Education Law Section 3811, the employee must give written notice within five (5) days after service of process upon him/her. The statute mandates only written notice of the claim to the Board of Education; however, submission of relevant legal documents by the employee to the Board is also encouraged.

b) For purposes of Education Law Sections 3023 and 3028, the employee must deliver the original or a copy of the relevant legal documents to the Board within ten (10) days after service of process upon him/her.

The District will provide legal defense and/or indemnification for all damages, costs, and reasonable expenses incurred in the defense of an action or proceeding if authorized pursuant to statute and provided that the alleged action or omission which occurred or allegedly occurred is covered by the appropriate statute(s). Furthermore, the District will not be required to provide indemnification protection and/or legal defense unless the employee was, at the time of the alleged incident, acting in the discharge of his/her duties within the scope of his/her employment or authorized volunteer duties and/or under the direction of the Board of Education.

Public Officers Law Section 18

The Board of Education hereby also confers the benefits of New York State Public Officers Law Section 18 upon the "employees" of the District, as defined in Public Officers Law Section 18; and the District assumes the liability for the costs incurred in accordance with the provisions of Public Officers Law Section 18. The benefits accorded to District employees under Public Officers Law Section 18 shall supplement and be available in addition to defense or indemnification protection conferred by other enactment or provisions of law.
SUBJECT:  DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES (Cont’d.)

The term "employees" shall include members of the Board of Education; the Superintendent; District officers; District employees; volunteers expressly authorized to participate in a District sponsored volunteer program; or any other person holding a position by election, appointment or employment in the service of the District, whether or not compensated. The term "employee" shall also include a former employee, his/her estate or judicially appointed representative.

Pursuant to the provisions of Public Officers Law Section 18, and upon compliance by the employee with the requirements of this statute, the District shall provide for the defense of the employee in any civil action or proceeding, state or federal, arising out of any alleged act or omission which occurred or allegedly occurred while the employee was acting within the scope of his/her public employment or duties. Furthermore, the District shall indemnify and save harmless its employees in the amount of any judgment obtained against such employees in a state or federal court, or in the amount of any settlement of a claim, provided that the act or omission from which such judgment or claim arose occurred while the employee was acting within the scope of his/her public employment or duties. However, in the case of a settlement, the duty to indemnify and save harmless shall be conditioned upon the approval of the amount of the settlement by the Board of Education.

The duty to defend and/or indemnify and save harmless, in accordance with Public Officers Law Section 18, shall be conditioned upon the delivery by the employee to the School Attorney or to the Superintendent a written request to provide for his/her defense, together with the original or a copy of any summons, complaint, process, notice, demand or pleading within ten (10) days after he/she is served with such document. Pursuant to Public Officers Law Section 18, the full cooperation of the employee in the defense of such action or proceeding and in the defense of any action or proceeding against the District based upon the same act or omission, and in the prosecution of any appeal, shall also be required as a condition for the District's duty to defend and/or indemnify and save harmless to exist.

Exceptions to Liability Coverage

Indemnification coverage and/or provision of legal defense by the District will not apply unless the actionable claim is of the type covered by the statute(s) and/or is not otherwise exempt from coverage pursuant to law. Additionally, indemnification coverage and/or the duty to provide a defense shall not arise where such action or proceeding is brought by or on behalf of the School District.
SUBJECT: DEFENSE AND INDEMNIFICATION OF BOARD MEMBERS AND EMPLOYEES (Cont'd.)

Paul D. Coverell Teacher Protection Act of 2001, as authorized by the No Child Left Behind Act of 2001, 20 USC Section 6731 et seq. Education Law Sections 1604(25), 1604(31-b), 1709(26), 1709(34-b), 2560, 3023, 3028 and 3811 General Municipal Law Sections 6-n and 52 Public Officers Law Section 18

Adoption Date
SUBJECT: LEAVES OF ABSENCE

In general, leaves of absence:

a) Shall be administered by the Superintendent.

b) The Board reserves the right to grant leaves of absence for purposes or under conditions not contemplated or considered in the policy statement.

c) Under laws and rules governing such action, the Board may undertake appropriate disciplinary action where a leave of absence is falsely requested or improperly used.

d) Except by permission of the Superintendent, as expressed in writing, the purpose or conditions of a leave of absence may not be altered.

Leaves of absence, contractual, et al:

a) Employees who are members of a negotiating unit:

Authorization is granted to approve requests for leaves of absence submitted pursuant to provisions of contracts in effect between the District and each bargaining unit.

b) Employees who are not members of a negotiating unit:

Authorization is granted to approve requests for leaves of absence submitted by such employees where such requests are consistent with provisions of contracts in effect between the District and the bargaining unit most compatible with the employment status of the employee.

c) Employees who are under contract to the District:

Authorization is granted to implement provisions for leaves of absence contained in each such contract.

Unpaid leaves of absence shall not be used to extend vacation periods, to take vacations, to engage in other occupations, or to provide additional personal leaves, except that the Superintendent shall have discretion, where circumstances warrant, to approve leaves of absence for such purposes.

Except where it interferes with an employee's legal or contractual rights, the timing of unpaid leaves of absence will be granted at the convenience of the District.
SUBJECT: LEAVES OF ABSENCE (Cont'd.)

Other leaves of absence:

a) Emergency Service Volunteer Leave

Upon presentation of a written request from the American Red Cross and with the approval of the Superintendent, employees certified by the American Red Cross as disaster volunteers shall be granted leave from work with pay for up to twenty (20) days in any calendar year to participate in specialized disaster relief operations. This leave shall be provided without loss of seniority, compensation, sick leave, vacation leave or other overtime compensation to which the volunteer is otherwise entitled.

b) Screenings for Breast Cancer and Prostate Cancer

Employees shall be granted up to four (4) hours of paid leave on an annual basis to undertake a screening for breast cancer; employees shall be granted up to four (4) hours of paid leave on an annual basis to undertake a screening for prostate cancer (i.e., male employees are entitled to a total of eight (8) hours for both screenings). This leave shall be excused leave and shall not be charged against any other leave to which the employee is entitled.

c) Blood Donation

The School District must either, at its option:

1. Grant up to three (3) hours of unpaid leave in any twelve (12) month period to an employee who seeks to donate blood.

2. Allow its employees without use of accumulated leave time to donate blood during work hours at least two (2) times per year at a convenient time and place set by the Superintendent/designee, including allowing an employee to participate in a blood drive at the District.

Leave taken by employees at a District-designated donation alternative (such as a District-sponsored blood drive at the workplace) must be paid leave that is provided without requiring the employee to use accumulated vacation, personal, sick, or other leave time.

The District shall not retaliate against an employee for requesting or obtaining a leave of absence under this section. Additional leaves for the purpose of blood donation under any other provision of law shall not be prevented.
SUBJECT: LEAVES OF ABSENCE (Cont’d.)

d) Bone Marrow Donation

Employees seeking to undergo a medical procedure to donate bone marrow shall be granted leaves to do so, the combined length of the leaves to be determined by the physician, but may not exceed twenty-four (24) work hours unless agreed to by the Superintendent/designee. The District shall require verification for the purpose and length of each leave requested by the employee for this purpose.

e) Nursing Mothers

The District shall provide reasonable unpaid break time or permit the use of paid break time or meal time each day to allow an employee to express breast milk for her nursing child for up to three (3) years following child birth. The District shall make reasonable efforts to provide a room or other location in close proximity to the work area where the nursing mother can express milk in privacy. The District shall not discriminate against an employee who chooses to express breast milk in the workplace.

Reasonable unpaid break time is generally no less than twenty (20) minutes and no more than thirty (30) minutes dependent upon the proximity of the designated location for expressing breast milk. In most situations, the District is required to provide unpaid break time at least once every (3) hours if requested by the employee. At the employee's option, the District shall allow the employee to work before or after her normal shift to make up the amount of time used during the unpaid break time(s) so long as such additional time requested falls within the District's normal work hours.

The District shall provide written notice to employees who are returning to work following the birth of a child of their right to take unpaid leave for the purpose of expressing breast milk. Such notice may either be provided individually to affected employees or to all employees generally through publication of such notice in the employee handbook or posting of the notice in a central location.

Any employee wishing to avail herself of this benefit is required to give the District advance notice, preferably prior to her return to work, to allow the District an opportunity to establish a location and schedule leave time to accommodate employees as needed.

f) Victims of Domestic Abuse

Employers are required to provide employees with an unpaid leave to appear as a witness, consult with the district attorney, or exercise the employee's statutory rights as the victim of, or witness to a crime of domestic violence. In addition, a victim of domestic violence may need one or more of these types of leave.
SUBJECT: LEAVES OF ABSENCE (Cont'd.)

To use this leave, the employee shall provide notice of the need for leave at any time prior to the actual day of leave. Employers are permitted to ask the employee who sought the attendance or testimony of the employee to provide verification of the employee's service. Penalizing or discharging an employee for absences by reason of a required appearance as a witness in a criminal proceeding, or consultation with the district attorney, or exercising his/her rights as provided under the law constitutes a Class B misdemeanor by the employer.

g) Military Leave

The District will comply with state and federal laws regarding military leave and re-employment.

Leaves of absence for military spouses are granted in accordance with law and regulation.

   (USC) Sections 4301-4333
Civil Service Law Sections 71-73, 159-b and 159-c
Education Law Sections 1709(16), 3005, 3005-a and 3005-b
General Municipal Law Section 92-c
Labor Law Sections 202-a, 202-c, 202-I, 202-j and 206-c
Military Law Sections 242 and 243
Penal Law Section 215.14

Adoption Date
SUBJECT: FAMILY AND MEDICAL LEAVE ACT

The Board of Education, in accordance with the Family and Medical Leave Act of 1993 (as amended) (FMLA), gives "eligible" employees of the District the right to take unpaid leave for a period of up to twelve (12) workweeks in a twelve-month period as determined by the District.

The District uses a "rolling" twelve (12) month period measured backward from the date of any FMLA leave usage as its method for calculating the leave year period. In certain cases, FMLA leave may be taken on an intermittent basis rather than all at once, or the employee may work a part-time schedule.

The entitlement to leave for the birth or placement of a child shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.

Employees are "eligible" if they have been employed by the District for at least twelve (12) months and for at least 1,250 hours of service during the previous twelve-month period. Full-time teachers are deemed to meet the 1,250 hour test. However, a break in employment for military service (i.e., call to active duty) should not interrupt the twelve (12) month/1,250 hours of employment requirement and should be counted toward fulfilling this prerequisite. The law covers both full-time and part-time employees.

Qualified employees may be granted leave for one (1) or more of the following reasons:

   a) The birth of a child and care for the child;
   b) Adoption of a child and care for the child;
   c) The placement of a child with the employee from foster care;
   d) To care for a spouse, minor child or parent who has a "serious health condition" as defined by the FMLA;
   e) To care for an adult child who is also incapable of self-care due to a disability (regardless of date of the onset of disability) and has a "serious health condition" as defined by the FMLA; and/or
   f) A "serious health condition" of the employee, as defined by the FMLA, that prevents the employee from performing his/her job.

A "serious health condition" is defined as an illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider that renders the person incapacitated for more than three (3) consecutive calendar days. Furthermore, the first visit to a health care provider for an employee claiming a "serious health condition" under FMLA must occur within
SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)

seven (7) days of the aforementioned incapacity with the second required visit occurring within thirty (30) days of the incapacitating event. In order for an employee to claim the need for continuous treatment under FMLA for a chronic serious health condition, the condition must require a minimum of two (2) visits per year to a healthcare provider, continue over an extended period of time, and may cause episodic rather than a continuing period of incapacity. A "serious health condition" is also defined as any period of incapacity related to pregnancy or for prenatal care.

Military Family Leave Entitlements

Military Caregiver Leave

An eligible employee who is the spouse, son, daughter, parent, or next of kin (defined as the nearest blood relative) is entitled to up to twenty-six (26) weeks of leave in a single twelve (12) month period to care for a "military member" who is:

a) Recovering from a service-connected serious illness or injury sustained while on active duty; or

b) Recovering from a serious illness or injury that existed prior to the service member's active duty and was aggravated while on active duty; or

c) A veteran who has a qualifying injury or illness from service within the last five (5) years and aggravates that illness or injury.

This military caregiver leave is available during a single twelve (12) month period during which an eligible employee is entitled to a combined total of twenty-six (26) weeks of all types of FMLA leave. Military Caregiver Leave may be combined with other forms of FMLA-related leave providing a combined total of twenty-six (26) weeks of possible leave for any single twelve (12) month period; however, the other form of FMLA leave when combined cannot exceed twelve (12) of the twenty-six (26) weeks of combined leave. Military Caregiver Leave has a set "clock" for calculating the twelve (12) month period for when FMLA leave begins and tolling starts at the first day of leave taken.

The term "military member" means:

a) A member of the Regular Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont’d.)

b) A veteran (discharged or released under condition other than dishonorable) who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

"Qualifying Exigency" Leave/Call to Active Duty

An "eligible" employee is entitled to FMLA leave because of "a qualifying exigency" arising out of circumstances where the spouse, son, daughter, or parent of the employee is serving in the regular Armed Forces or either the National Guard or the Reserves and is on active duty during a war or national emergency called for by the President of the United States or Congress, or has been notified of an impending call to active duty status, in support of a contingency operation. There is no "qualifying exigency" unless the military member is or is about to be deployed to a foreign country.

A "qualifying exigency" related to families of the Army National Guard of the United States, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard of the United States, Air Force Reserve and Coast Guard Reserve personnel on (or called to) active duty to take FMLA protected leave to manage their affairs is defined as any one of the following reasons:

a) Short-notice deployment;

b) Military events and related activities;

c) Childcare and school activities;

d) Parental care leave;

e) Financial and legal arrangements;

f) Counseling;

g) Rest and recuperation (for up to fifteen [15] calendar days);

h) Post-deployment activities; and

i) Any additional activities where the employer and employee agree to the leave.
SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont’d.)

In any case in which the necessity for leave due to a qualifying exigency is foreseeable, the employee shall provide such notice to the employer as is reasonable and practicable. This military-related leave is for up to twelve (12) weeks during a single twelve (12) month period. Leave may be taken intermittently or on a reduced leave schedule.

Implementation/Benefits/Medical Certification

At the Board of Education's or employee's option, certain types of paid leave may be substituted for unpaid leave.

An employee on FMLA leave is also entitled to have health benefits maintained while on leave. If an employee was paying all or part of the premium payments prior to leave, the employee will continue to pay his/her share during the leave period.

In most instances, an employee has a right to return to the same position or an equivalent position with equivalent pay, benefits and working conditions at the conclusion of the leave.

The Board of Education has a right to thirty (30) days advance notice from the employee where practicable. In addition, the Board may require an employee to submit certification from a health care provider to substantiate that the leave is due to the "serious health condition" of the employee or the employee's immediate family member. Under no circumstance should the employee's direct supervisor contact any health care provider regarding the employee's condition; all contact in this manner must be made by a health care provider (employed by the employer), a human resource professional, a leave administrator or a management official. If the medical certification requested by the employer is found to be deficient, the employer must indicate where the errors are, in writing, and give the employee seven (7) days to provide corrected materials to cure any deficiency prior to any action being taken.

Special Provisions for School District Employees

An instructional employee is an employee whose principal function is to teach and instruct students in a class, a small group, or an individual setting (e.g., teachers, coaches, driving instructors, special education assistants, etc.). Teaching assistants and aides who do not have instruction as the principal function of their job are not considered an "instructional employee."

Intermittent Leave Taken By Instructional Employees

FMLA leave that is taken at the end of the school year and resumes at the beginning of the next school year is not regarded as intermittent leave but rather continuous leave. The period in the interim (i.e.,
SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont’d.)

summer vacation) is not counted against an employee and the employee must continue to receive any benefits that are customarily given over the summer break.

Intermittent leave may be taken but must meet certain criteria. If the instructional employee requesting intermittent leave will be on that leave for more than twenty percent (20%) of the number of working days during the period for which the leave would extend, the following criteria may be required by the employer:

a) Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

b) Transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than does the employee’s regular position.

Appropriate notice for foreseeable FMLA leave still applies and all employees must be returned to an equivalent position within the school district. Additional work-related certifications, requirements and/or training may not be required of the employee as a contingent of their return to work.

Leave Taken by Instructional Employees Near the End of the Instructional Year

There are also special requirements for instructional employees taking leave and the leave’s relation to the end of the term. If the instructional employee is taking leave more than five (5) weeks prior to the end of the term, the District may require that the employee take the leave until the end of the term if the leave lasts more than three (3) weeks and the employee was scheduled to return prior to three (3) weeks before the end of the term.

If the instructional employee is taking leave less than five (5) weeks prior to the end of the term for any of the following FMLA-related reasons except qualifying exigency, the District may require that the employee remain out for the rest of the term if the leave lasts more than two (2) weeks and the employee would return to work during that two (2) week period at the end of the instructional term.

If the instructional employee begins taking leave during the three (3) weeks prior to the end of the term for any reason except qualifying exigency, the District may require that the employee continue leave until the end of the term if the leave is scheduled to last more than five (5) working days.

Any additional time that is required by the employer due to the timing of the end of the school year, will not be charged against the employee as FMLA leave because it was the employer who requested that the leave extend until the end of the term.
SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont’d.)

FMLA Notice

A notice which explains the FMLA’s provisions and provides information concerning the procedures for filing complaints of violations of the FMLA shall be posted in each school building and a notice of an employee’s FMLA rights and responsibilities shall be either placed in the employee handbook of the employer or furnished to each new employee upon hire.

Administration is directed to develop regulations to implement this policy, informing employees of their rights and responsibilities under the FMLA.

Family and Medical Leave Act of 1993 (as amended), Public Law 103-3
10 USC 101(a) (13)
29 USC 1630.1 and 2611-2654
29 CFR Part 825 and Part 1630
42 USC 12102
Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191
45 CFR Parts 160 and 164

NOTE: Refer also to Policy #6552 -- Uniformed Services Employment and Reemployment Rights Act (USERRA)/Military Leaves of Absence
#6212 -- Certifications and Qualifications
#6213 -- Professional Certification: 175 Hours of Professional Development Requirement
#6551 -- Family and Medical Leave Act

Adoption Date

48
SUBJECT: PAYROLL DEDUCTIONS

The Superintendent or designee(s) will establish a yearly payroll calendar. This calendar will provide pay dates for all categories of employees.

Payroll deductions will be made in accordance with the following procedures and the law:

a) Deductions may be withheld in equal installments, with the number of installments being determined by the number of pay periods remaining in the fiscal year.

b) All salary deductions other than those replaced by the federal or state law will be deducted only upon written approval of the employee or as required by negotiated agreements.

The Board has authorized, within the above requirements, salary deduction plans for Section 125 benefits, health or disability insurance, an employee credit union, tax sheltered annuities, membership dues for recognized employee collective bargaining units, retirement loans, contributions and arrears and other deductions so authorized by the Board of Education.

Education Law Section 1709.
SUBJECT: RELEASE TIME OF STUDENTS

Written requests from the parent/guardian for the release of students for religious instruction may be honored after the building principal/designee reviews and approves the request. The appropriate time and reason for absence shall be recorded on the attendance record, using the procedures mandated by the state.

8 NYCRR Section 109.2
SUBJECT: AGE OF ENTRANCE

Kindergarten

Students who are legal residents of the School District and who reside with parents or guardians within the School District must be five (5) years of age or more on December 1 in order to register for Kindergarten.

Other Grades

Admission of children to other grades shall involve a consideration of both chronological age and the readiness of the children to do the work of those grades.

Proof of Age

A student's birth certificate or other satisfactory evidence of age shall be presented at the time of initial registration. The child shall be entered under his/her legal name.

Education Law Sections 1712, 3202 and 3212

NOTE: Refer also to Policy #7131 -- Education of Homeless Children and Youth

Adoption Date
SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH

The Board recognizes the unique challenges that face homeless students and will provide these students with access to the same free, appropriate public education, including public preschool education, as other children and youth; and access to educational and other services necessary to be successful in school. The Board will ensure that they are not separated from the mainstream school environment. The Board is also committed to eliminating barriers to the identification, enrollment, attendance, or success of homeless students.

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

a) Sharing the housing of other persons due to a loss of housing, economic hardship or a similar reason;

b) Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;

c) Abandoned in hospitals;

d) A migratory child who qualifies as homeless in accordance with Commissioner's Regulations. The term "migratory child" includes a child who is, or whose parent/guardian or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who has moved from one school district to another in the preceding thirty-six (36) months, in order to obtain, or accompanies such parent or spouse in order to obtain, temporary or seasonal employment in agricultural or fishing work; or

e) A child or youth who has a primary nighttime location that is:

1. A supervised, publicly or privately operated shelter designed to provide temporary living accommodations including, but not limited to, shelters operated or approved by the state or local department of social services, and residential programs for runaway and homeless youth established pursuant to Executive Law Article 19-H; or

2. A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; including a child or youth who is living in a car, park, public space, abandoned building, substandard housing, bus or train station or similar setting.
f) Considered an "unaccompanied youth":

1. An unaccompanied youth is a homeless child (for whom no parent or person in parental relation is available) or youth not in the physical custody of a parent or legal guardian.

2. An unaccompanied youth shall not include a child or youth who is residing with someone other than a parent or legal guardian for the sole reason of taking advantage of the schools of the district.

A designator will decide which school district a homeless child or unaccompanied youth will attend. A designator is:

a) The parent or person in parental relation to a homeless child; or

b) The homeless child, together with the homeless liaison designated by the District, in the case of an unaccompanied youth; or

c) The director of a residential program for runaway and homeless youth, in consultation with the homeless child, where the homeless child is living in that program.

The designator may select either the school district of current location, the school district of origin, or a school district participating in a regional placement plan as the district the homeless child will attend. However, the designated school district must determine whether the designation made by the parent, guardian, or youth, in the case of an unaccompanied youth, is consistent with the best interest of the child by considering certain student-centered factors, including factors related to the impact on education and the health and safety of the child or youth.

A homeless child is entitled to attend the school district of origin for the duration of his or her homelessness and also through the remainder of the school year in which he or she locates permanent housing in accordance with his or her best interest.

The term "school district of origin" includes preschool and feeder schools as defined by applicable law.

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

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

a) Transportation;
SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH (Cont'd.)

b) Immunization requirements;

c) Residency requirements;

d) Birth certificates, medical records, individualized education programs (IEPs), school records and other documentation;

e) Guardianship issues;

f) Comprehensive assessment and advocacy referral processes;

g) Resolution of disputes regarding school selection;

h) Proof of social security numbers;

i) Attendance requirements;

j) Sports participation rules;

k) Inability to pay fees associated with extracurricular activities such as club dues and sports uniforms; or

l) Other enrollment issues.

Educational Programs and Services

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

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

the wishes of the child's or youth's parent or guardian. Further, the School District shall review and revise policies and practices, including transportation guidelines, as well as those related to outstanding fees, fines or absences, that may act as barriers to the enrollment, attendance, school success, and retention of homeless children and youth in the School District.

Transportation

If the local social service district or the Office of Children and Family Services is not required to provide transportation, then transportation will be provided in accordance with all relevant laws and regulations through the remainder of the school year in which the homeless student becomes permanently housed. Where a homeless student designates the school district of current location as the district the student will attend, then that district shall provide transportation to the student on the same basis as a resident student. Where the homeless student designates the school district of origin or a school district participating in a regional placement plan, then that district must provide transportation to and from the homeless child's temporary housing and school.

Transportation responsibilities apply to all school districts regardless of whether or not they receive McKinney-Vento funds. Transportation must be provided during the pendency of enrollment disputes, including all available appeals. If the designated district provides transportation for non-homeless preschool children, it must also provide comparable transportation services for homeless preschool children.

School District Liaison for Homeless Children and Youth

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

Training

The District will train all school enrollment staff, secretaries, school counselors, school social workers, and Principals on the legal requirements for enrollment of homeless students. School nutrition staff, school registered professional nurses, teachers, and bus drivers will receive training on homelessness that is specific to their field.
SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH (Cont'd.)

Outreach

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

Dispute Resolution

The District shall establish procedures for the prompt resolution of disputes regarding school selection or enrollment of a homeless child or youth and provide a written explanation, including a statement regarding the right to appeal to the parent or guardian if the School District sends the student to a school other than the school of origin or the school requested by the parent or guardian. These disputes shall include, but are not limited to, disputes regarding transportation and/or a child's or youth's status as a homeless child or unaccompanied youth.

In the event of a dispute regarding eligibility, school selection, or enrollment, the homeless child or youth will be entitled to immediate or continued enrollment and transportation pending final resolution of the dispute, including all available appeals.

Record and Reporting Requirements

If the District, as the school district of origin, receives a request to forward student records to a receiving district, the records must be forwarded within five (5) days of receipt of the request.

The School District shall maintain documentation regarding all aspects of the District's contact with and services provided to homeless students and youth for possible on-site monitoring by the State Education Department.

The District shall collect and transmit to the Commissioner of Education, at such time and in the manner as the Commissioner may require, a report containing such information as the Commissioner determines is necessary to assess the educational needs of homeless children and youths within the state.
SUBJECT: EDUCATION OF HOMELESS CHILDREN AND YOUTH (Cont'd.)

Student Privacy

Any information pertaining to the living situation of a homeless student, such as his or her homeless status or temporary address, is considered a student educational record and is not subject to disclosure as directory information under the Family Educational Rights and Privacy Act (FERPA).

McKinney-Vento Homeless Education Assistance Act, 42 USC Section 11431 et seq.
Education Law Sections 902(b) and 3209
8 NYCRR Section 100.2(x)

Adoption Date
SUBJECT: NON-RESIDENT STUDENTS

Residency means domicile, which requires one physical presence and the intention to remain there permanently. Generally, a student's legal school district residence is presumed to be that of his/her parent or guardian.

Tuition-Paying Students

Non-resident families who wish to enroll children in the Ellenville Central School District shall submit a request in writing to the Superintendent.

The following general conditions apply to all non-resident student enrollment requests:

a) There is sufficient space to accommodate the non-resident student;

b) No increase in the size of faculty or staff will be necessary;

c) Admittance will not result in the establishment of a new section;

d) Parents/guardians must work out transfer conditions with the home school district or provide their own transportation;

e) Tuition may be charged to families of non-resident students in accordance with formulas approved by the State Education Department.

Although the Superintendent may make a recommendation to the Board on the issue of whether admission should be granted, the Board of Education shall have final approval on all non-resident student enrollment requests.

Non-resident students shall be subject to the District's Code of Conduct and all applicable policies and regulations. The District reserves the right to remove a non-resident student from the District without the need for a hearing under Education Law §3214.

Future Students

The children of families who have signed a contract to buy or build a residence in the School District may be enrolled for the semester in which they expect to become residents. Non-resident tuition shall be charged, payable in advance, with an adjustment to be made when the family becomes a resident in the District.
SUBJECT: NON-RESIDENT STUDENTS (Cont'd.)

Foreign Students

Students from other nations who are living with District residents may be enrolled at the discretion of the District. In accordance with federal law, a foreign student who attends a public secondary school under an F-1 Visa must reimburse the school district for the full unsubsidized per capita cost of providing education at the school during the student's attendance. The administration is authorized to file with the U.S. Department of Homeland Security the forms necessary for the monitoring of non-immigrant foreign students during the course of their stay in the district in accordance with the Student and Exchange Visitor Information System (SEVIS).

Non-Tuition Students

Former Residents

a) Students of any grade who move from the Ellenville Central School District during the school year may be given permission to finish the semester in which the move occurs.

b) A student who moves from the District after completion of the first semester of the year preceding his/her anticipated graduation year may be given permission to remain in the Ellenville Central School District until graduation.

Foreign Exchange Students

Only foreign students participating in a recognized Student Exchange Program under a J-1 Visa may attend District schools without payment of tuition. The administration is authorized to file with the U.S. Department of Homeland Security the forms necessary for the monitoring of non-immigrant foreign students during the course of their stay in the District in accordance with the Student and Exchange Visitor Information System (SEVIS).

Proof of Residency

Such documentary or sworn proof as shall be required by the administration or Board of Education must be furnished prior to the admission of any child residing in the District with a person not his parent or who is the child of a non-resident. The admission of homeless children and youth will be in accordance with law.
SUBJECT: NON-RESIDENT STUDENTS (Cont'd.)

Reservation of Claims

Should a material misstatement of fact be made and relied upon by any administrator or the Board of Education in admitting a non-resident student without tuition, the Board shall be entitled to recover the cost of instruction for the time the student was not authorized to attend a school in the District from the person having made the misstatement or from a person in parental relation to the student.

Tuition Fees

Where applicable, tuition fees are computed according to a formula established by the Commissioner of Education.

Tuition of individual non-resident students shall be computed in advance at the time of enrollment. Methods of payment (e.g., monthly) may be arranged in the District Office and approved by the Superintendent. Non-resident status is contingent upon timely payment of tuition fees as established by the Board of Education.

Legal Residence

Parents who maintain more than one residence, but whose legal residence for the purposes of voting or filing income tax is within the District, are eligible to send their children to District schools. However, school tax payments of non-residents who own assessable property in the District will be deducted from any tuition charges levied against such non-resident.

Transportation

Non-Resident students are not entitled to transportation by the District.

8 USC Chapter 12
Education Law Sections 1709(13), 2045 and 3202
8 NYCRR Section 174.2

NOTE: Refer also to Policy #7131 -- Education of Homeless Children and Youth

Adoption Date
SUBJECT: STUDENT EVALUATION

Placement

Placement within the system, with respect to building, teacher, and grade or special class, shall be at the discretion of the school administration and shall be subject to review and change at any time. In making such decisions, the administrator or Building Principal will be guided by performance in class, past records, parent/guardian and teacher recommendations, standardized test scores, and any other appropriate sources of information, but the final decision shall rest with the school administration.

Promotion and Retention

The procedures followed by the staff regarding promotion and retention are developed by the Superintendent or his/her designee and are continually evaluated. Scores on state-administered standardized English language arts and mathematics assessment for grades 3 to 8 shall not be the sole or primary factor in a decision to promote or retain a student.

Minimum Grades

There may be some students who perform so poorly in the first two marking periods of a course that they cannot achieve success in the course at a later time regardless of how much they improve in subsequent marking periods. In an effort to provide students with a chance to pass the course, the minimum grade allowed during the first and second marking periods for all students in grades 9-12 shall be 50.

Testing Program

The Board of Education endorses and supports the use of ability, achievement, diagnostic, readiness, interest and guidance tests as part of the total educational process to the degree to which tests help the District to serve its students.

Alternative Testing Procedures

The use of alternative testing procedures shall be limited to:

a) Students identified by the Committee on Special Education and/or Section 504 Team as having a disability. Alternative testing procedures shall be specified in a student's Individualized Education Program or Section 504 Accommodation Plan; and

b) Students whose native language is other than English (i.e., English language learners) in accordance with State Education Department Guidelines.
SUBJECT: STUDENT EVALUATION (Cont'd.)

The alternative testing procedures employed shall be based upon a student's individual needs and the type of test administered.

The District shall report the use of alternative testing procedures to the State Education Department on a form and at a time prescribed by the Commissioner.

Reporting to Parents/Guardians

Parents/guardians shall receive an appropriate report of student progress at regular intervals.

Report cards shall be used as a standard vehicle for the periodic reporting of student progress and appropriate school related data. Report cards, however, are not intended to exclude other means of reporting progress, such as interim reports, conferences, phone conversations, etc.

When necessary, attempts will be made to provide interpreters for non-English speaking parents/guardians.

Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
Education Law Section 1709(3)
8 NYCRR Sections 100.2(g), 117 and 154
SUBJECT: PROVISION OF INTERPRETER SERVICES TO PARENTS WHO ARE HEARING IMPAIRED

The Board of Education assures parents/guardians who are hearing impaired the right to meaningful access to school initiated meetings or activities pertaining to the academic and/or disciplinary aspects of their children's education. School initiated meetings or activities are defined to include, but are not limited to, parent-teacher conferences, child study or building-level team meetings, planning meetings with school counselors regarding educational progress and career planning, suspension hearings or any conferences with school officials relating to disciplinary actions. The term "hearing impaired" shall include any hearing impairment, whether permanent or fluctuating, which prevents meaningful participation in School District meetings or activities.

Parents/guardians shall be notified of the availability of interpreter services to be provided at no charge, provided that a written request is made to the School District within fourteen (14) days of the scheduled event. Exceptions to the time frame request may be made for unanticipated circumstances as determined by the Principal/designee. The District shall also notify appropriate school personnel as to the terms and implementation of this policy.

If interpreter services are requested, the District shall appoint an interpreter for the hearing impaired to interpret during the meeting or activity. The District will arrange for interpreters through a District-created list or through an interpreter referral service. The District shall also develop interagency agreements, as appropriate, to ensure that sign language interpreters are provided for eligible parents/guardians when District students attend out-of-District schools or programs.

In the event that an interpreter is unavailable, the School District shall make other reasonable accommodations which are satisfactory to the parents/guardians. Examples of what constitutes reasonable accommodations in the event an interpreter cannot be located may include, but are not limited to, the use of:

a) Written communications, transcripts, note takers, etc.; and

b) Technology, such as: a decoder or telecommunication device for the deaf, assistive listening devices, and closed or open captioning.

Education Law Section 3230
8 NYCRR Section 100.2(aa)

Adoption Date
SUBJECT: CLASS RANK/WEIGHTED GRADES FOR ADVANCED PLACEMENT CLASSES AND COLLEGE LEVEL COURSES

In order to encourage students to take more rigorous course work, grades for Advanced Placement classes and courses offering college credit will be weighted for the purposes of class rank only. At the end of the Junior year, and at the end of the first semester of the Senior year, weighted grades will be used to determine class rank. Class Rank is cumulative from 9th grade. The weighted grades average is used to calculate Class Rank for college admissions and the determination of honor graduates. The report card, schedule and transcript will not display a weighted class average. A Guidance Counselor will provide a transcript with class ranking when requested by a college, student and/or parent.

All courses and grades earned will be listed on the student's transcript and grades will not be weighted. Only the GPA will be weighted. When a course is repeated, the higher final average will replace the old grade and will be used in compiling cumulative rank.

Students who will not earn at least twelve (12) credits at Ellenville Central School will not be included in ranking for honor status (i.e., top 10, Valedictorian and Salutatorian).

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<th>Weighted Courses</th>
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<td>AP Courses/College Course</td>
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Examples

| US History 11H AP | 80 | x 1.04 |
| College English | 97 | x 1.06 |

Beginning the 2018-19 school year

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Examples

| US History 11H AP | 80 | x 1.05 |
| College English | 97 | x 1.05 |

A description of this policy will be included in the Ellenville High School Student Handbook, and the Ellenville High School Course Description Book.

Adoption Date
SUBJECT: CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES

The District is committed to ensuring that students with disabilities are provided appropriate opportunities to earn a Regents or Local Diploma or other exiting Commencement Credential in accordance with the Commissioner's Regulations. To this end, graduation and transition plans shall take into account the various pathways available to these students.

In addition to all graduation options afforded to general education students, including the Regents, Diploma and various honors and/or designations, the following diplomas and/or credentials are also available for students with disabilities.

Local Diploma

To earn a Local Diploma, students with disabilities must:

a) Complete the same twenty-two (22) units of credit required for a Regents Diploma; and

b) Achieve a score of 55 or higher on the five (5) examinations required for a Regents Diploma.

Note: Students with disabilities entering Grade 9 prior to September 2011: A passing grade on a Regents Competency Test (RCT) may be used in lieu of a passing grade on a Regents examination. The school may administer the RCT before or after the corresponding Regents exam, however the student must take the required Regents exam. The RCT option remains available until the applicable student graduates or turns twenty-one (21) years old.

Local Diploma Compensatory Option (Safety Net)

To earn a Local Diploma using the compensatory option, students with disabilities must:

a) Complete the same twenty-two (22) units of credit required for a Regents Diploma;

b) Achieve a score of at least 55 on both the English (ELA) and Math Regents exams;

c) Achieve a score between 45-54 on one or more of the other required Regents exams (US History and Government, Global History, and a Science), in which case each score of 65 or higher on any other Regents exam may compensate for a single 45-54 required exam;

d) Obtain a passing grade for the course in the subject area of the Regents exam in which he or she received a score of 45-54;
SUBJECT: CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont'd.)

   e) Have a satisfactory attendance rate in accordance with the District's or school's attendance policy for the school year; and

   f) Not already be using a passing score on any RCTs, if such exam is available to the student (entered Grade 9 prior to September 2011).

Career Development and Occupational Studies (CDOS) Commencement Credential

The Career Development and Occupational Studies (CDOS) Commencement Credential may be earned by a student with a disability to document his or her preparation for entry-level employment after high school. This credential can be awarded in conjunction with a Regents or Local Diploma, or may be issued by itself.

When awarding the CDOS Commencement Credential using option one, the student shall demonstrate evidence of the following requirements, which shall be verified by the District:

   a) The student has a developed, annually reviewed and, as appropriate, revised Career Plan to assure the student is actively engaged in career exploration;

   b) The student has demonstrated commencement level knowledge and skills of the CDOS learning standards. To evidence this level of knowledge and skill, a student must demonstrate: career development, integrated learning, and universal foundation skills. In addition a student may also, but is not required to, demonstrate additional career skills by completing a career-specific major;

   c) The student has successfully completed at least two units of study (216 hours) in Career and Technical Education (CTE) courses, including a minimum of 54 hours of documented school supervised work-based learning experiences, which may, but is not required to, be completed in conjunction with the CTE courses; and

   d) Within one year prior to a student's exit from school, at least one Employability Profile must be completed by designated school staff or other individuals knowledgeable about the student's employment skills and experiences.

A student's CTE courses and supervised work-based learning experiences must be documented on his or her transcript and the Career Plan and Employability Profile must be placed in a student's permanent record. The State Education Department (SED) has provided models of the Career Plan and Employability Profile forms as well as charts of work-based learning programs and nationally-recognized work-readiness credentials, located at:

SUBJECT: CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont’d.)

Instead of the above (a-d) requirements, a District may utilize option two by awarding a CDOS Commencement Credential to a student who has completed a nationally-recognized work-readiness program or certification. Districts cannot exclusively offer option two and must still provide opportunities for students to fulfill the CDOS Commencement Credential through option one’s requirements.

Skills and Achievement (SA) Commencement Credential

To issue the Skills and Achievement (SA) Commencement Credential the District must ensure that the student:

a) Meets the definition of a student with a severe disability;

b) Has been recommended by the Committee on Special Education (CSE) to take the New York State Alternative Assessment (NYSAA) for students with severe disabilities;

c) Has been given appropriate opportunities to participate in community experiences and development of employment and other instructional activities to prepare the student for post-secondary living, learning and employment; and

d) Has been issued a summary of the student’s academic achievement and functional performance. A model summary form developed by SED is located at:


Awarding the SA or CDOS Commencement Credentials

The SA and CDOS Commencement Credentials may be issued at any time after such student has attended school for at least twelve (12) years, or at the end of the school year in which the student turns twenty one (21) years old. When a student is under twenty-one (21) and is issued SA Commencement Credential or the CDOS Commencement Credential without the Regents or Local Diploma, the credential award must be accompanied by a written statement of assurance. This statement must indicate that the student remains eligible to attend the public school within the District, without payment of tuition, until the student has either earned a diploma or until he/she turns twenty-one (21), whichever occurs first.

The CDOS and SA Commencement Credentials must be similar in form to the diplomas issued by the District, except that they shall not use the term "diploma" on them. The SA Commencement Credential must contain a clear annotation that it is based on alternate academic achievement standards. The CDOS Commencement Credential shall indicate that it has been endorsed by the New York State Board of Regents as a certificate of readiness for entry-level employment.
SUBJECT: CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES (Cont’d.)

Education Law §§ 3202 and 4402
8 NYCRR §§ 100.1, 100.2, 100.5, 100.6, 200.4 and 200.5

Education Law Sections 3202 and 4402(5)
8 NYCRR Sections 100.5(a-f), 100.6, 100.9 and 200.5

NOTE: Refer also to Policy #7220 -- Graduation Requirements/Early Graduation/Accelerated Programs
SUBJECT: GRADUATION CEREMONIES

It is the intent of the Board to ensure, to the extent possible, that graduation ceremonies allow maximum participation of all involved, and to that effect, the following is adopted concerning the distribution of tickets to the graduation ceremony and the distribution of diplomas.

Distribution of Tickets

a) Graduation traditionally presents the opportunity for relatives and friends of the graduates to observe the graduation of the students. Therefore, the greatest number of tickets should be reserved for relatives and friends of the graduates. It is reasonable that the bulk of the seats in the auditorium be made available to students.

b) The staff of the District represents the personnel without whom the education of the graduates could not have taken place. Staff members should have a pool of one hundred (100) tickets available to them. Tickets shall be reserved by the Secondary School Principal for those staff members requesting them by two (2) weeks prior to graduation. No staff member may receive more than one ticket. Any excess tickets remaining one (1) week prior to graduation are to be added to the pool specified in paragraph "d" below.

c) The Board of Education, representing the governance of education in our District, should have available to it a pool of thirty-six (36) tickets. These tickets will be given to the Superintendent for distribution to those Board members requesting them.

d) The balance of the tickets will be distributed by the Secondary School Principal in an equitable manner no sooner than one (1) week prior to graduation, giving graduating students first preference.

Distribution of Diplomas

The Principal of the High School will develop a plan to be approved by the Superintendent, for the distribution of diplomas.

Members of the Board of Education will be offered the opportunity to present the diploma to their child or grandchild.

Adoption Date
SUBJECT: DUAL CREDIT FOR COLLEGE COURSES

Students who wish to enroll in college level coursework shall meet all academic, grade level and coursework requirements as set forth by administrative guidelines. Students who have demonstrated intellectual and social maturity may choose to matriculate at any one (1) of the colleges that have a cooperative agreement with our School District. Such opportunities may include early admission to college, collegiate-level work offered in the high school, or other means of providing advanced work. Review and approval by the administration are necessary before any college courses may be taken during the school day.

The Board shall not pay tuition and other related costs for those high school students enrolled in college courses.

Adoption Date
SUBJECT: MILITARY RECRUITERS' ACCESS TO SECONDARY SCHOOL STUDENTS AND INFORMATION ON STUDENTS

In compliance with the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act of 2001 (NCLB); and the National Defense Authorization Act, and in accordance with the Family Educational Rights and Privacy Act (FERPA), the School District shall comply with a request by a Military Recruiter for names, addresses, and telephone listings of eligible students. Eligible student under ESEA and the National Defense Authorization Act is defined as a secondary student who is seventeen (17) years of age or older or in the eleventh grade (or its equivalent) or higher. Under ESEA and the National Defense Authorization Act, parents must be notified that the School District by law routinely discloses students' names, addresses, and telephone listings to Military Recruiters upon request, subject to a parent's/eligible student's request not to disclose such information with written parental verification of such request.

Under FERPA, the School District must provide notice to parents/eligible students of the types of student information that it releases publicly. This type of information, commonly referred to as "directory information," which is released by the District includes - but is not limited to - such items as students' names, addresses, and telephone listings. The notice must include an explanation of a parent's/eligible student's right to request that "directory information" not be disclosed without prior written consent of the parent/eligible student. Eligible student under FERPA is defined as a student eighteen (18) years of age or older or who is attending an institution of post-secondary education.

A single notice provided through a mailing, student handbook, or other method that is reasonably calculated to inform parents/eligible students of the above information is sufficient to satisfy the notification requirements of both FERPA, ESEA and the National Defense Authorization Act. The notification shall advise the parent/eligible student of how to opt out of the public, nonconsensual disclosure of directory information and the disclosure of name, address and telephone listing to Military Recruiters; and shall state the method and timeline within which to do so.

Further, in compliance with the ESEA and the National Defense Authorization Act, the District shall give Military Recruiters the same access to secondary school students as they provide to postsecondary institutions or to prospective employers.

If a parent/eligible student opts out of providing directory information (or any subset of such information) to third parties, the opt-out relating to the student's name, address, or telephone listing applies to requests from Military Recruiters as well. For example, if the opt-out states that telephone numbers will not be disclosed to the public, the District may not disclose telephone numbers to Military Recruiters.

The Superintendent/designee shall ensure that appropriate notification is provided regarding the opt-out rights prohibiting release of directory information and/or release of name, address and telephone listing to Military Recruiters.
SUBJECT: MILITARY RECRUITERS' ACCESS TO SECONDARY SCHOOL STUDENTS AND INFORMATION ON STUDENTS (Cont'd.)

Elementary and Secondary Education Act of 1965, Section 9528, 20 USC Section 7908 as amended by the No Child Left Behind Act of 2001
Family Educational Rights and Privacy Act of 1974, 20 USC Section 1232(g)
National Defense Authorization Act Section 544, 10 USC Section 503
34 CFR Section 300.571
Education Law Section 2-a
8 NYCRR Section 3.33
SUBJECT: STUDENT DATA BREACHES

A student data breach is defined as any instance in which there is an unauthorized release of or access to personally identifiable information (PII) or other protected information of students not suitable for public release.

School districts have a legal responsibility to protect the privacy of education data, including personally identifiable information (PII) of its students. The Family Education Rights and Privacy Act of 1974, commonly known as FERPA, protects the privacy of student education records. Although FERPA does not include specific data breach notification requirements, it does protect the confidentiality of education records and requires districts to record each incident of data disclosure in accordance with 34 CFR 99.32 (a)(1). In addition, under state law, direct notification of parents and/or affected students may be warranted depending on the type of data compromised, such as student social security numbers and/or other identifying information that could lead to identity theft.

The District has implemented privacy and security measures designed to protect student data stored in its student data management systems. These measures include reviewing information systems and data to identify where personally identifiable information is stored and used; monitoring data systems to detect potential breaches; and conducting privacy and security awareness training for appropriate staff. In the event of an alleged breach, the District will promptly take steps to validate the breach, mitigate any loss or damage, and notify law enforcement if necessary.

The District will follow the regulations for prevention, response and notification regarding student data breaches as described in Policy 5672.

34 CFR 99.32 (a)(1)
Technology Law Sections 202 and 208

NOTE: Refer also to Policies #5672 -- Information Security Breach and Notification #7240 -- Student Records: Access and Challenge
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS

The Protection of Pupil Rights Amendment (PPRA) governs the administration to students of a survey, analysis, or evaluation that concerns one or more of the following eight protected areas:

a) Political affiliations or beliefs of the student or the student's parent/guardian;

b) Mental or psychological problems of the student or the student's family;

c) Sex behavior or attitudes;

d) Illegal, anti-social, self-incriminating, or demeaning behavior;

e) Critical appraisals of other individuals with whom respondents have close family relationships;

f) Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

g) Religious practices, affiliations, or beliefs of the student or student's parent/guardian; or

h) Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

PPRA also concerns marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors.

General Provisions

The requirements of PPRA do not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA). Further, PPRA does not supersede any of the requirements of the Family Educational Rights and Privacy Act (FERPA).

The rights provided to parents/guardians under PPRA transfer from the parent/guardian to the student when the student turns eighteen (18) years old or is an emancipated minor under applicable State law.

The School District may use funds provided under Part A of Title V of the Elementary and Secondary Education Act of 1965 to enhance parental/guardian involvement in areas affecting the in-school privacy of students.
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS
(Cont'd.)


The School District shall provide for reasonable notice of the adoption or continued use of this policy directly to parents/guardians and eligible students enrolled in the District. At a minimum, the District shall provide such notice at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy.

Further, in the notification, the District shall offer an opportunity for parents/guardians to provide written consent or opt their child out of participation in the following activities in accordance with law and the surveys conducted:

a) The administration of any survey containing one or more of the eight protected areas.

   1. U.S. Department of Education-Funded Surveys: Prior written consent from parents must be obtained before students are required to submit to the survey.

   2. Surveys funded by sources other than U.S. Department of Education: Notification may indicate the specific or approximate dates during the school year when surveys will be administered and provide an opportunity for the parent to opt his/her child out of participating upon receipt of the notification.

b) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

c) Any non-emergency, invasive physical examination or screening that is required as a condition of attendance; administered by the school and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students. 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 injection into the body, but does not include a hearing, vision or scoliosis screening.

Specific Notification

In the event that the District does not identify the specific or approximate dates of the activities or surveys to be administered in the general annual notification, it shall "directly" notify, such as through U.S. Mail or email, the parents of students who are scheduled to participate in the specific
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS (Cont'd.)

activities or surveys prior to participation and provide an opportunity for the parent to provide written consent or opt his/her child out of participation in accordance with law and the surveys conducted.

U.S. Department of Education-Funded Surveys

In compliance with the Protection of Pupil Rights Amendment (PPRA), the School District is committed to protecting the rights and privacy interests of parents/guardians and students with regard to surveys funded in whole or part by any program administered by the U.S. Department of Education (DOE).

The District shall make instructional materials available for inspection by parents/guardians if those materials will be used in connection with a DOE-funded survey, analysis, or evaluation in which their children participate. In addition, the School District shall obtain prior written parental/guardian consent before minor students are required to participate in any DOE-funded survey, analysis, or evaluation that reveals information concerning any of the eight protected areas.

Surveys Funded by Sources Other than U.S. Department of Education

The School District has developed and adopted this Board policy, in consultation with parents/guardians, regarding the following:

a) The right of the parent/person in parental relation to inspect, upon request, a survey created by a third party (i.e., by a party other than the DOE) before the survey is administered or distributed by the school to a student. Requests by parents/guardians to inspect such surveys are to be submitted, in writing, to the Building Principal *at least ten (10) days prior to the administration or distribution of any survey. Further, the District shall grant a request by the parent/guardian for reasonable access to such survey within a reasonable period of time after the request is received by the District.

b) Arrangements shall be provided by the District to protect student privacy in the event of the administration or distribution of a survey to a student containing one or more of the eight protected areas, including the right of the parent/guardian of the student to inspect, upon request, any survey containing one or more of the eight protected areas. Such requests must be submitted by the parent/guardian, in writing, to the Building Principal at least ten (10) days prior to the administration or distribution of any survey.
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS
(Cont'd.)

c) Parents/guardians shall be granted, upon request, reasonable access and the right to inspect instructional materials used as part of the educational curriculum for the student within a reasonable period of time (defined by the School District, for the purposes of this policy, as thirty [30] days) after such request is received by the District. Requests shall be submitted by parents/guardians, in writing, to the Building Principal. The term "instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

d) The administration of physical examinations or screenings that the School District may administer to a student.

Further, this law does not apply to any physical examination or screening that is permitted or required by State law, including physical examinations or screenings that are permitted without parental notification.

In the implementation of this provision regarding the administration of physical examinations or screenings that the school may administer to the student, the School District incorporates by reference Board policies that address student health services, as applicable, including but not limited to policies regarding the administration of medication, immunization of students, and student physicals.

e) Unless mandated/authorized in accordance with Federal or State law and/or regulation, it is policy of the Board of Education, to not permit the collection, disclosure, or use of personal information (the term "personal information" is defined as individually identifiable information including a student's or parent/guardian's first and last name; home address; telephone number; or Social Security number) collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), unless otherwise exempted pursuant to law as noted below. Questions regarding the collection, disclosure, or use of personal information collected from students for such marketing purposes may be referred to the school attorney as deemed necessary by the Superintendent/designee.

This law is not intended to preempt applicable provisions of State law that require parental/guardian notification.
SUBJECT: STUDENT PRIVACY, PARENTAL ACCESS TO INFORMATION, AND ADMINISTRATION OF CERTAIN PHYSICAL EXAMINATIONS TO MINORS (Cont'd.)

These requirements do 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 the following:

a) College or other postsecondary education recruitment, or military recruitment*;


b) Book clubs, magazines, and programs providing access to low-cost literary products;

c) Curriculum and instructional materials used by elementary schools and secondary schools;

d) Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about 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;

e) The sale by students of products or services to raise funds for school-related or education-related activities;

f) Student recognition programs.

Family Educational Rights and Privacy Act of 1974, as amended by the No Child Left Behind Act of 2001, 20 USC Sections 1232h(b) and 1232h(c) 34 CFR Part 98

NOTE: Refer also to Policies #7121 -- Diagnostic Screening of Students
#7242 -- Military Recruiters' Access to Secondary School Students and Information on Students
#7511 -- Immunization of Students
#7512 -- Student Physicals
#7513 -- Administration of Medication

Adoption Date
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<tr>
<th>Last Name</th>
<th>First Name</th>
<th>Position</th>
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**Ellenville Central School District**  
**Special Education Department**  
28 Maple Avenue  
Ellenville, NY 12428  
(845) 647-0110/0112  
Fax: (845) 647-0108

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**MEMO**

To: Nafeez Doria  
From: Sabrina Decker  
Date: January 5, 2018  
Re: Board of Education Approval of CSE

List of students (minutes) to be presented to the Board of Education on Tuesday, January 9, 2018

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<tr>
<th>BOE Member</th>
<th>No.</th>
<th>Student #</th>
<th>Meeting Reason</th>
<th>Parent Attended?</th>
<th>Parent Agreed</th>
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