

SUBJECT: SCHOOL SPONSORED MEDIA

The principal of each building is responsible for the preparation of news releases concerning the activities within that building, and for reviewing them with the Superintendent prior to release. Copies of all final news releases will be sent to the Superintendent's Office.

In addition, a periodic newsletter may be prepared and mailed to each resident of the School District. Included in the newsletter will be information regarding school activities, a monthly calendar and other items of interest to the community. The Board accepts the funding obligation for the necessary staff and production costs.

As the official spokesperson, the Superintendent or his/her designee shall issue all news releases concerning the District. All statements of the Board will be released through the Office of the Superintendent and/or the District Clerk.

Adopted: 8/9/04

SUBJECT: FLAG DISPLAY

The Board of Education believes that the flag of the United States is a symbol of the values of our nation and the ideals embedded in our Constitution.

The School District shall purchase a United States flag, flagstaff, and the necessary appliances for its display on or near the school building. There shall be a flag on display in every assembly room of the School District.

The flag shall be flown at full or half-staff pursuant to applicable law and regulation. In addition, the flag may be flown at half-staff the day of death and the following day if the following day is a business day, to commemorate the death of a present or former Board member, employee, or student. [Note- the duration for flying the flag half-staff is up to the Superintendent and the Board – it can be longer.]

The Superintendent shall develop rules and regulations for the display of the flag.

Adopted: 8/9/04

Revised: 12/06/2017

SUBJECT: PUBLIC COMPLAINTS

Complaints by citizens regarding any facet of the school operation often can be handled more satisfactorily by the administrative officer in charge of the unit closest to the source of the complaint. Therefore, complaints will be made to the building principal and/or his/her assistant only if the matter cannot be resolved by the teacher, coach, or other school employee.

If the complaint and related concerns are not resolved at this level to the satisfaction of the complainant, the complaint may be carried to the Superintendent and/or one of his/her assistants. Unresolved complaints at the building level must be reported to the Superintendent by the building principal. The Superintendent may require the statement of the complainant in writing.

If the complaint and related concerns are not resolved at the Superintendent level to the satisfaction of the complainant, the complaint may be carried to the Board of Education. Unresolved complaints at the Superintendent level must be reported to the Board of Education by the Superintendent. The Board of Education reserves the right to require prior written reports from appropriate parties. School personnel will direct complaints to the appropriate level where complainant has failed to follow the above procedure.

Adopted: 8/9/04

Revised: 12/06/2017

POLICY

2004

3240

1 of 1

Community Relations

SUBJECT: STUDENT PARTICIPATION

Students provide an important channel of communication with parents and the entire community. Information concerning the schools may be properly disseminated through students. The School District's administrators shall review all messages and materials prior to authorizing their dispersal through the student body.

Adopted: 8/9/04

Community Relations

SUBJECT: SCHOOL RELATED GROUPS/CLUBS/ORGANIZATIONS

The Board of Education recognizes that the goal of the Parent-Faculty Organization is to develop a united effort between educators and the general public to secure for every child the highest achievement in physical, academic and social education. Therefore, staff members and parents are encouraged to join the Parent-Faculty Organization and to participate actively in its programs.

Booster clubs, Project Graduation or other school related organizations may be created to promote community support and to raise funds for specific school activities or programs.

All school related groups, clubs, and organizations must receive official Board of Education approval and will be required to comply with District policy on nondiscrimination and harassment.

Rules and regulations will be established to govern the activities of the PFO, Booster Clubs, Project Graduation and other school related organizations. The Board further requires that:

- a. Financial records shall be maintained in a format directed by the district and shall be submitted to the Board of Education on an annual basis no later than June 30th. All records shall be available for Board and/or public inspection;
- b. Contributions must adhere to the District's policy and regulations regarding the acceptance of gifts.
- c. The organization must submit a request to function as a school related group, with officers for the new school calendar year indicated on said application. This application must be submitted annually, no later than July 1st, and approval is required through Board resolution, prior to functioning as a school related group.

Violations to District policy may result in the dissolution of the club or organization as a school related entity.

Refer: 3420	Policy: Nondiscrimination and Harassment
3260R	School Related Groups/Clubs/Organizations
3260P	School Related Groups/Clubs/Organizations
3260F.1	School Related Groups/Clubs/Organization-Application
3260F.2	School Related Groups/Clubs/Organizations-Financial Report

Note: formerly know as 3260 Booster Club (and combined with 3250 PFO)

Adopted: 8/9/04

Revised: 02/14/2011

Revised: 01/03/2018

Community Relations

SUBJECT: USE OF SCHOOL FACILITIES, MATERIALS AND EQUIPMENT

School Facilities

It is the policy of the Board to encourage the greatest possible use of school facilities for community-wide activities. This is meant to include those uses permitted by New York State law with the exclusion that holding religious worship services, or otherwise using a school as a house of worship is prohibited. Groups wishing to use the school facilities must secure written permission from the Board of Education or its designee and abide by the rules and regulations established for such use including restrictions on alcohol, tobacco and drug use.

The District reserves the right to charge a fee for the use of its facilities in a manner consistent with law, and on terms specified in regulation or by agreement with such organizations. Charging of admission fees are prohibited for any organization/individual that will profit from such fees. Organizations charging admission fees may be required to provide proof of Non-For-Profit status.

Materials and Equipment

Except when used in connection with or rented under provisions of Education Law Section 414, school-owned materials or equipment may be used for school related purposes only. Private and/or personal use of school-owned materials and equipment is strictly prohibited. The loan of equipment and materials for public purposes that serve the welfare of the community is allowed, as long as the equipment is not needed at that time for school purposes and that the proposed use will not disrupt normal school operations.

The Board will permit school materials and equipment to be loaned to staff members when such use is directly or peripherally related to their employment, and to students when the material and equipment is to be used in connection with their studies or extracurricular activities. Community members will be allowed to use school-owned materials and equipment only for educational purposes that relate to school operations. The Board will also allow the loan of equipment to local governments and other entities that benefit the welfare of the surrounding community. The Board supports such inter-municipal cooperation as it saves taxpayer monies and is a more efficient use of scarce or costly equipment and resources.

The District will develop administrative regulations to assure that use of school-owned materials and/or equipment complies with the letter and spirit of this policy, including a description of the respective rights and responsibilities of the School District/lender and borrower in relation to such materials and equipment.

Education Law Section 414 NY Constitution Article 8

NOTE: Refer also to Policies

#5640 -- Smoking/Tobacco Use

#7320 -- Alcohol, Tobacco, Drugs and Other Substances (Students)

#7410 -- Extracurricular Activities

District Code of Conduct

Adopted: 02/10/2014

Revised: 03/19/2015

Revised: 02/06/2019

SUBJECT: OPERATION OF MOTOR-DRIVEN VEHICLES ON DISTRICT PROPERTY

The use of motor-driven vehicles, including cars, snowmobiles, mini-bikes, motorcycles, all-terrain vehicles (ATV's) and other such vehicles is prohibited on any school grounds or areas except for authorized school functions or purposes.

All student vehicles are to be registered with the high school principal and parked in authorized areas only.

All vehicles moving on school grounds shall move at a rate of no more than 10 miles per hour. All school vehicles should conform to the traffic plans as approved by the Board of Education. This applies to all vehicles driven by Board Members, Administration, Teachers, Employees, parents and students.

Vehicle and Traffic Law Section 1670

Adopted: 8/9/04
Revised: 12/06/2017

SUBJECT: ACCESS TO RECORDS UNDER PUBLIC OFFICERS LAW ARTICLE 6**1. Chief Executive's Duties.**

The Chief Executive Officer shall be responsible for insuring compliance with these regulations and shall designate one or more persons as Records Access Officer by name or by specific job title and business address who shall have the duty of coordinating the District's response to public requests for access to records.

2. Records Access Officer.

The Records Access Officer is responsible for assuring that District personnel:

- a. Maintain an up to date subject matter list.
- b. Assist the requester in identifying requested records, if necessary.
- c. Upon locating the records, take one of the following actions:
 - i. Make records promptly available for inspection; or,
 - ii. Deny access to the records in whole or in part and explain in writing the reasons therefor.
- d. Upon request for copies of records:
 - i. Make a copy available upon payment or offer to pay established fees, if any; or,
 - ii. Permit the requester to copy these records.
- e. Upon request, certify that a transcript is a true copy of records copied.
- f. Upon failure to locate records, certify that:
 - i. The District is not the legal custodian for such records;
 - ii. The records of which the District is a legal custodian cannot be found after diligent search.

3. Location.

The District records shall be available for public inspection and copying at the District Office.

4. Hours For Public Inspection.

The District shall accept requests for public access to records and produce records during all hours the District offices are regularly open for business.

5. Requests for Public Access to Records.

- a. Where request for records is required, such request may be oral or in writing. However, a written request shall not be required for records that have been customarily available without written request. Requests will be accepted by e-mail.

(continued)

SUBJECT: ACCESS TO RECORDS UNDER PUBLIC OFFICERS LAW ARTICLE 6(con't)

- b. A request shall reasonably describe the record or records sought. Whenever possible, a person requesting records shall supply information regarding dates, file designations or other information that may help to describe the records sought.
- c. If a record sought cannot be supplied within five business days of receipt of a request, the District shall furnish a written acknowledgment of receipt of the request and a statement of the approximate date when the request will be granted or denied. If access to records is neither granted nor denied within ten business days after the date of acknowledgment of receipt of the request, the request may be construed as a denial of access that may be appealed.
- d. The District shall maintain a reasonably detailed current list by subject matter of all records in its possession, whether or not records are available pursuant to Public Officers Law, Section 87 2.
 - i. The subject matter list shall be sufficiently detailed to permit identification of the category of the record sought.
 - ii. The subject matter list shall be updated not less than twice per year. The date of the most recent updating shall appear on the first page of the subject matter list.
- e. No records may be removed by the requester from the office where the record is located without the permission of the Chief Executive Officer.

6. Denial of Access of Records.

- a. The District Board President shall hear appeals for denial of access to records under the Freedom of Information Law.
- b. Denial of access shall be in writing stating the reason therefor and advising the requester of his right to appeal to the Board President, who shall be identified by name, business address and business telephone number.
- c. If the District fails to provide requested records promptly as required by law, such failure shall be deemed a denial of access by the District.
- d. Any person denied access to records may appeal within 30 days of denial.
- e. The time for deciding the appeal by the Board President shall commence upon receipt of written appeal identifying:
 - i. The date and location of request for records;
 - ii. The records to which the requester was denied access; and
 - iii. The name and return address of the requester.

(continued)

SUBJECT: ACCESS TO RECORDS UNDER PUBLIC OFFICERS LAW ARTICLE 6(con't)

- f. The District shall transmit to the Committee on Open Government, copies of all appeals upon receipt of an appeal. Such copies shall be addressed to:

Committee on Open Government
Department of State
162 Washington Avenue
Albany, NY 12231

- g. The School Board President shall inform the requester and the Committee on Open Government of the decision in writing within seven business days of receipt of an appeal. The determination shall be transmitted to the Committee on Open Government in the same manner as set forth in subdivision f of this section.
- h. A final denial of access to a requested record shall be subject to court review, as provided in Article 78 of the Civil Practice Law and Rules.

7. Fees.

- a. There shall be no fee charge for the following:
- i. Inspection of records;
 - ii. Search for records; or,
 - iii. Any certification pursuant to this bylaw.
- b. A charge for copies of records shall be as follows:
- i. The fee for copying records shall be 25 cents per page for photocopies not exceeding 9 x 14 inches.
 - ii. The fee for copies of records not covered by paragraph i above shall not exceed the actual reproduction cost as defined by Public Officers Law.

(continued)

SUBJECT: ACCESS TO RECORDS UNDER PUBLIC OFFICERS LAW ARTICLE 6(con't)

8. Public Notice.

The District shall publicize by publication in the local newspaper having general circulation in the District:

- a. The location where public records shall be made available for inspection and copying.
- b. The name, title, business address and business telephone number of the designated Records Access Officer.
- c. The right to appeal by any requester denied access to a record for whatever reason and the name and business address of the person to whom an appeal is to be directed.

9. The bylaw previously adopted in accordance with Article 6 of the Public Officers Law (Freedom of Information Law) is hereby revoked.

Public Notice In Accordance With The Regulations Of The Committee On Open Government Shall Include The Following:

(Elmira Heights Central School District)

- I. The location where records shall be made available for inspection and copying is:
District Office 2083 College Ave Elmira Heights, NY
- II. The Records Access Officer is:
Appointed at Annual Reorganization Meeting – Typically the Business Manager
- III. A person denied access to a record for whatever reason shall have the right to appeal in accordance with the bylaw of the District. The name and address of the Appeal Officer is:
The Board President

Adopted: 8/9/04
Revised: 12/06/2017

SUBJECT: THREATS OF VIOLENCE IN SCHOOL

The School District is committed to the prevention of violence against any individual or property in the schools or at school activities whether such acts and/or threats of violence are made by students, staff, or others. Threats of violence against students, school personnel and/or school property will not be tolerated whether or not such threats occur on school grounds or during the school day.

Any acts and/or threats of violence, including bomb threats, whether made orally, in writing, or by e-mail, shall be subject to appropriate discipline in accordance with applicable law, District policies and regulations, as well as the *Code of Conduct for the Maintenance of Order on School Property* and collective bargaining agreements, as may be necessary.

While acknowledging an individual's constitutional rights, including applicable due process rights, the District refuses to condone acts and/or threats of violence which threaten the safety and well being of staff, students and the school environment. Employees and students shall refrain from engaging in threats or physical actions which create a safety hazard for others.

All staff who are made aware of physical acts and/or threats of violence directed to students or staff are to report such incidents to the building principal/designee, who shall report such occurrences to the Superintendent. Additionally, the building principal/designee will also report occurrences of violence, whether involving an actual confrontation or threat of potential violence, to the school psychologist and/or Director of Special Education if applicable. Local law enforcement agencies may be called as necessary upon the determination of the Superintendent/designee.

Students are to report all acts and/or threats of violence, including threats of suicide, of which they are aware by reporting such incidents to the school hotline, a faculty member, or the building principal.

The District reserves the right to seek restitution, in accordance with law, from the parent/guardian and/or student for any costs or damages which had been incurred by the District as a result of the threats or acts of violence in the schools.

This policy will be enforced in accordance with applicable laws and regulations, as well as collective bargaining agreements and the *Code of Conduct* as may be necessary. Additionally, this policy will be disseminated, as appropriate, to students, staff, and parents and will be available to the general public upon request.

Regulations will be developed to address safety concerns in the schools, and appropriate sanctions for violations of this policy by students will be addressed in the *Code of Conduct*.

**SUBJECT: NOTICE OF NON-DISCRIMINATION SECTION 504 OF THE
REHABILITATION ACT TITLE IX AND TITLE VII SEXUAL HARASSMENT**

This policy applies to both students and employees.

The District does not discriminate in employment or in the education programs and activities which it operates on the basis of race, color, national origin, religion, marital status, military status, sex, age, weight, sexual orientation, gender identity, ethnic group, religious practice, disability (including but not limited to gender dysphoria) or predisposing genetic characteristic in violation of Title IX of the Education Amendments of 1972, Title VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 12111 et seq. known as the Americans With Disabilities Act or § 504 of the Rehabilitation Act of 1973, New York State Human Rights Law, and The Boy Scouts of America Equal Access Act of 2001.

**Grievance Procedure
Section 1**

If any person believes that the District or any of the District's staff or any third party has failed to apply or has inadequately applied the principles or regulations of (1) Title VII of the Civil Rights Act of 1964, (2) Title IX of the Education Amendment Act of 1972, (3), 504 of the Rehabilitation Act of 1973, or (4) The Boy Scouts of America Equal Access Act of 2001, that person may bring forward a complaint, which shall be referred to as a grievance, to the District's Compliance Officer, Section 504 Coordinator or the United States Office for Civil Rights at <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>.

The Compliance Officer or Section 504 Coordinator will then investigate the substance of the grievance in a thorough and impartial manner. The Complainant and the Respondent may provide evidence or witnesses to the Compliance Office or Section 504 Coordinator as part of the investigation. If a determination is found that discrimination occurred, the District will take appropriate steps to prevent further harassment from occurring and to correct the effects of said harassment if appropriate.

Further, the District prohibits retaliation against any individual filing a complaint under this policy or participating in any resulting investigation. If you believe you are being retaliated against, you should contact the District's Compliance Officer or Section 504 Coordinator or the United States Office for Civil Rights as noted above.

The District's Compliance Officers (elementary principal and middle school principal) and the 504 Coordinator are appointed at the annual reorganization meeting.

Examples of conduct violating this policy include but are not limited to:

- Use of race based language such as the "n" word
- Unwanted touching or groping
- Failure to follow an IEP or 504 Plan
- Making fun of someone because of where they come from or their accent
- Making fun of someone's clothes based on gender bias or religious/ethnic traditions
- Making fun of someone based on their disability

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**SUBJECT: NOTICE OF NON-DISCRIMINATION SECTION 504 OF THE
REHABILITATION ACT TITLE IX AND TITLE VII SEXUAL HARASSMENT**
(cont'd)

Section 2

Step (a):

The complainant shall discuss the grievance informally with the Compliance Officer or Section 504 Coordinator, or may file a written complaint with the Compliance Officer or Section 504 Coordinator. The Compliance Officer or Section 504 Coordinator will then investigate in an impartial and thorough manner the substance of the grievance in a thorough and impartial manner. The Complainant and the Respondent shall receive written notice in advance of any interview or hearing. The Complainant and the Respondent may provide evidence or witnesses to the Compliance Office or Section 504 Coordinator as part of the investigation. The Compliance Officer or Section 504 Coordinator will take necessary steps during the investigation to ensure the Complainant's safety. The Compliance Officer or Section 504 Coordinator will reply to the complainant and person alleged to be engaged in the harassment in writing within seven business days of the initiation of the complaint. If a determination is found that discrimination occurred, the District will take appropriate steps to prevent further harassment from occurring and to correct the effects of said harassment if appropriate. Such steps will include, as appropriate, offering counseling and academic support services to the Complainant and to the person engaging in the harassment. . If a determination is found that disciplinary action will be taken against a responding party, written notice will be provided to the Respondent containing the allegations constituting a violation.

Step (b):

If either party wishes to appeal the decision of the Compliance Officer or Section 504 Coordinator, that party may submit a signed statement of appeal to the Superintendent within seven business days after receipt of the Compliance Officer's or Section 504 Coordinator's response. The Superintendent shall meet with the complainant or the respondent and any representative and make such other inquiries which the Superintendent deems appropriate. The Superintendent will consider the appeal in an impartial manner. Thereafter, the Superintendent shall set forth a conclusion and respond in writing to the complainant and the person alleged to be engaging in the harassment within 14 business days.

Step (c):

If the party is not satisfied with the conclusion of the Superintendent, the complainant may appeal through a signed, written statement to the Board within seven business days of receipt of the Superintendent's response in Step (b). In an attempt to resolve the grievance, the Board shall meet with the complainant or respondent and any representative within 30 calendar days of receipt of such an appeal. The Board's written disposition of the appeal shall be sent to appealing party within ten business days of this meeting.

Step (d):

If the grievance has not been satisfactorily settled at Step (c), further appeal may be made to the Office for Civil Rights, Department of Education, Washington, D.C. 20201.

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**SUBJECT: NOTICE OF NON-DISCRIMINATION SECTION 504 OF THE
REHABILITATION ACT TITLE IX AND TITLE VII SEXUAL HARASSMENT**
(cont'd)

Section 3

The compliance officer, on request, will provide a copy of the District's grievance procedure to any employee or student of the District.

A copy of each of the acts and regulations upon which this notice is based will be made available upon written request directed to the District's Compliance Officer and Section 504 Coordinator.

The words *person* and *complainant* shall include an employee as well as a student of the District.

Inquiries concerning the non-discrimination policy may be made to Director, Office for Civil Rights, Department of Education, Washington, D.C. 20201.

Publication

The District shall promulgate this policy and the sexual harassment policy as follows:

- A copy of this policy and the sexual harassment policy shall be inserted into each employees mailbox the first day of every school year. In relation to an employee hired during the school year, these policies shall be included with post hire paperwork.
- These policies shall be published as part of the District's student handbook.
- These policies shall be published in any recruitment materials or publications containing general information made available to participants, beneficiaries, applicants, or employees and shall include the contact information for the Compliance Officer and Section 504 Coordinator.
- These policies shall be published annually in the official newspaper of the District.
- These policies shall be provided annually to the president of each bargaining unit.

Annual publications shall contain the name, business address and telephone number of the District's compliance officer and Section 504 Coordinator.

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**SUBJECT: NOTICE OF NON-DISCRIMINATION SECTION 504 OF THE
REHABILITATION ACT TITLE IX AND TITLE VII SEXUAL HARASSMENT
(cont')**

Employment Application

Each employment application of the District shall contain the following language:

- The district does not discriminate in employment or in the education programs and activities which it operates on the basis of race, color, national origin, religion, marital status, military status, sex, age, weight, sexual orientation, gender identity, ethnic group, religious practice, disability or predisposing genetic characteristic in violation of Title IX of the Education Amendments of 1972, Title VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 12111 et seq. known as the Americans With Disabilities Act or § 504 of the Rehabilitation Act of 1973, New York State Human Rights Law, and The Boy Scouts of America Equal Access Act of 2001.

Refer:	3420F	Complaint Form
	3420F.1	Response to Complaint Form
	3420F.2	Complaint Appeal Form

Adopted: 08/09/2004

Revised: 02/26/2015

Revised: 01/03/2018