

WEST BABYLON UNION FREE SCHOOL DISTRICT  
WEST BABYLON, NEW YORK

REGULAR MEETING

BOARD OF EDUCATION  
BOARD ROOM - ADMINISTRATION BUILDING

**MONDAY - NOVEMBER 22, 2010**

**AGENDA**

The order of business at all regular meetings shall be as follows:

1. Call to order by presiding officer
2. Pledge of Allegiance to The Flag [7:00 P.M. - Meeting Convenes Followed by Student Presentation(s) and/or Executive Session]  
  
[8:30 P.M. - Public Session Resumes Beginning with Item #3]
3. Approval of minutes of previous meeting(s):

Regular Meeting:	November 9, 2010
Special Meeting:	November 16, 2010
4. Statement of the Board and/or Superintendent
5. Statement of West Babylon Teachers' Association Representatives
6. Statement of School Administrators' Association Representatives
7. Statement of C.S.E.A. Representatives
8. Statement of Student Association Representatives
9. Statement of PTA Council Representatives
10. Statement of Residents re: agenda items [15 minutes-limited to 3 minutes per speaker]\*
11. Report of the Superintendent and/or Educational Presentation:  
  

**West Babylon Junior High School Update**  
**Mr. Scott Payne, Principal**
12. Business Agenda [**\*\*Consent Agenda Items**]
  - A. **BOARD OF EDUCATION**
    - \*\* (R) Acceptance of the Response to the Internal Audit Report on Risk Assessment (Res. #BE-1)
    - \*\* (R) Acceptance of the Response to the External Auditor's Memorandum on Accounting Procedures and Internal Controls (Res. #BE-2)
    - \*\* (R) Approval of Girl Scout "Gold Award" Project (Res. #BE-3)

**B. PERSONNEL**

- \*\* (R) 10-P-10 Professional Personnel
- \*\* (R) 10-C-10 Civil Service Personnel (Res. #PE-1)

**C. FINANCE**

- \*\* (R) Approval of Budget Transfers (Res. #FI-1)
- \*\* (R) Acceptance of Donations (Res. #FI-2 through Res. #FI-3)

**D. CURRICULUM**

- \*\* (R) Adoption of Senior High School Health Textbook (Res. #CU-1)

**E. FACILITIES**

- \*\* (R) Declaration of Obsolete Equipment (Res. #FA-1)

13. Policy Review:

1. Board Review - Student Policy Goals (First Time Reading) (File:5000)
2. Board Review - Rights of Students with Disabilities under Section 504 (First Time Reading) (File:5020.3)
3. Board Review - Student Complaints and Grievances (First Time Reading) (File:5030)
4. Board Review - Student Complaints and Grievances-Administrative Regulations (Review) (File:5030-R)
5. Board Review - Attendance (First Time Reading) (File:5100)
6. Board Review - Compulsory Attendance Ages (First Time Reading) (File:5130)
7. Board Review - Compulsory Attendance Ages-Exhibit (First Time Reading) (File:5130-E)
8. Board Review - Entrance Age (First Time Reading) (File:5140)
9. Board Review - School Admissions (First Time Reading) (File:5150)

14. Board of Education Committee Reports

15. Strategic Plan Update

16. Old Business

17. New Business

18. Statements of Residents re: other district items [15 minutes-limited to 3 minutes per speaker]\*

19. Adjournment [This should take place by 11:00 P.M.]

\*Per Board Policy 1230: The Board of Education encourages participation of residents at open Board meetings. The President of the Board shall ask for brief statements from residents and set a time limit (three minutes per resident) on such statements. To allow for public participation, a period not to exceed 15 minutes shall be set aside during the first and last part of each Board meeting. The President shall be responsible for the orderly conduct of the meeting and shall rule on such matters as the time to be allowed for public discussion and the appropriateness of the subject being presented. The President shall have the right to discontinue any presentation which violates this policy. Residents wishing to speak should identify themselves, their address, any organization they may be representing at the meeting, and the topic they wish to discuss. Statements during the first part of the meeting will relate to agenda items. Statements during the second part of the meeting will relate to other district matters.

WEST BABYLON UNION FREE SCHOOL DISTRICT  
WEST BABYLON, NEW YORK

REGULAR MEETING

BOARD OF EDUCATION  
BOARD ROOM - ADMINISTRATION BUILDING

MONDAY, NOVEMBER 22, 2010

**RESOLUTIONS**

**BOARD OF EDUCATION**

**\*\*#BE-1**

RESOLVED: that the response to the Internal Audit Report on Risk Assessment, as presented on August 24, 2010, be accepted by the West Babylon Board of Education. The Executive Director for Finance & Operations is authorized to submit the management letter and action plan to the New York State Comptroller's Office, pursuant to the Five Point Fiscal Accountability Plan.

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**\*\*#BE-2**

RESOLVED: that the response to the external auditor's Memorandum on Accounting Procedures and Internal Controls, for the fiscal year ending June 30, 2010, be accepted by the West Babylon Board of Education. The Executive Director for Finance & Operations is authorized to submit the management letter and action plan to the New York State Comptroller's Office, pursuant to the Five Point Fiscal Accountability Plan.

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**\*\*#BE-3**

RESOLVED: that the West Babylon Board of Education approves the following Girl Scout "Gold Award" project to be completed in the Junior High School Courtyard:

- Solar powered filtered bird bath
- Several bird houses
- Several bird feeders
- Enclosures to protect the resident ducklings
- A painted mural of birds common to Long Island
- An informational booklet on each of the several species commonly seen

**PERSONNEL**

\*\*#PE-1

RESOLVED: that the following schedules, as attached, are approved:

<u>10-P-10</u>	Professional Personnel
<u>10-C-10</u>	Civil Service Personnel

**FINANCE**

\*\*\*FI-1

RESOLVED: that the West Babylon Board of Education approves the following budget transfers:

<b>Transfer Explanation &amp; Account Description</b>	<b>Account Code</b>	<b>From</b>	<b>To</b>
Contracted sick pay for retirees			
	A2020.1600	\$88,886.00	
	A2020.1661		\$88,886.00
ARRA expenditures in the billing system			
	A2110.1200	\$503,357.00	
	A2110.1201		\$503,357.00
	A2110.1300	\$866,299.80	
	A2110.1301		\$866,299.80
Mandatory ERS retro active employer share adjustment	A9760.7000	\$100,974.00	
	A9010.8000		\$100,974.00

\*\*\*FI-2

RESOLVED: that the West Babylon Board of Education gratefully accepts a donation, in the amount of \$742.49, from Target's "Take Charge of Education" program. The donation will be deposited into the Senior High School's Trust and Agency account.

\*\*\*FI-3

RESOLVED: that the West Babylon Board of Education gratefully accepts a donation, in the amount of \$92.33, from Ohiopyle Print. The donation will be deposited into the Senior High School's Trust and Agency account.

**CURRICULUM**

**\*\*#CU-1**

RESOLVED: that the textbook titled, Health, by Mary H. Bronson, Ph.D., McGraw-Hill Glencoe Publishing Company, copyright 2011, is adopted, by the West Babylon Board of Education, for use for the health course, for grades 9-12, effective September, 2011.

**FACILITIES**

\*\*\*#FA-1

RESOLVED: that the West Babylon Board of Education declares the following equipment, located at Forest Avenue School, obsolete:

Samsung Television, Model No. TCC1340, December 1994, Serial No. 3WEDCO4202

Samsung Television, Model No. TXB2735, October 1994, Serial No. 3CDDA01271

The equipment listed above is no longer operational.

WEST BABYLON UNION FREE SCHOOL DISTRICT

REGULAR MEETING - BOARD OF EDUCATION - MONDAY - NOVEMBER 22, 2010

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**PERSONNEL**

(R) Schedules:	<u>10-P-10</u>	Professional Personnel
	<u>10-C-10</u>	Civil Service Personnel



**PROFESSIONAL PERSONNEL SCHEDULE**

**I. Professional Personnel Schedule 10-P-10**

- A. Family Medical Leaves
- B. Leave of Absence Request
- C. Tenure Recommendations
- D. 2010 Summer Work
- E. 2010-2011 S.A.I.L. Mentors
- F. 2010-2011 Clubs & Advisors
- G. S.A.T. Proctors
- H. Fall, 2010 Student Teacher/Observer
- I. 2010-2011 Per Diem Substitute
- J. Winter/Spring, 2010-2011 Coaching

**CIVIL SERVICE PERSONNEL SCHEDULE**

**II. Civil Service Personnel Schedule 10-C-10**

- A. Family Medical Leave
- B. Probationary Appointments
- C. Clerical 10% Differential Ends
- D. S.A.T. Proctor
- E. 2010-2011 Per Diem Substitutes

SCHEDULE 10-P-10, Professional Personnel Schedule

Date of Meeting: November 22, 2010

Page 1 of 4 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Mostransky,Elissa	Reading Tchr.	SB		11/15/10 - 11/30/10	Family Medical Leave [continuance]
Niles,Jennifer	Science Tchr.	JH		11/29/10 -	Family Medical Leave
Martone,Nicholas	Social Studies Tchr.	HS		12/6/10 -	Family Medical Leave
Mostransky,Elissa	Reading Tchr.	SB		12/3/10 - end of first semester	Leave of Absence

Upon the recommendation of the Superintendent of Schools, the following professional personnel who have successfully completed their annual reviews are appointed to tenure as listed below:

Dorsey,Katie	Health/Physical Education			1/28/11	Tenure
Payne,Scott	Principal			2/1/11	Tenure
Durkin,Kelly	Teaching Assistant			2/1/11	Tenure

SCHEDULE 10-P-10, Professional Personnel Schedule

Date of Meeting: November 22, 2010

Page 2 of 4 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Thomas,Stephanie	Guidance Counselor	HS	\$1,153.72	Summer, 2010	2 full days
Poio,Josephine	S.A.I.L. Mentor	JH	\$7,035.	11/19/10	[resignation]
Gottlieb,Susan	S.A.I.L. Mentor	JH	\$7,035. (prorate)	11/22/10-6/30/11	[repl. J. Poio]
<b>Clubs &amp; Advisors:</b>		HS		2010-2011	
Rogovitz,Eugene	Robotics Asst. Advisor		\$1,612.		
Schilt,Brianne	Color Guard/Kickline		\$1,185.		
<b>S.A.T. Proctors:</b>		HS	\$21.48/hr.	11/6/10	
Connors,Lucia					4.5 hrs.
Borgo,Danielle					6 hrs.
Cafiero,Mary Ann					6 hrs.
Clark,Kathryn					6 hrs.
Heaton,Bryan					6 hrs.
Heaton,Elise					6 hrs.
Iaquinto,Christine					6 hrs.
Kinlan,Patricia					6 hrs.
McArdle,Patrick					6 hrs.
Rizzo,Laura					6 hrs.
Rogovitz,Eugene					6 hrs.
Ruiz,Lawrence					6 hrs.
Shelor,Lisa					6 hrs.
Shaffer,Donna					6 hrs.
Sanchelli,Joy					6.5 hrs.
Montalvo,Andrea					9 hrs.
Montalvo,Christina	Test Supervisor				9 hrs.
<b>Student Teacher/Observer:</b>				Fall, 2010	
Licari,Angelique	Special Ed./Elementary	JH			
<b>Per Diem Substitute:</b>			\$90./day	2010-2011	
Giannini,Nicole					

SCHEDULE 10-P-10, Professional Personnel Schedule

Date of Meeting: November 22, 2010

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NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
<b>Coaches:</b>					Winter/Spring, 2010-2011
Kunzig, William	JHS Head	Basketball(G)	\$3,987.		
Delaney, Kevin	Varsity Asst.	Baseball	\$4,962.		
Doherty, Daniel	JV Head	Baseball	\$4,962.		
Enriquez, Jonathan	JHS Head	Baseball	\$3,987.		
Waldeck, Kristina	Varsity Head	Golf(G)	\$4,962.		
Royle, Daniel	Varsity Asst.	Lacrosse(B)	\$4,962.		
Kunzig, Christopher	JV Head	Lacrosse(B)	\$4,962.		
Torre, Andrew	JV Asst.	Lacrosse(B)	\$3,987.		
Hartranft, Greg	JHS Head	Lacrosse(B)	\$4,242.		
Horstmann, Thomas	JHS Asst.	Lacrosse(B)	\$3,987.		
Kilgus, Colleen	Varsity Asst.	Lacrosse(G)	\$4,962.		
TBA	JV Head	Lacrosse(G)	\$4,962.		
Dewhirst, James	JV Asst.	Lacrosse(G)	\$3,987.		
Delaney, Christina	JHS Head	Lacrosse(G)	\$4,242.		
DeLany, Nicole	JHS Asst.	Lacrosse(G)	\$3,987.		
Richert, Danielle	Varsity Asst.	Softball	\$4,962.		
Morra, Jessica	JV Head	Softball	\$4,962.		
Rymer, Erin	JHS Head	Softball	\$3,987.		
Joseph, Melissa	JV Head	Tennis(B)	\$3,987.		
Kunzig, William	JHS Head	Tennis(B)	\$3,987.		
Ging, Frank	Varsity Asst.	Track/Field(B)	\$4,962.		
Snyder, John	JHS Head	Track/Field(B)	\$4,242.		
Casoria, Meredith	Varsity Asst.	Track/Field(G)	\$4,962.		
Armato, Philip	JHS Head	Track/Field(G)	\$4,242.		
Axelsson, Gregory	JHS Asst.	Track/Field(G)	\$3,987.		
Nettuno, Thomas	Varsity Head	Winter Track(G)	\$4,962.		
Phelan, Melissa	Varsity Head	Winter Track(G)	\$4,962.		[resignation]
Phelan, Melissa	Varsity Asst.	Winter Track(G)	\$3,987.		[repl. T. Nettuno]
Armato, Philip	Varsity Asst.	Winter Track(G)	\$3,987.		[resignation]
					[repl. M. Phelan]

SCHEDULE 10-C-10 Civil Service Personnel Schedule

Date of Meeting: November 22, 2010

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NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Sullivan,Keith	Custodial Wrkr.I	HS		11/1/10 -	Family Medical Leave
Lackner,Cynthia	Senior Clerk Typist	JK	Step 3/ \$37,788. (prorate)	11/23/10	Probationary Appt. C.S. List of Eligibles #10-0022-341
Lackner,Cynthia	Clerk Typist	JK		11/22/10	[end of 10% differential]
Lackner,Cynthia	Clerk Typist	JK		11/23/10-2/15/11	Leave of Absence
*Becconsall,Lisa	Senior Clerk Typist	TA	Step 1/ \$34,726. (prorate)	11/23/10	Probationary Appt. C.S. List of Eligibles #10-0022-341
<b>S.A.T. Proctor:</b> Mastandrea,Cecilia		HS	\$21.48/hr.	11/6/10	8 hrs.
<b>Per Diem Substitutes:</b> Fasitta,Debra *Chauvin,Catherine Scelza,Nicole		DW	\$9./hr.	2010-2011	Clerical Clerical/Paraprofessional Paraprofessional

\*Emergency Conditional Appointment

WEST BABYLON UNION FREE SCHOOL DISTRICT

REGULAR MEETING - BOARD OF EDUCATION - MONDAY - NOVEMBER 22, 2010

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**POLICY**

1. Board Review - Student Policy Goals (First Time Reading) (File:5000)
2. Board Review - Rights of Students with Disabilities under Section 504 (First Time Reading) (File:5020.3)
3. Board Review - Student Complaints and Grievances (First Time Reading) (File:5030)
4. Board Review - Student Complaints and Grievances-Administrative Regulations (Review) (File:5030-R)
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7. Board Review - Compulsory Attendance Ages-Exhibit (First Time Reading) (File:5130-E)
8. Board Review - Entrance Age (First Time Reading) (File:5140)
9. Board Review - School Admissions (First Time Reading) (File:5150)

*Entire New Policy provided by NYSSBA*

5000

### **STUDENT POLICY GOALS**

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

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

*The Board and district staff shall work together to achieve the following goals:*

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

*Adoption date:*

*This policy replaces policy IGBC in its entirety*

**5020.3**

**RIGHTS OF STUDENTS WITH DISABILITIES UNDER SECTION 504**

*The Board of Education shall ensure that no student is discriminated against in programs or activities receiving federal financial assistance. Individuals protected by Section 504 of the Rehabilitation Act of 1973 are those individuals who: have a physical or mental impairment which substantially limits one or more major life activities (e.g. caring for one's self, performing manual tasks, walking, standing, lifting, bending, seeing, hearing, speaking, breathing, learning, reading, concentrating, thinking, communicating and working); have a record of such impairment; or are regarded as having such an impairment. Students who qualify for protection under Section 504 are: of an age during which non-disabled children are provided preschool, elementary or secondary education services; of an age during which it is mandatory under state law to provide such educational services to disabled children; or to whom a state is required to provide a free appropriate public education (e.g. under IDEA).*

*The Board directs the administration to identify, evaluate, refer, place, provide adaptations for and review all eligible students with disabilities. A student whose disability is episodic or in remission is still eligible to be qualified under the Act. In addition, the determination that a student has an impairment that substantially limits a major life activity will be made without regard to whether mitigating measures (such as medication, devices, prosthetics, hearing aids, etc.) ameliorate the effects of the disability.*

*Students with disabilities pursuant to Section 504 shall be provided a free appropriate public education which may include, but is not limited to, providing a structured learning environment; repeating and simplifying instructions about in-class and homework assignments; supplementing verbal instructions with visual instructions; using behavioral management techniques; adjusting class schedules; modifying test delivery; using tape recorders, computer-aided instruction, and/or other audiovisual equipment; selecting modified textbooks or workbooks and tailoring homework assignments or modification of nonacademic times such as lunchroom, recess and physical education. The Board directs the Superintendent to provide the staff appropriate training in this area of the law so as to ensure that the district is able to comply with the law in not discriminating against students with disabilities.*

*The Board shall adopt a grievance procedure to resolve Section 504 complaints and designate an individual to coordinate compliance with Section 504. The Board shall ensure that students with disabilities and their parents are notified annually of the Board's responsibilities under Section 504.*

Cross-ref: 0100, Equal Opportunity  
4321, Programs for Students with Disabilities  
5030, Student Complaints and Grievances  
5420, Student Health Services

Ref: Americans with Disabilities Act Amendment Act of 2008, 42 USC §§12101 et seq.  
Rehabilitation Act of 1973, 29 USC §§705, 794 et seq. (Section 504)  
34 CFR Part 104 Individuals with Disabilities Education Act, 20 USC §§1400 et seq.  
(IDEA)  
Education Law, §§4401 et seq. (Article 89)  
8 NYCRR Part 200

*Adoption date:  
Replaces former policy IGBC*



*Entire policy to be replaced by NYSSBA's 5020.3*

**[Students with Disabilities**

**File: IGBC**

Section 504 is a federal civil rights statute that prohibits discrimination against persons with disabilities in programs receiving federal financial assistance.

The West Babylon Union Free School District does not discriminate against persons with disabilities and provides access as required by law and regulation to qualified disabled individuals to all of its activities and programs.

The Act also obligates school districts to identify, evaluate, and to extend to every qualified student with a disability residing in the district, a free appropriate public education in accordance with Section 504 and all State and Federal Regulations adopted in accordance therewith. If a parent believes that a child may have a disability that requires modifications or accommodations to his or her educational program, that parent should contact the office of the Assistant Superintendent for Curriculum and Student Services.

Legal References:

Americans with Disabilities Act, 42 USC §12132, et. seq.  
Rothschild v Grottenthaler, 907 F2d 286 (2nd Cir., 1990)

Adopted: 4/11/94  
Reviewed: 10/15/02]

*This is a new policy and regulations that are required by law*

5030

## **STUDENT COMPLAINTS AND GRIEVANCES**

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

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

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

*Student complaints and grievances shall be directed to the Director of Student Services.*

### Annual Notification

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

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

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

Cross-ref: 0100, Equal Opportunity  
5300, Code of Conduct

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

Adoption date:

**STUDENT COMPLAINTS AND GRIEVANCES REGULATION**Definitions

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

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

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

StagesA. Stage I - Compliance Officer

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

B. Stage II - Superintendent of Schools

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

C. Stage III - Board of Education

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

Distribution of the Grievance Procedure

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

*Adoption date:*

**This was our policy JE with a few changes recommended by committee or NYSSBA**

## **ATTENDANCE**

The Board of Education emphasizes raising standards for all students. The Board recognizes that regular school attendance is a major component of academic success. In recent years, the district has made progress in improving student attendance. Through implementation of this policy, the Board expects to reduce the current level of unexcused absences, encourage full attendance by all students, maintain an adequate attendance recordkeeping system, identify patterns of student absence and develop effective intervention strategies to improve school attendance.

### **Notice**

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

- [In addition to the Code of Conduct,] Parents will receive a plain language summary of this policy by mail at the start of the school year. Parents will be asked to sign and return a statement indicating that they have read and understand the policy.
- When a student cuts class or is absent without excuse, designated staff members will notify the student's parent(s) or guardian(s) and review the attendance procedures with them.
- At the back-to-school event, held at the beginning of each school year, parents will be provided an explanation of this policy, stressing the parent's role and responsibility for ensuring their children's attendance.
- The district will provide a copy of the attendance policy and any amendments thereto to faculty and staff. New staff will receive a copy upon their employment.
- *Individual student attendance is available through the password protected parent portal.*
- All faculty and staff will meet at the beginning of each school year to review the attendance policy to clarify individual roles in its implementation.
- Copies of this policy will also be made available to any community member, upon request.
- *The district will share this policy with local Child Protective Services (CPS) to ensure a common understanding of excused and unexcused ATED's and to work toward identifying and addressing cases of educational neglect.*

### **Excused and Unexcused Absences**

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

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

All absences must be accounted for. It is the parent's responsibility to notify the school (Elementary: Nurse's Office; Secondary: Attendance Office) on the morning of the absence or tardiness and to provide a written excuse upon the student's return to school. Extended periods of illness will require medical documentation.

### **General Procedures/Data Collection**

- Attendance will be taken at the start of each school day.
- The time and reason for late arrivals or early departures shall be recorded.
- Attendance will be taken during each class period at the Junior High School and Senior High School.
- At the conclusion of each class period or school day, all attendance information shall be compiled and provided to the appropriate individual(s) responsible for attendance.
- The nature of an absence (full day, class cut, early departure, late arrival) shall be coded on a student's record.
- Student absence/class cut data shall be available on the following school day and should be reviewed by appropriate school personnel.
- A permanent record shall be recorded electronically in an attendance database. It will include: the student's name, date of birth, full name(s) of parent(s) or person(s) in parental relation, address where student resides, telephone number(s) for contacts, date of the student's enrollment, record of the student's attendance on each day of scheduled instruction, date the student withdraws or is dropped from enrollment (if applicable), and record of school absences.
- Where additional information is received during a conference that requires corrections to be made to a student's attendance records, such correction will be made immediately. Notice of such a change will be sent to appropriate school personnel.
- Attendance data will be analyzed periodically by the Building Principal to identify patterns or trends in student absences.
- Continuous monitoring will be conducted to identify students who are cutting class.

### **Attendance Incentives**

The district will design and implement systems to acknowledge a student's efforts to maintain or improve school attendance. For example:

- Individual recognition of students with perfect attendance on a monthly basis.
- Monthly recognition of classes/homerooms with the best attendance at each school.
- Certificates for students maintaining a full year of exemplary attendance.

### **Disciplinary Consequences**

The following disciplinary consequences will be applied for all students:

For the first through sixth class cut or unexcused absence, an appropriate school staff member will counsel the student and contact the student's parents. The student will be assigned one day of in-school suspension for each incident. The student will also be suspended from extra-curricular activities on the day of the in-school suspension.

At the seventh class cut or unexcused absence, a conference with the principal or assistant principal will be scheduled for the student and parent. The student and parent will be counseled regarding the attendance policy and the implications of poor attendance. The student will be assigned a one day out-of-school suspension. The student will also be suspended from extra-curricular activities on the day of the out-of-school suspension.

Students continuing to have class cuts or unexcused absences will receive an out-of-school suspension of one day for each class cut or unexcused absence for the eighth through thirteenth incident. The student will also be suspended from extra-curricular activities on the day of the out-of-school suspension. An appropriate school staff member will counsel the student and contact the student's parents.

A principal's conference with the student and their parent will be scheduled for any student reaching the fourteenth class cut or unexcused absence. The student and parent will be advised that the student will lose course credit if one additional class cut or absence occurs (this meeting will be held at the seventh class cut or unexcused absence if it occurs in a one-half year class). A one day out-of-school suspension will be imposed. Additional days of out-of-school suspension (up to five days), in-school suspension or referral to a Superintendent's Hearing may occur at the discretion of the principal.

Students continuing to have class or unexcused absences will receive an out-of-school suspension of one day for each class cut or unexcused absence for the fifteenth and sixteenth incident. The student will also be suspended from extra-curricular activities on the day of out-of-school suspension. An appropriate school staff member will counsel the student and contact the student's parents.

A principal's conference with the student and their parent will be scheduled for any student reaching the seventeenth class cut or unexcused absence. The student and parent will be advised that the student will lose the privilege of attending summer school for this course if one additional class cut or absence occurs (this meeting will be held at the ninth class cut or unexcused absence if it occurs in a one-half year class). A one day out-of-school suspension will be imposed. Additional days of out-of-school suspension will be imposed. Additional days of out-of-school suspension (up to five days) or referral to a Superintendent's Hearing may occur at the discretion of the principal.

Students exceeding seventeen class cuts will be referred for out-of-school suspensions of one to five days or a Superintendent's Hearing at the principal's discretion.

The following procedure will be applied for elementary students:

Parents of elementary students will be notified by telephone and/or letter of each unexcused absence. At the fifth, tenth, and fifteenth unexcused absence (and at each increment of ten unexcused absence beyond fifteen) a principal's conference will be scheduled with the parents. At this conference, the parents will be advised of the consequences of excessive absence and methods of improving attendance will be discussed. The principal will request the intervention of the district social worker and/or attendance official at the fifteenth absence (excused or unexcused, in any combination).

Disciplinary sanctions for unexcused absences by elementary students will be addressed in accordance with the district's Code of Conduct. The district's Code of Conduct allows the following range of disciplinary sanctions to be imposed to discourage unexcused student absences, tardiness and early departure:

1. Oral warning
2. Written warning
3. Written or oral notification to parent
4. Detention
5. Suspension from athletic participation
6. Suspension from social or extra-curricular activities
7. Suspension from other privileges
8. In-school suspension
9. Short-term suspension from school (five days or less)
10. Long-term suspension from school (more than five days)

*In addition, the designated staff member will contact local Child Protective Services (CPS) if they suspect that the child is being educationally neglected. The designated staff member will provide CPS with the information necessary to initiate a report. If other staff members suspect education neglect, they must follow the procedures outlined in Board policy and regulation 5460, Child Abuse in a Domestic Setting, and advise the attendance officer.*

### **Attendance/Grade Policy**

The Board of Education recognizes an important relationship between class attendance and student performance. Therefore, each marking period a student's final grade will be based on classroom participation as well as student's performance on homework, tests, papers, projects, etc.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, any absence from class which is not made up shall result in the loss of points from the student's class participation grade for the marking period. Any student who misses a class is expected upon his or her return to consult with his/her teachers regarding missed work. If the absence is excused, the student may earn his or her classroom participation grade by arranging with the teacher to cover the work missed and completing the assignment within the time frame designated by the teacher.

Only those students with excused absences will be given the opportunity to make up a test and/or turn in a late assignment for inclusion in the calculation of the performance portion of their final grade. Make-up opportunities must be completed by a date specified by the student's teacher for the class in question.

At the junior high school and high school level, any student with more than 8 (eight) unexcused absences in a one-half year course or 15 (fifteen) unexcused absences for a full year course will be denied credit for that course.

Secondary students reaching 8 (eight unexcused absences in a one-half year course or 15 (fifteen) unexcused absences in a full year course will be allowed to continue attending the course. If they exceed 9 (nine) unexcused absences in a one-half year course or 18 (eighteen) unexcused absences in a full year class they forfeit the privilege of attending summer school for this subject area.

During summer school, secondary students will be allowed up to three absences – excused or unexcused before forfeiting credit for the course. Arriving more than 10 minutes late to a summer school class will be counted as ½ of an unexcused absence.

Any elementary or junior high student who exceeds 30 (thirty) absences (in any combination of excused or unexcused absences) must be reviewed by the school's principal to determine if promotion is appropriate. Any high school student who exceeds 30 (thirty) absences (in any combination of excused or unexcused absences) in a course, must be reviewed by the school's principal to determine if course credit is appropriate.



Annual Review

*The Board shall annually review building-level student attendance records and, if such records show a decline in student attendance, the Board shall revise this comprehensive attendance policy and make any revisions to the plan it deems necessary to improve student attendance.*

Cross ref: 4710, Grading Systems  
5300, Code of Conduct  
5460, Child Abuse in a Domestic Setting

Ref: Education Law §§1709; 3024; 3025; 3202; 3205-3213; 3225

8 NYCRR §§104.1; 175.6

Social Service Law §34-a

Adoption date:

Replaces our JEA in its entirety.

### **COMPULSORY ATTENDANCE AGES**

*All children are required by New York State law to attend school full time, in a public, private or parochial school, unless exempt from attendance in conjunction with current law or regulation, and approved by the State Education Department from the first day of session in September of the school year in which the minor becomes six years of age through the last day of the school year in which such minor becomes 16 years of age, unless he/she has completed a four-year high school course of study. A minor who has completed a four-year high school course of study is not required to attend.*

*Additionally, students between the ages of 16 and 17 are required to attend school until the last day of session in the school year in which they become 17, unless they are employed. Proof of employment must be furnished to the Superintendent of Schools in the form of a letter from the employer.*

*The Board of Education, through the Superintendent as chief administrative officer, is responsible for enforcement of the Compulsory Education Law.*

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

*Adoption date:*

### **[Compulsory Attendance Ages**

**File: JEA**

State law requires the compulsory school attendance of all children between the ages of 6 and 16 years, except for those youngsters otherwise provided for by law, upon full time instruction in a public, private, or parochial school.

Legal References:

New York Education Law, Sections 1711, 3201 et seq.  
Family Court Act, Section 711 et seq.  
Regulations of the Commissioner of Education, Part 101

Adopted: 3/11/91  
Reviewed: 6/11/01  
Reviewed: 10/10/06]

DRAFT

**COMPULSORY ATTENDANCE EXHIBIT**

**Proof of Employment Letter** \_\_\_\_\_ (Date)

Superintendent of Schools  
West Babylon School District  
10 Farmingdale Road  
West Babylon, NY 11704

Dear Superintendent:

This letter is to confirm that \_\_\_\_\_ (employee's name) has been employed by \_\_\_\_\_ (company name) since \_\_\_\_\_ (date) as a \_\_\_\_\_ (job title).

\_\_\_\_\_ (Employee's name) receives a salary of \_\_\_\_\_ (dollar amount), which is paid \_\_\_\_\_ (weekly, monthly, etc.), and a bonus of \_\_\_\_\_ (dollar amount), which is paid \_\_\_\_\_ (annually, bi-annually, etc). He/She currently works \_\_\_\_\_ (number of hours, if paid by the hour) a week.

If you have any further questions, please call me at \_\_\_\_\_ (phone number).

Sincerely,

\_\_\_\_\_  
(Employer's name) (Company)

\_\_\_\_\_  
(Employer's signature) (Employer's job title)

Adoption date:

**Our former JEB in its entirety, file # changed**

**5140**

## **ENTRANCE AGE**

To be eligible to enter kindergarten, a child must be five (5) years old on or before December 1 of the year in which he or she enters school. The Superintendent of Schools shall designate a week in the spring for the registration of prospective kindergarten children for the next school year.

### **Entrance to Grade One**

To be eligible to enter the first grade, a child must satisfy any one of the following requirements:

- The child must be six (6) years old on or before December 1 of his/her first grade school year;
- The child must have attended kindergarten for a full year at a registered kindergarten or one recognized by the public schools in the district in which such private school is located; or
- The child must have been promoted to the first grade by the kindergarten, either in West Babylon or elsewhere.

Ref: Education Law §§1711; 3201; 3202(1); 3205; 3206; 3208; 3225  
8 NYCRR §101

*Appeal of S.H.*, 40 EDR 527 (2001)

*Appeal of L.T.*, 47 EDR 23 (2007)

*Matter of Bruce A.M.*, 32 EDR 335 (1992)

Adoption date:

*This is our JEC just File name is changed*

5150

## SCHOOL ADMISSIONS

District residents over five (5) and under 21 years of age and veterans of any age, except those who received dishonorable discharges, shall be eligible to attend the public schools of West Babylon free of charge if they have not received a high school diploma.

Upon registration, all new students or their parents or guardians shall be required to present:

1. proof of date of birth,
2. record of immunizations and a health certificate from a licensed physician,
3. proof of residency,
4. proof of guardianship.

Students who are in their senior year of schooling and whose parents or guardians move to another district during the course of the academic year, shall be allowed to finish the year in West Babylon in order to graduate with their classmates. Parents or guardians of these students are responsible for transporting the students to and from school.

Students in grades kindergarten through eleven (11) whose parents or guardians move to another district during the course of the academic year are not eligible to finish the school year in West Babylon unless the move takes place during the final ten (10) weeks of the academic year. Parents or guardians of the students who are eligible to finish the school year in West Babylon are responsible for transporting the students to and from school.

Students in grades kindergarten through four whose parents or guardians move to the attendance zone of another elementary school within the West Babylon district after the start of the school year are eligible to finish the school year in their original school. Students must transfer to the new school for the start of the next school year (if space permits). Students who have completed fourth grade prior to moving to the attendance zone of another elementary school within the West Babylon School District may complete the fifth grade in their original school. Upon parental request, the student may transfer immediately if space permits in the receiving school.

Ref: Education Law §§903; 904; 3202; 3208  
Public Health Law §2164

Adoption date: