

MISSION STATEMENT AND VISION

The Board of Education recognizes that to govern effectively, it must clearly define why the district exists and what it aspires to be. The Board therefore adopts the following mission to convey the district's purpose, and vision to set forth what the district should strive to become in the future.

District Vision

Valley Stream District 30 is dedicated to maximizing the potential of our children and helping them discover the joy of learning.

District Mission

The mission of Valley Stream District 30, through collaboration with parents and community partners, is to educate all students to their highest levels of performance in nurturing learning environments that are safe, inclusive, and student centered.

District Beliefs

We believe that:

- every child can learn;
- a child who experiences success will develop greater self-esteem;
- diversity should be embraced, appreciated, and respected;
- children should be encouraged to think creatively and work cooperatively;
- student needs determine instructional delivery;
- individuals should be accountable for their performance and behavior; and
- all community members are partners who share the responsibility of educating our children.

We believe that we must:

- create safe, caring and challenging learning environments;
- prepare each child to meet the challenges of the 21st century;
- promote life-long learning;
- encourage active family and community involvement;
- provide appropriate resources and utilize innovative technology to assure success for each student;
- implement an integrated curriculum that is developmentally sequential from grade to grade; and
- encourage and model honesty, integrity, and respect.

The Board recognizes that while the vision is intended to be a long-range statement of the ideal future for the district, it still requires continual evaluation.

Accordingly, the Board will review the vision statement annually in developing the district's annual goals.

Cross-ref: 0200, District Goals
 0300, Accountability
 4200, Curriculum Management

Adoption date: January 25, 2010

EQUAL OPPORTUNITY

The Board of Education, its officers and employees, shall not discriminate against any student, employee or applicant on the basis of race, color, national origin, creed, religion, marital status, sex, age, sexual orientation, disability or predisposing genetic characteristic.

This policy of nondiscrimination includes access by students to educational programs, counseling services for students, course offerings, and student activities, as well as recruitment and appointment of employees and employment pay, benefits, advancement and/or terminations.

The Board authorizes the Superintendent of Schools to establish such rules, regulations and procedures necessary to implement and maintain this policy.

Cross-ref: 5030, Student Complaints and Grievances
9140.1, Staff Complaints and Grievances

Ref: Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.*
Title VI, Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.*
Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*
Title IX, Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*
§504, Rehabilitation Act of 1973, 29 U.S.C. §794
Individuals with Disabilities Education Law, 20 U.S.C §§1400 *et seq.*
Executive Law §290 *et seq.* (New York State Human Rights Law)
Education Law §§313(3), 3201, 3201-a

Adoption date: January 25, 2010

SEXUAL HARASSMENT

The Board of Education recognizes that harassment of students and staff on the basis of sex, gender and/or sexual orientation is abusive and illegal behavior that harms victims and negatively impacts the school culture by creating an environment of fear, distrust, intimidation and intolerance. The Board further recognizes that preventing and remedying such harassment in schools is essential to ensure a healthy, nondiscriminatory environment in which students can learn and employees can work productively.

The Board is committed to providing an educational and working environment that promotes respect, dignity and equality and that is free from all forms of sexual harassment. To this end, the Board condemns and strictly prohibits all forms of sexual harassment on school grounds, school buses and at all school-sponsored activities, programs and events including those that take place at locations outside the district.

Because sexual harassment can occur staff to student, staff to staff, student to student, male to female, female to male, male to male or female to female, it shall be a violation of this policy for any student, employee or third party (school visitor, vendor, etc.) to sexually harass any student or employee.

In order for the Board to effectively enforce this policy and to take prompt corrective measures, it is essential that all victims of sexual harassment and persons with knowledge of sexual harassment report the harassment immediately. The district will promptly investigate all complaints of sexual harassment, either formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner. Limited disclosure may be necessary to complete a thorough investigation.

If, after appropriate investigation, the district finds that a student, an employee or a third party has violated this policy, prompt corrective action will be taken in accordance with the applicable collective bargaining agreement, district policy and state law.

All complainants and those who participate in the investigation of a complaint of sexual harassment have the right to be free from retaliation of any kind.

The Superintendent of Schools is directed to develop and implement regulations for reporting, investigating and remedying allegations of sexual harassment. These regulations are to be attached to this policy. In addition, training programs shall be established for students and employees to raise awareness of the issues surrounding sexual harassment and to implement preventative measures to help reduce incidents of sexual harassment.

This policy shall be posted in a prominent place in each district facility and shall also be published in student registration materials, student, parent and employee handbooks, and other appropriate school publications.

A committee of administrators, teachers, parents, students and the school attorney shall be convened annually to review this policy's effectiveness and compliance with applicable state and federal law, and to recommend revisions to Board.

Ref: Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*
Title VII of Civil Rights Act (1964), 42 U.S.C. §2000-e; 34 CFR §100 *et seq.*
Davis v. Monroe County Board of Education, 526 U.S. 629, 652 (1999)
Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)
Faragher v. City of Boca Raton, 524 U.S. 775 (1998)
Burlington Industries v. Ellerth, 524 U.S. 742 (1998)
Oncala v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998)
Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)
Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986)

Adoption date: January 25, 2010

SEXUAL HARASSMENT REGULATION

This regulation is intended to create and preserve an educational and working environment free from unlawful sexual harassment on the basis of sex, gender and/or sexual orientation in furtherance of the district's commitment to provide a healthy and productive environment for all students and employees that promotes respect, dignity and equality.

Sexual Harassment Defined

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

1. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of an employee's employment or a student's education (including any aspect of the student's participation in school-sponsored activities, or any other aspect of the student's education); or
2. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting an employee's employment or a student's education; or
3. the conduct or communication has the purpose or effect of substantially or unreasonably interfering with an employee's work performance or a student's academic performance or participation in school-sponsored activities, or creating an intimidating, hostile or offensive working or educational environment.

Unacceptable Conduct

School-related conduct that the district considers unacceptable and which may constitute sexual harassment includes, but is not limited to, the following:

1. rape, attempted rape, sexual assault, attempted sexual assault, forcible sexual abuse, hazing, and other sexual and gender-based activity of a criminal nature as defined under the State Penal Law;
2. unwelcome sexual invitations or requests for sexual activity in exchange for grades, promotions, preferences, favors, selection for extracurricular activities or job assignments, homework, etc.;
3. unwelcome and offensive public sexual display of affection, including kissing, making out, groping, fondling, petting, inappropriate touching of one's self or others, sexually suggestive dancing, and massages;
4. any unwelcome communication that is sexually suggestive, sexually degrading or implies sexual motives or intentions, such as sexual remarks or innuendoes about an individual's clothing, appearance or activities; sexual jokes; sexual gestures; public conversations about sexual activities

- or exploits; sexual rumors and "ratings lists;" howling, catcalls, and whistles; sexually graphic computer files, messages or games, etc;
5. unwelcome and offensive name calling or profanity that is sexually suggestive, sexually degrading, implies sexual intentions, or that is based on sexual stereotypes or sexual preference;
 6. unwelcome physical contact or closeness that is sexually suggestive, sexually degrading, or sexually intimidating such as the unwelcome touching of another's body parts, cornering or blocking an individual, standing too close, spanking, pinching, following, stalking, frontal body hugs, etc.;
 7. unwelcome and sexually offensive physical pranks or touching of an individual's clothing, such as hazing and initiation, "streaking," "mooning," "snuggies" or "wedgies" (pulling underwear up at the waist so it goes in between the buttocks), bra-snapping, skirt "flip-ups," "spiking" (pulling down someone's pants or swimming suit); pinching; placing hands inside an individual's pants, shirt, blouse, or dress, etc.;
 8. unwelcome leers, stares, gestures, or slang that are sexually suggestive; sexually degrading or imply sexual motives or intentions;
 9. clothing with sexually obscene or sexually explicit slogans or messages;
 10. unwelcome and offensive skits, assemblies, and productions that are sexually suggestive, sexually degrading, or that imply sexual motives or intentions, or that are based on sexual stereotypes;
 11. unwelcome written or pictorial display or distribution of pornographic or other sexually explicit materials such as magazines, videos, films, Internet material, etc.;
 12. any other unwelcome gender- or sexually orientated-based behavior that is offensive, degrading, intimidating, demeaning, or that is based on sexual stereotypes and attitudes.

For purposes of this regulation, action or conduct shall be considered "unwelcome" if the student or employee did not request or invite it and regarded the conduct as undesirable or offensive.

Determining if Prohibited Conduct is Sexual Harassment

Complaints of sexual harassment will be thoroughly investigated to determine whether the totality of the behavior and circumstances meet any of the elements of the above definition of sexual harassment and should therefore be treated as sexual harassment. Not all unacceptable conduct with sexual connotations may constitute sexual harassment. In many cases (other than quid pro quo situations where the alleged harasser offers academic or employment rewards or threatens punishment as an inducement for sexual favors), unacceptable behavior must be sufficiently severe, pervasive and objectively offensive to be considered sexual harassment.

In evaluating the totality of the circumstances and making a determination of whether conduct constitutes sexual harassment, the individual investigating the complaint should consider:

1. the degree to which the conduct affected the ability of the student to participate in or benefit from his or her education or altered the conditions of the student's learning environment or altered the conditions of the employee's working environment;
2. the type, frequency and duration of the conduct;
3. the identity of and relationship between the alleged harasser and the subject of the harassment (e.g., sexually based conduct by an authority figure is more likely to create a hostile environment than similar conduct by another student or a co-worker);
4. the number of individuals involved;
5. the age and sex of the alleged harasser and the subject of the harassment;
6. the location of the incidents and context in which they occurred;
7. other incidents at the school; and
8. incidents of gender-based, but non-sexual harassment.

Reporting Complaints

Any person who believes he or she has been the victim of sexual harassment by a student, district employee or third party related to the school is required to report complaints as soon as possible after the incident in order to enable the district to effectively investigate and resolve the complaint. Victims are encouraged to submit the complaint in writing; however, complaints may be filed verbally. Upon receipt of a verbal complaint from a child, a school psychologist shall participate in the interview of such child.

Complaints should be filed with the Principal or the Title IX coordinator.

Any school employee who receives a complaint of sexual harassment from a student shall inform the student of the employee's obligation to report the complaint to the school administration, and then shall immediately notify the Principal and/or the Title IX coordinator.

In order to assist investigators, victims should document the harassment as soon as it occurs and with as much detail as possible including: the nature of the harassment; dates, times, places it has occurred; name of harasser(s); witnesses to the harassment; and the victim's response to the harassment.

Confidentiality

It is district policy to respect the privacy of all parties and witnesses to complaints of sexual harassment. To the extent possible, the district will not release the details of a complaint or the identity of the complainant or the

individual(s) against whom the complaint is filed to any third parties who do not need to know such information. However, because an individual's need for confidentiality must be balanced with the district's legal obligation to provide due process to the accused, to conduct a thorough investigation, or to take necessary action to resolve the complaint, the district retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances to individuals with a need to know. The staff member responsible for investigating complaints will discuss confidentiality standards and concerns with all complainants.

If a complainant requests that his/her name not be revealed to the individual(s) against whom a complaint is filed, the staff member responsible for conducting the investigation shall inform the complainant that:

1. the request may limit the district's ability to respond to his/her complaint;
2. district policy and federal law prohibit retaliation against complainants and witnesses;
3. the district will attempt to prevent any retaliation; and
4. the district will take strong responsive action if retaliation occurs.

If the complainant still requests confidentiality after being given the notice above, the investigator will take all reasonable steps to investigate and respond to the complaint consistent with the request as long as doing so does not preclude the district from responding effectively to the harassment and preventing the harassment of other students or employees.

Investigation and Resolution Procedure

A. Initial (Building-level) Procedure

The Principal or the Title IX coordinator shall conduct a preliminary review when they receive a verbal or written complaint of sexual harassment, or if they observe sexual harassment. Except in the case of severe or criminal conduct, the Principal or the Title IX coordinator should make all reasonable efforts to resolve complaints informally at the school level. The goal of informal investigation and resolution procedures is to end the harassment and obtain a prompt and equitable resolution to a complaint.

As soon as possible but no later than three working days following receipt of a complaint, the Principal or Title IX coordinator should begin an investigation of the complaint according to the following steps:

1. Interview the victim and document the conversation. Instruct the victim to have no contact or communication regarding the complaint with the alleged harasser. Ask the victim specifically what action he/she wants taken in order to resolve the complaint. Refer the victim, as appropriate, to

school social workers, school psychologists, crisis team managers, other school staff, or appropriate outside agencies for counseling services.

2. Review any written documentation of the harassment prepared by the victim. If the victim has not prepared written documentation, instruct the victim to do so, providing alternative formats for individuals with disabilities and young children, who have difficulty writing and need accommodation.
3. Interview the alleged harasser regarding the complaint and inform the alleged harasser that if the objectionable conduct has occurred, it must cease immediately. Document the conversation. Provide the alleged harasser an opportunity to respond to the charges in writing.
4. Instruct the alleged harasser to have no contact or communication regarding the complaint with the victim and to not retaliate against the victim. Warn the alleged harasser that if he/she makes contact with or retaliates against the victim, he/she will be subject to immediate disciplinary action.
5. Interview any witnesses to the complaint. Where appropriate, obtain a written statement from each witness. Caution each witness to keep the complaint and his/her statement confidential.
6. Review all documentation and information relevant to the complaint.
7. Where appropriate, suggest mediation as a potential means of resolving the complaint. In addition to mediation, use appropriate informal methods to resolve the complaint, including but not limited to:
 - a. discussion with the accused, informing him or her of the district's policies and indicating that the behavior must stop;
 - b. suggesting counseling and/or sensitivity training;
 - c. conducting training for the department or school in which the behavior occurred, calling attention to the consequences of engaging in such behavior;
 - d. requesting a letter of apology to the complainant;
 - e. writing letters of caution or reprimand; and/or
 - f. separating the parties.
8. Parent/Student/Employee Involvement and Notification
 - a. Parents of student victims and accused students shall be notified within one school day of allegations that are serious or involve repeated conduct.
 - b. The parents of students who file complaints are welcome to participate at each stage of both informal and formal investigation and resolution procedures.

- c. If either the victim or the accused is a disabled student receiving special education services under an IEP or section 504/Americans with Disabilities Act accommodations, the committee on special education will be consulted to determine the degree to which the student's disability either caused or is affected by the discrimination or policy violation. In addition, due process procedures required for persons with disabilities under state and federal law shall be followed.
- d. The Principal or Title IX Coordinator (i.e., the investigator) shall submit a copy of all investigation and interview documentation to the Superintendent.
- e. The investigator shall report back to both the victim and the accused, notifying them in writing, and also in person as appropriate regarding the outcome of the investigation and the action taken to resolve the complaint. The investigator shall instruct the victim to report immediately if the objectionable behavior occurs again or if the alleged harasser retaliates against him/her.
- f. The investigator shall notify the victim that if he/she desires further investigation and action, he/she may request a district level investigation by contacting the Superintendent of Schools. The investigator shall also notify the victim of his/her right to contact the U.S. Department of Education's Office for Civil Rights and/or a private attorney. Employees may also contact the U.S. Equal Employment Opportunity Commission or the New York State Division of Human Rights.

If the initial investigation results in a determination that sexual harassment did occur, the investigator will promptly notify the Superintendent, who shall then take prompt disciplinary action in accordance with district policy, the applicable collective bargaining agreement or state law.

If a complaint received by the Principal or the Title IX Coordinator contains evidence or allegations of serious or extreme harassment, such as employee to student harassment, criminal touching, quid pro quo (e.g., offering an academic or employment reward or punishment as an inducement for sexual favors), or acts which shock the conscience of a reasonable person, the complaint shall be referred promptly to the Superintendent. In addition, where the Principal or the Title IX coordinator has a reasonable suspicion that the alleged harassment involves criminal activity, he/she should immediately notify the Superintendent, who shall then contact appropriate child protection and law enforcement authorities. Where criminal activity is alleged or suspected by a district employee, the accused employee shall be suspended pending the outcome of the investigation, consistent with all contractual or statutory requirements.

Any party who is not satisfied with the outcome of the initial investigation by the Principal or the Title IX coordinator may request a district-level investigation by submitting a written complaint to the Superintendent within 30 days.

B. District-level Procedure

The Superintendent shall promptly investigate and resolve all sexual harassment complaints that are referred to him/her by a Principal or Title IX coordinator, as well as those appealed to the Superintendent following an initial investigation by a Principal or Title IX coordinator. In the event the complaint of sexual harassment involves the Superintendent, the complaint shall be filed with or referred to the Board President, who shall refer the complaint to a trained investigator not employed by the district for investigation.

The district level investigation should begin as soon as possible but not later than three working days following receipt of the complaint by the Superintendent or Board President.

In conducting the formal district level investigation, the district will use investigators who have received formal training in sexual harassment investigation or that have previous experience investigating sexual harassment complaints.

If a district investigation results in a determination that sexual harassment did occur, prompt corrective action will be taken to end the harassment. Where appropriate, district investigators may suggest mediation as a means of exploring options of corrective action and informally resolving the complaint.

No later than 30 days following receipt of the complaint, the Superintendent (or in cases involving the Superintendent, the Board-appointed investigator) will notify the victim and alleged harasser, in writing, of the outcome of the investigation. If additional time is needed to complete the investigation or take appropriate action, the Superintendent or Board-appointed investigator will provide all parties with a written status report within 30 days following receipt of the complaint.

The victim and the alleged harasser have the right to be represented by a person of their choice, at their own expense, during sexual harassment investigations and hearings. In addition, victims have the right to register sexual harassment complaints with the U.S. Department of Education's Office for Civil Rights. Employee victims also have the right to register complaints with the federal Equal Employment Opportunity Commission and the New York State Division of Human Rights. Nothing in these regulations shall be construed to limit the right of the complainant to file a lawsuit in either state or federal court.

Retaliation Prohibited

Any act of retaliation against any person who opposes sexually harassing behavior, or who has filed a complaint, is prohibited and illegal, and therefore subject to disciplinary action. Likewise, retaliation against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing of a sexual harassment complaint is prohibited and shall constitute a separate and distinct violation. For purposes of this policy, retaliation includes but is not limited to: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action, up to and including suspension or termination, subject to applicable statutes and case law.

Discipline/Penalties

Any individual who violates the sexual harassment policy by engaging in prohibited sexual harassment will be subject to appropriate disciplinary action. Disciplinary measures available to school authorities include, but are not limited to the following:

Students: Discipline may range from a reprimand up to and including suspension from school, to be imposed consistent with the student conduct and discipline policy and applicable law.

Employees: Discipline may range from a warning up to and including termination, to be imposed consistent with all applicable contractual and statutory rights.

Volunteers: Penalties may range from a warning up to and including loss of volunteer assignment.

Vendors: Penalties may range from a warning up to and including loss of district business.

Other individuals: Penalties may range from a warning up to and including denial of future access to school property.

False Complaints

False or malicious complaints of sexual harassment may result in corrective or disciplinary action taken against the complainant.

Training

All students and employees shall be informed of this policy in student and employee handbooks and student registration materials. A poster summarizing the

policy shall also be posted in a prominent location at each school. All secondary school student body officers shall receive district training about the policy at the beginning of each school year.

All new employees shall receive information about this policy and regulation at new employee orientation. All other employees shall be provided information at least once a year regarding this policy and the district's commitment to a harassment-free learning and working environment. Principals, Title IX coordinators, and other administrative employees who have specific responsibilities for investigating and resolving complaints of sexual harassment shall receive yearly training on this policy, regulation and related legal developments.

Administrators in each school and the special education coordinator shall be responsible for informing students and staff on a yearly basis of the terms of this policy, including the procedures established for investigation and resolution of complaints, general issues surrounding sexual harassment, the rights and responsibilities of students and employees, and the impact of sexual harassment on the victim.

Adoption date: January 25, 2010

SEXUAL HARASSMENT FORMAL COMPLAINT FORM

Name and position of complainant _____

Date of complaint _____

Name of alleged sexual harasser _____

Date and place of incident _____

Description of misconduct _____

Name of witnesses (if any) _____

Has the incident been reported before? _____

If yes, when? _____

To whom? _____

What was the resolution? _____

Reasons for dissatisfaction _____

Adoption date: January 25, 2010

SEXUAL HARASSMENT COMPLAINT - APPEAL FORM

Name and position of complainant _____

Date of appeal _____

Date of original complaint _____

Have there been any prior appeals? _____

If yes, when? _____

To whom? _____

Description of decision being appealed _____

Why is the decision being appealed? _____

Adoption date: January 25, 2010

HIV/AIDS

The Board of Education recognizes the public concern over the health issues surrounding Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS). The Board recognizes, based upon the current state of medical knowledge, that the virus associated with AIDS is not easily transmitted and there is no evidence that AIDS or the HIV virus can be transmitted by casual social contact in the open school setting.

The Board further recognizes the privacy rights of students diagnosed with HIV infection or AIDS and their right to a free appropriate public education; the rights of HIV infected employees to privacy and reasonable accommodations; the rights of all non-infected individuals to a safe environment free of any significant risks to their health; and the rights of all students to instruction regarding the nature, transmission, prevention, and treatment of HIV infection, pursuant to the Commissioner's Regulation, Part 135.3.

No individual shall be denied access to any program or activity sponsored by or conducted on the grounds of the district, solely on the basis of his/her status as an HIV-infected individual.

Students

It is the policy of the Board that:

1. A student's education shall not be interrupted or curtailed solely on the basis of his/her HIV status. HIV-infected students shall be afforded the same rights, privileges, and services available to every other student.
2. No student shall be referred to the Committee on Special Education solely on the basis of his/her HIV status. A student who is infected with HIV shall be referred to the Committee on Special Education (CSE) only when the student's disability interferes with his/her ability to benefit from instruction. Such referral shall be made in accordance with Part 200 of Commissioner's Regulations.
3. If a student who is HIV-infected requires special accommodations to enable him/her to continue to attend school, the student shall be referred to the appropriate multi-disciplinary team as required by §504 of the Rehabilitation Act.
4. No disclosure of HIV-related information involving a student shall be made without first obtaining the informed consent of the parent, guardian or student on the Department of Health (DOH) approved form.

Employees

It is the policy of the Board that:

1. No employees shall be prevented from continuing in his/her employment solely on the basis of his/her HIV status; such employees are entitled to all rights, privileges, and services accorded to other employees and shall be entitled to reasonable accommodations to the extent that such accommodations enable such individuals to perform their duties.
2. No disciplinary action or other adverse action shall be taken against any employee solely on the basis of his/her status as an HIV infected or a person with AIDS. Such action will only be taken where, even with the provision of reasonable accommodations, the individual is unable to perform his/her duties.
3. All employees shall have access to the district's exposure control plan as required by the federal Office of Safety and Health Association (OSHA).
4. In accordance with OSHA regulations, training in universal precautions and infection control shall be offered to all employees and shall be provided to every employee with potential occupational exposure.

Confidentiality

Any information obtained regarding the HIV status of an individual connected to the school shall not be released to third parties, except to those persons who are:

1. named on an Authorization for Release of Confidential HIV Related Information form;
2. named in a special HIV court order; or
3. as indicated in Public Health Law §2782, when necessary to provide health care to the individual (i.e., to the school physician and the school nurse).

Any employee who breaches the confidentiality of a person who is HIV infected shall be subject to disciplinary action in accordance with applicable law and/or collective bargaining agreement.

To protect the confidentiality of an HIV infected individual, any documents identifying the HIV status of such individuals shall be maintained by the school nurse (or another authorized individual) in a secure file, separate from the individual's regular file. Access to such file shall be granted only to those persons named on the Department of Health approved Authorization for Release of Confidential HIV Related Information form, or through a special HIV court order. When information is disclosed, a statement prohibiting further redisclosure, except when in compliance with the law, must accompany the disclosure.

HIV/AIDS Testing

No school official shall require a student or employee to undergo an HIV antibody test or other HIV-related test. In accordance with OSHA regulations in the event of an incident involving the exposure one individual to a potentially infectious body fluids of another individual, particularly blood or any other fluid which contains visible blood, an HIV test may be requested but NOT required. The request and refusal must be documented.

However, school officials shall not be precluded from requiring a student or employee to undergo a physical examination pursuant to Education Law §§903 and 913, when other illness is suspected (e.g., tuberculosis), as long as no HIV antibody test or other HIV-related test is administered without the individual's informed consent as required by Public Health Law §27-F.

To implement this policy, the Superintendent of Schools is directed to arrange for staff training, to distribute copies of this policy to all employees of the district, and to include it in the district's student handbook, and to establish an advisory council to make recommendations on the development, implementation, and evaluation of HIV/AIDS instruction as a part of comprehensive health education.

Cross-ref: 5420, Student Health Services

Ref: 29 USC §§794 et seq. (Rehabilitation Act of 1973)
 20 USC §§1400 et seq. (Individuals with Disabilities Education Act)
 42 U.S.C. §12132, et seq. (Americans with Disabilities Act)
 34 CFR Part 104
 29 CFR Part 1910.1030
 Executive Law §296 (Human Rights Law)
 Education Law §§903; 913
 Public Health Law, Article 27-F
 8 NYCRR §§29.1(g); 135.3; 136.3

An Implementation Package for HIV/AIDS Policy in New York State School Districts, NYS HIV/AIDS Prevention Education Program, June 17, 1998

Adoption date: January 25, 2010

SCHOOL DISTRICT GOALS AND OBJECTIVES

To further its educational philosophy, the Board of Education establishes the following goals and objectives:

1. to employ the best possible school staff, including both professional and support personnel;
2. to encourage the development of positive and supportive interpersonal relationships among the students, the staff and members of the community;
3. to ensure that staff, students, and parents are afforded opportunities for meaningful participation in the development and evaluation of programs and policies;
4. to strive for maximum efficiency in the use of district resources to meet the goals and objectives of the various programs and services;
5. to provide educational programs and services which fulfill the needs of the district and comply with Commissioner's regulations; and
6. to promote the development of programs and services which encourage cooperative interaction between the community-at-large and district staff and students.

Adoption date: January 25, 2010

ACCOUNTABILITY

The Board of Education acknowledges that it is directly accountable to the community it has been elected to serve, and is committed to engaging in a continuous assessment of all district conditions affecting education.

The Board recognizes that a comprehensive accountability system is necessary to improve the effectiveness of the district's schools by keeping the primary focus on student achievement and on what can and should be done to improve that achievement.

Consistent with its obligations and commitments, the Board will:

1. Request regular reports on student progress and needs, based on a variety of assessments to evaluate the quality and equity of education in the district, including instruction, services, and facilities.
2. Evaluate the Superintendent's performance in accordance with policy 0320, Evaluation of the Superintendent.
3. Evaluate the Board's performance in accordance with policy 0310, Board Self-Evaluation.
4. Evaluate progress toward the achievement of district long- and short-term goals and ensure that board policies and resources effectively support the district vision.
5. Provide appropriate staff and board training opportunities.
6. Fulfill governance responsibilities as required by state and federal law.

The Board acknowledges that publicizing the district's progress and performance is important to maintaining the community's trust and support. The Board is committed to keeping the public aware of such progress and performance on a regular basis through such means as, but not limited to, the District website.

Cross-ref: 0000, Mission Statement and Vision
0200, School District Goals and Objectives
0310, Board Self-Evaluation
0320, Evaluation of the Superintendent
1000, Community Relations Goals

Adoption date: January 25, 2010

BOARD SELF-EVALUATION

The Board of Education shall review the effectiveness of its internal operations at least once annually. The Superintendent of Schools and others who work regularly with the Board shall be asked to participate in this review and to suggest ways by which the Board can improve its functioning as a deliberative and legislative body.

This self-evaluation shall be positive, frank and honest, and shall focus on evaluating the Board as a whole, not as individuals. The self-evaluation shall be based on the goals the Board sets for itself, not on goals it sets for the entire district. The results of the evaluation shall be used to establish priorities for action and specific goals and objectives to strengthen the operation of the Board.

The Board shall set forth the standards by which it will evaluate itself, taking into account the following:

1. the district's needs and the Board's ability to meet such needs;
2. the district's goals for its instructional programs;
3. the Board's relationship with the Superintendent and district staff;
4. the Board's relationship with its supervisory district (BOCES);
5. the community's perception of Board members as educational leaders; and
6. the Board's relationship with other Valley Stream School Districts' Boards of Education.

All judgments are to be supported by as much objective evidence as possible. Implied in this approach is an assumption that a school board is capable of improvement. The chances that the improvement will result are enhanced if evaluation is carried out systematically in accordance with good planning, conscientious follow-through, and careful assessment of results.

Adoption date: January 25, 2010

EVALUATION OF THE SUPERINTENDENT

The Board of Education recognizes that student achievement, district progress and community satisfaction with the schools are all in large part affected by the Superintendent of School's performance. The Board also recognizes the superintendent cannot function effectively without periodic feedback on performance, and is committed to ensuring that the Superintendent is evaluated annually as required by Commissioner's regulations.

During each year of the Superintendent's appointment, the Board and the Superintendent will meet to discuss a plan of performance review and accountability for that school year. The final plan adopted shall be at the sole discretion of the Board. Such evaluation will be discussed only during an executive session. The evaluation process is intended to provide the highest quality leadership for the school system.

The purposes of the evaluation shall be to:

1. Gauge the district's progress toward the goals the Board has charged the Superintendent to accomplish.
2. Strengthen the working relationship between the Board and the Superintendent.
3. Provide a basis for commending, rewarding and reinforcing good work.

The evaluation shall focus on the goals the Board sets for the Superintendent each year as well as the duties and competencies specified in the Superintendent's job description.

The form the Board uses for evaluating the superintendent shall be filed in the district office and available for review by any individual no later than September 10th of each year.

Cross-ref: 3120, Duties of the Superintendent

Ref: 8 NYCRR §100.2 (o)(2)(v) (Performance review of superintendent)

Adoption date: January 25, 2010

COMMUNITY RELATIONS GOALS

The Board of Education recognizes its responsibility to provide educational opportunities to district residents, and strives to conduct district affairs by way of a continuing, open dialogue between the community and the schools. Given district residents' high level of interest in the education of children, the Board wishes to maintain its high level of sensitivity to the needs and desires of the community and to act expeditiously to meet changing needs and conditions.

To this end, the Board will promote the development of effective community relations. The Board establishes the following goals for community involvement:

1. to provide a variety of means whereby residents of the school district may have the opportunity to contribute their best thinking to the orderly planning of education for children in the district;
2. to keep the community accurately informed about its schools;
3. to understand community attitudes and aspirations for the schools;
4. to encourage input from the parent-teacher associations of the district so that school personnel and parents cooperate to advance the educational welfare of the children;
5. to handle all complaints from the public by the administrative officer in charge of the unit of the school district organization closest to the complainant. However, such complaints may be carried to the Superintendent of Schools and/or the Board if the problem cannot be solved at that level;
6. to promote a spirit of cooperation among the Board, the schools, and the community;
7. to develop and maintain the confidence of the community in the Board and the school district staff;
8. to expand the public understanding of every aspect of the school system, and stimulate public interest in the school;
9. to facilitate dissemination of information to the community concerning issues and activities in the school;
10. to ascertain the community's opinions and desires with respect to the operations of the school system, and to incorporate that knowledge into its actions;
11. to develop arrangements among civic and community organizations for sharing of resources, especially in the creation of programs designed to benefit students; and
12. to develop and maintain an effective means of communication with the people of the district.

Notwithstanding the above, the final decisions in these areas will rest with the Board.

Adoption date: January 25, 2010