

REGULATION OF THE PRINCIPAL

Category: **STUDENTS**

Issued: 6/28/17

Number: LOG-R--401

Subject: SECURITY AND SAFETY

SUMMARY

This regulation sets forth the responsibilities of school staff for maintaining safety and security in the schools. It also establishes the procedures that must be followed when a school-related crime or incident occurs.

I. SECURITY IN THE SCHOOLS

- A. Private schools should provide a safe and secure environment for students, staff, and parents. The maintenance of order and security in and around Fei Tian Academy of the Arts-Middletown (FTAA-MT) is essential to creating learning environments in which students can meet high academic standards, educators can teach to those standards, and parents can be assured that the children are guaranteed their right to learn.
- B. The maintenance of safety and good order is the collective responsibility of all school staff, the Middletown Police Department, parents, and students.
- C. The principal and school security department shall consult and work cooperatively with each other on matters pertaining to school security. Toward that end, they shall promptly notify each other of incidents that occur on school property.
- D. Compliance with the procedures set forth in this regulation is mandatory. Failure to comply with these procedures may result in disciplinary action including dismissal from employment.
- E. The security department shall institute a procedure for checking in visitors and issuing temporary passes. All visitors **must** stop at the security desk before gaining entrance into school buildings. Security personnel are required to use a visitor's log (see exhibit A) to document the visitor's name, time of arrival and departure, and reason for visiting.

II. NOTIFICATION AND REPORTING REQUIREMENTS FOR SCHOOL- RELATED CRIMES AND INCIDENTS

The following sets forth the notification and reporting requirements that must be followed when a school-related crime or incident has been committed. School- related crimes and incidents are those that occur on or near school property (e.g., in front of the building, or off

school property but have a nexus to the school, e.g., involving students or staff from the same school).

A. Notification Requirements for School-Related Crimes

The following notification requirements must be adhered to regardless of the source of the information and notwithstanding requests for confidentiality. School personnel should contact the legal consultant with questions regarding confidentiality and privileged information.

1. Crime Committed by Students

In all cases where a school employee has been provided with information or an allegation that a school-related crime, which poses a danger to students, staff, or the school community, has been committed by a student, he/she shall immediately take the following steps:

- a. If the incident creates an immediate safety emergency, the school employee must immediately notify the police then advise the principal/designee and security.
- b. In all other situations that do not pose an immediate safety threat, the school employee must notify the principal/designee (and security) of the incident. The principal/designee must, in turn, notify the police.
- c. In addition to (a) and (b) above, the principal/designee must also immediately notify the parent/guardian and Board of FTAA-MT.

2. Crime Committed by FTAA-MT Employee

In all cases where a school employee has been provided with information or an allegation that a school-related crime has been committed by a FTAA-MT employee or person connected with school programs or services, such as volunteers, he/she shall immediately take the following steps:

- a. If the incident creates an immediate safety emergency, the school employee must immediately notify the police then advise the principal/designee (and security).

- b. In all other situations that do not pose an immediate safety threat, the school employee must notify the principal/designee (and security) of the incident. The principal/designee must, in turn, notify the police.
- c. If a student is the victim of the suspected criminal activity, the principal/designee must also immediately notify the parent/guardian.

3. Sexual Misconduct Committed by School Employees

Every employee of the school has an affirmative obligation to report immediately to his/her principal/supervisor any information concerning sexual misconduct involving students by FTAA-MT officers, employees, or others connected with school programs or services, such as volunteers. This obligation extends to sexual misconduct on and off school premises. Where the alleged misconduct constitutes a crime, the principal/supervisor must notify the police. The principal/supervisor must contact the student's parent/guardian. THE PRINCIPAL/OFFICE HEAD SHALL NOT GATHER ANY INFORMATION OR CONDUCT AN INVESTIGATION OF THE ALLEGATIONS.

Medical Emergency

- a. If an individual requires immediate medical attention, the school employee must call 911 to dispatch EMS/Fire Department (see Medical Emergency Response Plan-Policy AA-P-5610). The school employee must then contact the principal/designee who must proceed to the scene at once with a trained health professional (e.g., health aide, nurse, physician's assistant);
- b. If the individual requiring medical attention is a student, the principal/designee must contact the student's parent/guardian;
- c. If the student must be removed to the hospital and the parent/guardian has not arrived, a member of the school staff must accompany the student to the hospital. If the parent/guardian does not arrive by the end of the staff member's school day, the staff member must contact the principal/designee.

4. Child Abuse

DUTIES OF EMPLOYEES

Generally, all employees are designated by the State of New York as mandated reporters and therefore are required to report suspected child abuse and maltreatment to the Statewide Central Register of Child Abuse and Maltreatment (SCR). The SCR has a

special hotline for mandated reporters, the number of which is 1-800-635-1522. Mandated reporters may also use the general hotline if they wish, and that number is 1-800-343-3720.

In all cases where school staff has a reasonable suspicion that a student is a victim of child abuse, maltreatment, or neglect by a parent, a person responsible for the child's care, or a person regularly or continually found in the child's household, school staff must immediately complete the "Child Abuse in an Educational Setting" form (see Exhibit B), and personally deliver it to the principal/designee. The principal/designee must review the form and determine if there is reasonable suspicion to believe that an act of child abuse occurred.

In all cases where school staff suspects that a student is a victim of child abuse by a person other than an individual specified in paragraph (a) above (i.e. employee, volunteer), they shall immediately forward the report form to the principal. The principal/designee shall promptly contact the student's parent/guardian and the police.

DUTIES OF SCHOOL PRINCIPAL

In all cases, upon receipt of a report form, the principal must review the form and determine if there is reasonable suspicion to believe that an act of child abuse, as defined by law, has occurred. If he or she finds reasonable suspicion to believe that an act of child abuse has occurred, additional steps must be taken which differ depending upon the individual who has made the allegation.

- a. Child makes the Allegation
 - Promptly call the parent of the child that an allegation of child abuse in an educational setting has been made.
 - Promptly provide the parent with the written statement (See Exhibit C) setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
 - Promptly provide a copy of the completed report form to the Board of FTAA-MT.
 - Promptly forward a copy of the completed report form to the New York Central State Register for Child Abuse and Maltreatment (800) 635-1522.

- Promptly forward a copy of the completed report form to the appropriate law enforcement authorities. The report to law enforcement may not be delayed by reason of inability to contact the Board of FTAA-MT.
- b. Parent Makes the Allegation
- Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
 - Promptly provide a copy of the completed report form to the Board of FTAA-MT.
 - Promptly forward a copy of the completed report form to the appropriate law enforcement authorities. The report to law enforcement may not be delayed by reason of inability to contact the Board.
- c. Person other than the Parent or the Child Makes the Allegation

Promptly call the parent of the child that an allegation of child abuse in an educational setting has been made.

Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).

Ascertain from the reporting person the source and basis for the allegation and complete that portion of the report form.

Promptly provide a copy of the completed report form to the Board of FTAA-MT.

Promptly forward a copy of the completed report form to appropriate law enforcement authorities. The report to law enforcement may not be delayed by reason of inability to contact the Board.

EXPUNGEMENT

A report that does not, after investigation, result in a criminal conviction shall be expunged from any record, which may be kept by the school with respect to the subject of such a report after a period of five years from the date of the making of such report or at such earlier time as such school determines.

CONFIDENTIALITY OF RECORDS

The only persons authorized to receive the written report form and any related materials are the school administrator and the principal. The law requires that all reports, records, photographs and other material submitted remain confidential and may not be disclosed except to law enforcement authorities involved in the criminal investigation of child abuse in an educational setting or as expressly authorized by law or pursuant to a court-ordered subpoena. Willful disclosure of a written record required to be confidential, to a person not authorized to receive or review such record is a class A misdemeanor. The law requires that school building administrator and principal exercise reasonable care to prevent unauthorized disclosure.

LEGAL IMPLICATIONS**A. Immunity**

The law provides immunity from civil liability for employees, volunteers, school administrators and principals who reasonably and in good faith make a report of child abuse in an educational setting in the manner described in the law. The law also provides immunity from civil liability to school administrators and principals who reasonably and in good faith forward a copy of the report form to a person or agency as required by law and in the manner described in the law.

B. Liability

The requirements set forth within the law are mandatory. Willful failure of an employee to prepare and submit a report form as required by the law is a Class A misdemeanor. The law also provides that a willful failure of a school administrator or principal to forward a copy of the report form to the appropriate law enforcement authority is a Class A misdemeanor. In addition, the Commissioner of Education can also fine a school administrator or a principal up to \$5,000 for failure to forward a copy of the completed report form to the appropriate law enforcement authorities.

D. Unreported Resignations or Voluntary Suspensions

The law prohibits school administrators or principals from agreeing to withhold from the appropriate law enforcement authorities, or the Commissioner of Education, where appropriate, an allegation of child abuse in an educational setting on the part of any employee or volunteer as required by law, in return for the resignation or voluntary suspension of the alleged perpetrator. Violation of

this prohibition can result in a class E felony charge and a civil penalty of up to \$20,000.

TRAINING OF STAFF MEMBERS

Training regarding the procedures set forth in article 23-B of the Education Law for all current and new teachers, school nurses, school counselors, school psychologists, school social workers, school administrators, other personnel required to hold a teaching or administrative certificate or license, and school board members shall include, but is not limited to, training regarding:

- the duties of employees specifically enumerated in Education Law, section 1126 upon receipt of an allegation of child abuse in an educational setting;
- confidentiality of records pursuant to Education Law, section 1127;
- duties of school administrators or principals upon receipt of a report pursuant to Education Law, section 1128, and the additional duties of superintendents pursuant to Education Law, section 1128-a;
- penalties for failure to comply pursuant to Education Law, section 1129;
- notification by a district attorney pursuant to Education Law, section 1130, and actions taken upon criminal conviction of a licensed or certified school employee pursuant to Education Law, section 1131; and
- the prohibition set forth in Education Law, section 1133 with respect to an unreported resignation or voluntary suspension of an employee or volunteer against whom an allegation of child abuse in an educational setting is made.

The school shall annually provide to each teacher and all other school officials a written explanation pursuant to section 3028-b of the Education Law concerning the reporting of child abuse in an educational setting, including the immunity provisions of Education Law, section 1126.

5. Safety Transfers

- a. If school personnel learn that a student may be the victim of a violent criminal offense on school grounds, the principal/designee must conduct a full investigation and take the following appropriate action immediately:
 1. Notify the Middletown Police and the student's parent/guardian of the incident.

2. Consult with the Middletown Police to determine whether or not a violent criminal offense occurred.
3. Within 24 hours of a determination that there is reason to believe a student was the victim of a violent criminal offense on school grounds and is therefore entitled to a transfer, the principal/designee must notify the parent/guardian in writing of the right to transfer (See Exhibit D) the student to another school. This notice must be provided by personal delivery, express mail delivery, or any other equivalent means reasonably calculated to assure receipt of such notice within 24 hours of the determination (i.e. fax or email).
4. The principal/designee should request that the parent/guardian notify him/her within 5 days of receipt of the notice whether the parent/guardian wishes to discuss transfer options.
5. If the parent does not respond in 5 days, the principal/designee must contact the parent.
6. If the parent/guardian wishes to pursue a transfer, the principal/designee must recommend transfer options within 10 calendar days (See Exhibit E).
7. Upon receipt of consent to transfer (See Exhibit F) from the parent/guardian, the principal/designee must notify the transfer site (See Exhibit G) that the student will be transferred to that location.
8. Though the parent/guardian must be offered the opportunity to transfer, he/she may elect to have the child remain in the school.

Principal/designee must maintain appropriate documentation regarding consultations with law enforcement officials, as well as parental notifications (See Exhibit H).

B. Notification Requirements for School-Related Incidents

The following procedures must be followed if a school employee learns of or witnesses a school-related non-criminal incident, accident or medical emergency that may require school disciplinary or other follow-up action and/or principal notification:

1. If an individual requires immediate medical attention, the school employee shall follow the same procedures set forth in the medical emergency response regulation;
2. The school employee must notify the principal/designee;

3. The principal/designee must determine what, if any, disciplinary or other follow-up action shall be taken and then contact the parent/guardian, where a student is involved;
4. If the incident involves corporal punishment, the principal must notify the Board of FTAA-MT immediately.

C. Written Reporting Requirements

The complete and accurate reporting of school-related crimes and incidents and injuries, which result from such incidents, are necessary steps in maintaining safety and order in the schools.

1. Incident Reports

The principal/designee is required to prepare and sign an incident report (Exhibit I) for all school-related crimes and incidents within 24 hours of the incident.

- a. The incident should be described in sufficient detail to provide a full, factual description of what transpired.
- b. The principal/designee must seek to obtain signed handwritten statements (Exhibit J) from the parties involved and from witnesses, specifying the time, date, and place of the occurrence with an account detailing the nature and sequence of events.

III. ARRESTS OF STUDENTS

- A. If an incident requires an immediate arrest, the Middletown Police must place the student under arrest and notify the principal.
- B. If an incident does not require an immediate arrest or other immediate action, the Middletown Police must, to the fullest extent practicable, consult with the principal/designee prior to placing the student under arrest or issuing any form of criminal process.
- C. When a student is arrested, the principal/designee must immediately notify the parent/guardian. If the parent/guardian cannot be reached, the principal must request of the arresting officer that a member of the school staff accompany the student to the precinct. If such permission is denied, a member of the staff must follow immediately to the place where the student is taken. The staff member who accompanies or follows the student to the precinct must be someone who was not involved in the incident resulting in

the arrest. The staff member must remain with the student for a reasonable time or until he/she is no longer needed.

IV. INVESTIGATION BY POLICE OR OTHER AGENCIES

A. Questioning of Students and Staff

1. When the police or other investigatory agencies wish to investigate a school-related crime committed by a student, the principal/designee must permit them to interview the school staff or other non-student witnesses and staff, or other non-student victims. These individuals, however, may not be compelled by the principal/designee to submit to such questioning.
2. Where the police or other investigatory agencies wish to question a student in school regarding a school-related crime, the principal/designee must make every reasonable effort to contact the student's parent. If notification is made, the principal/designee or the police/investigatory agency shall consult with the parent about how the parent wishes to proceed. If the parent does not object, the principal/designee must permit the police/investigatory agency to interview the student. The principal/designee should be present during the interview.
3. Where the police/investigatory agency comes to a school to question a student regarding a school-related crime and the student's parent cannot be reached, the principal/designee shall permit the police to speak with the student under the following circumstances:
 - a. If the parent of a student who is suspected of committing a crime cannot be reached, the police/investigatory agency may not be permitted to question the student unless the officer indicates that there is a continued threat of imminent danger. The principal/designee shall determine whether a threat of imminent danger exists. If he/she is uncertain and absent exigent circumstances, the principal/designee must contact legal counsel;
 - b. In cases where the interview is conducted without parental notification, the principal/designee must be present during the interview. The principal/designee, however, must not compel a student to submit to such an interview in school.

Where the police or other investigatory agencies wish to question a student about a child abuse allegation against a parent, guardian, or custodian, the principal/designee must permit the questioning to take place and must not contact the parent, guardian, or custodian. Where the police or other investigatory agencies wish to question a student

about a child abuse allegation against a person continually or regularly found in the same household, the principal/designee, in consultation with the police or agency, shall determine whether the questioning should take place without contacting the parent. In either case, the principal or an individual with whom the child indicates that he/she is comfortable should be present during the interview. In this situation, the child's records may be released to the police or investigatory agencies without obtaining parental consent.

- V.** Where the police or other investigatory agencies wish to question students or staff regarding a crime committed by a student that is unrelated to the school, the principal/designee must request that the police or other investigatory agencies conduct such interviews during non-school hours. In cases where the police or other investigatory agencies indicate that there are exigent circumstances warranting proceeding with an interview, the principal should contact legal counsel for further advice. If such questioning is permitted, it must be done in a manner that is least disruptive to the school.
- VI. VOUCHERING AND CONFISCATION OF CONTRABAND (WEAPONS, DRUGS, ETC.)**
 - A. Where the police arrest a student for possession of contraband, the police will take custody of and voucher the item seized.
 - B. School officials must request a copy of the police voucher (property clerk's invoice).
 - C. If the police do not take custody of a weapon discovered on school property, the following procedures apply:
 1. The principal/designee must voucher the item using a FTAA-MT voucher form (See Exhibit K) and envelope. All required information must be included on the form;
 2. The principal/designee must immediately arrange for the contraband to be picked up by the Middletown Police Department;
 3. When the police arrives to pick up the contraband, the principal/designee must turn over the contraband and voucher in a sealed voucher envelope;
 4. If a school needs the contraband as evidence in a principal's suspension hearing, the principal/designee should make the necessary arrangements.
- VI.** Smart phones, ipod touches, beepers and other communication devices are prohibited on school property. However, a principal may grant permission for a student to bring a "dumb phone" into a school building for medical reasons.

VII. SEARCH AND SEIZURE

- A. A student's person and possessions may be searched provided that school officials have reasonable suspicion to believe that the search will turn up evidence that the student has violated or is violating either the law and/or school regulations. The extent and scope of the search must be reasonably related to the objective of the search and not excessively intrusive in light of the age and sex of the student and nature of the infraction. Searches should be conducted with a reasonable degree of privacy and consideration for the dignity of the individual. Searches are to be conducted in accordance with the procedures set forth in the Code of Conduct. The results of searches must be documented on the Student Search form. (See Exhibit L)

VIII. RELEASE OF STUDENT INFORMATION

Absent a health or safety emergency, no information from a student's record may be released to third parties, including the Middletown Police, except pursuant to a court order or lawfully issued subpoena or upon the informed written consent of the student's parent or the student if he/she is 18 years of age or older. A health or safety emergency is a situation that presents imminent danger or requires the immediate need for information in order to avert or diffuse unusual conditions or disruptions. Imminent danger may include an active investigation of a violent crime including, but not limited to, homicide, arson, robbery, sex offenses, weapons possession, or assault, where there are reasonable grounds to believe that a current or former student is a suspect or has information concerning the investigation that is necessary to protect the health or safety of students or others.

Cross Reference

Education Law 2802
SSL 413(1)(b)

VII. INQUIRIES

Inquiries pertaining to this regulation should be addressed to:

Telephone:	Safety & Security Dept.	Email:
1+ (845) 341-1935	42 Jason Place	contactus@feitianacademy.org
Middletown, NY 10940 USA		

**CHILD ABUSE IN AN EDUCATIONAL SETTING
CONFIDENTIAL REPORT OF ALLEGATION (Exhibit B)**

SUBJECT CHILD	PARENT OF SUBJECT CHILD
Name _____ _____ Last First MI	Name _____
Address _____ _____	Address (if different) _____ _____
School _____	
Grade _____ Sex (M, F, Unknown) _____	
Age or Birthday (Mo/Day/Yr) _____	

SOURCE OF ALLEGATION (Check as Appropriate)
<input type="checkbox"/> Child <input type="checkbox"/> Parent <input type="checkbox"/> Other - Name _____ Relationship to Child (if any) _____

ALLEGED PERPETRATOR (EMPLOYEE OR VOLUNTEER)
Name _____ School District/Charter School _____
School Building _____ School Position _____

SPECIFIC ALLEGATION
Use this space to provide information to describe or explain the circumstances surrounding the allegation. (attach additional sheets if necessary)

REPORTER INFORMATION	
Name _____	School District /Charter School _____
School Address _____	School Telephone _____
Relationship to Child (if any) _____	
<input type="checkbox"/> Teacher <input type="checkbox"/> School Guidance Counselor <input type="checkbox"/> School Nurse <input type="checkbox"/> School Psychologist <input type="checkbox"/> Administrator <input type="checkbox"/> School Board Member <input type="checkbox"/> School Social Worker <input type="checkbox"/> School personnel required to hold teaching or administrator license or certification	
Date Submitted to Administrator ____/____/____/	
Signature _____	

FOR ADMINISTRATOR USE ONLY	FOR SUPERINTENDENT/CHARTER SCHOOL CHIEF ADMINISTRATOR OF SCHOOL USE ONLY
Reasonable Suspicion ____ Yes ____ No	Reasonable Suspicion ____ Yes ____ No
Date Submitted to Superintendent /Charter School Chief Administrator ____/____/____	Date Submitted to Law Enforcement ____/____/____
Name/Signature _____	Name/Signature _____
Date Submitted to Law Enforcement ____/____/____	Date Submitted to Commissioner ____/____/____
Name/Signature _____	Name/Signature _____

(EXHIBIT C)
WRITTEN STATEMENT TO PARENT ABOUT CHILD ABUSE

Dear [parent/s or guardian/s name/s],

Fei Tian Academy of the Arts is deeply committed to the welfare and safety of its students and takes all allegations of child abuse seriously. You are receiving this letter because a formal allegation of abuse that occurred within the school setting concerning your child has been documented and forwarded to the appropriate law enforcement authorities. Please read the following to understand your rights and the procedures that the school is required to follow so that you know what you may expect.

DUTIES OF SCHOOL EMPLOYEES

The law requires all teachers, school nurses, school guidance counselors, school psychologists, school social workers, school administrators, school board members, and all other school personnel who hold a teaching or administrative license or certificate to complete a written report when they have learned of an allegation that a child has been intentionally harmed by a school employee or volunteer.

All New York schools must complete the State's "Child Abuse in an Educational Setting Confidential Report of Allegation." The submitted report must include the full name of the child, the name of the child's parents or guardians, the name of the person making the allegation and their relationship to the child, the name of the employee or volunteer against whom the allegation was made, and the details of the allegation. The completed report must be personally delivered to the school administrator.

If the allegations are made against an employee or volunteer from a school outside the one where the child attends school, the completed report must be forwarded to both the school where the child attends school and the school/district where the alleged harm occurred.

DUTIES OF SCHOOL ADMINISTRATORS

When a school administrator or head of school receives a completed report and has reasonable suspicion to believe that an act of child abuse has occurred, the school administrator or head of school must promptly notify the child's parents. The school administrator or head of school must also promptly forward the report to appropriate law enforcement authorities. When the allegation is made by someone other than the child or the child's parents, the school administrator or head of school must learn from the person making the report the source and the basis for the allegation.

The school must provide parents with this copy of parental rights, responsibilities, and procedures.

ADDITIONAL DUTIES OF HEADS OF SCHOOL

When the head of school forwards a report to appropriate law enforcement authorities, the head of school must refer the report to the Commissioner of Education when the accused employee or volunteer holds an

educational certificate or license. When a report does not lead to a criminal conviction, the school must remove the report from all school records within five years.

NOTIFICATION BY DISTRICT ATTORNEY

The district attorney must notify the head of school of the status of the investigation, if delayed or terminated, whether criminal charges will be filed, and the outcome of the criminal case.

ACTIONS TO BE TAKEN UPON A CRIMINAL CONVICTION

When a report leads to a criminal conviction, the district attorney must notify the Commissioner and the school Board. The Commissioner must then promptly make an official finding as to whether the individual meets the definition of possessing good moral character according to state regulations.

A school is not permitted to take action against an employee or volunteer when there is no reasonable suspicion to believe that the report was true. A school employee or volunteer who does have action taken against them because of a report is entitled to receive a copy of the report and to respond to the allegations.

DUTIES OF THE COMMISSIONER OF EDUCATION

The Commissioner must prepare a form for schools to complete when allegations have been made. The form should include the applicable legal definitions and enough space so that the person completing the form can include any and all information that would be helpful in explaining the allegations being made.

The Commissioner must also create rules concerning training school personnel and other applicable individuals about reporting and procedural requirements.

CONFIDENTIALITY OF RECORDS

Reports and any additional materials included with the report are confidential. The report may not be shared with unauthorized persons, but may be shared with law enforcement authorities investigating the allegations or by a court-ordered subpoena. School administrators and superintendents must take reasonable care to prevent the report from being inappropriately disclosed. Willful disclosure of a report is a Class A misdemeanor.

PENALTIES FOR FAILURE TO COMPLY

Willful failure by an employee to prepare and submit a report of an allegation of child abuse is a class A misdemeanor. Willful failure by a school administrator or head of school to submit a written report to appropriate law enforcement authorities is a class A misdemeanor and subject to a civil penalty not to exceed five thousand dollars upon an administrative determination by the Commissioner.

PROHIBITION AND PENALTY AGAINST UNREPORTED EMPLOYEE OR VOLUNTEER RESIGNATION

An accused employee or volunteer may not agree to resign or be suspended in exchange for a report of alleged child abuse being withheld from law enforcement authorities. Violation of this rule is a felony and subject to a monetary fine.

Thank you for your attention to the above.

Sincerely,

Principal

cc: Board of FTAA-MT

(EXHIBIT D)

RIGHT TO TRANSFER STUDENT TO ANOTHER SCHOOL LETTER

Dear _____:

Please be advised that there is reason to believe that your child was the victim of a violent criminal offense on school property. In accordance with the requirements of the No Child Left Behind Act, your child is entitled to be offered a safety transfer to a school to be determined by appropriate school officials.

You must contact me at _____ within five days of the receipt of this notice if you wish to discuss a transfer for your child. You may also choose to have your child remain at Fei Tian Academy of the Arts.

Please do not hesitate to call me with any questions.

Very truly yours,

Principal/designee

(EXHIBIT E)

DETERMINATION OF TRANSFER SITE LETTER

Date: _____

Dear _____:

Please be advised that in accordance with your request for a safety transfer, your child can be transferred to _____, effective _____.

Please contact me immediately, but in no event, later than two school days to confirm either that you are accepting this placement or that your child will remain at Fei Tian Academy of the Arts. If you choose to accept the transfer site, I will provide you with the information necessary to ensure your child's prompt registration.

Very truly yours,

Principal/Designee

cc: Principal (receiving school)

(EXHIBIT F)
Parent Notification/Consent Form – Safety Transfer

Dear Parent//Guardian:

Thank you for accepting our recommendation for placement of _____ to a transfer site
(Student name)

in light of the incident that occurred at Fei Tian Academy of the Arts on _____.
(Date)

Please complete the consent form below and return it to the administrative office at 42 Jason Place, Middletown, NY 10940, within two (2) days. As discussed, _____ will be
(Student name)
transferred to _____ upon receipt of your written consent.
(School name)

For transportation questions, please contact the principal's office at _____ at
(Receiving school)

(Phone Number)

I, the parent/guardian of _____, hereby give my permission for my child to
transferred to _____. I understand that this transfer was recommended after a
careful investigation into a safety incident that occurred at Fei Tian Academy of the Arts. I further understand
that, in the best interest of my child, it is safer for him/her to relocate to different school.

(Parent Signature) (Date)

(Principal Signature) (Date)

(EXHIBIT G)
SAFETY TRANSFER INTAKE FORM

This form must be used for all safety transfer requests. Incomplete requests will not be processed and will be returned to you.

Student Name _____ **Date**

Student ID # _____ **Grade Level** _____ **Date of Birth**

Parent/Guardian Name _____ **Telephone**

Address (House #, Street, Apt. #, Borough and ZIP)

SCHOOL

General Education OR Special Education (Circle one)

Grade Level _____ Number of Credits _____

Absences _____ Lateness _____

Special Program/Major _____ ESL: Yes OR No
(Circle one)

Previous Schools Attended _____ Date(s) _____
_____ Date(s) _____

DEAN'S RECORD

- | | |
|--|---|
| <input type="checkbox"/> None | <input type="checkbox"/> Principal Suspension / Date |
| <input type="checkbox"/> Acts Against Staff | <input type="checkbox"/> Superintendent's Suspension / Date |
| <input type="checkbox"/> Classroom Disruptions | <input type="checkbox"/> Attendance/Cutting |
| <input type="checkbox"/> Drug Related | <input type="checkbox"/> Other |

Acts Against Students

Completed by _____

ENROLLMENT OFFICE USE ONLY

Approved _____ Date _____

Placement _____ Effective Date _____

Denied _____ Date _____

Comments

_____Principal _____ Sending School

_____Principal _____ Receiving School

(EXHIBIT H)
SAFETY TRANSFER SUMMARY OF INVESTIGATION FORM

Student Name _____ **Date** _____

Student ID # _____ **Grade Level** _____ **Date of Birth** _____

Reason(s) for Safety Transfer Request (**provide specific details**)

Identify all individuals involved in the incident(s). Next to each name write alleged: **S** (suspect), **V** (victim), **W** (witness), **O** (other).

Who conducted the investigation?

Were statements taken? **Yes** **No**

If yes, from whom? (**Identify all individuals and attach statements, if they are available**)

Please provide a summary of the results of the investigation below:

What disciplinary action, including suspension, was imposed on the students alleged to have committed the incident(s)?

Was a conference held by the principal/designee? Yes No

What documentation do you have to support the request for a safety transfer?

_____ Police Report (**indicate complaint#, accident#, aided report**) _____

_____ Department of Education Occurrence Report (**indicate#**) _____

_____ Statements

_____ Other (**please indicate**) _____

Name of guidance counselor who interviewed the student with regard to the request for the safety transfer:

After a thorough investigation we believe a safety transfer is warranted.

Principal

Director of Academic Affairs

(Exhibit I)
SAFETY INCIDENT REPORT FORM

Full Name: _____ **File#** _____

Phone# _____ **Email:** _____

Incident Date: _____ **Incident Time:** _____ **Location:** _____

Did you report this incident to your school administration? Yes No

Subject Information (Check all that apply):

Student Special Ed. Student Parent Intruder Other

Provide Name if known:

Grade: _____ **Student Name:** _____

Grade: _____ **Student Name:** _____

Parent Name: _____

Parent Name: _____

Intruder Name: _____

Intruder Name: _____

Type of Incident – Circle Number(s)

1. Assault
2. Harassment (verbal, physical, sexual)
3. Larceny/Robbery
4. Class Disruption

File # _____

- 5. Menacing
- 6. Reckless Endangerment
- 7. Criminal Mischief
- 8. Other

Disciplinary Response: _____

Guidance Intervention: _____

Briefly describe the Incident and any Injuries: _____

Signature

Date



(EXHIBIT L)
DOCUMENTATION OF STUDENT SEARCH

Student Name _____

Age _____ Grade _____

Reasons for the search

Name of any informant(s) _____

Purpose of search (that is, what item(s) were being sought) _____

Time of search _____ Location of search _____

Results of search (that is, what items(s) were found) _____

Disposition of items found _____

Written parental notification _____ Yes _____ No

Name of Person conducting search _____

Title _____

Witnesses, if any, to the search _____
