

Students Who have Been the Victim
Of a Violent Criminal Offense

The Superintendent of Schools is charged with investigating all suspected instances of violent criminal offenses that may have been perpetrated on a student while a student is on school property. School property is defined as any building, structure, athletic playing field, playground, parking lot and the land contained within the real property boundary lines of any of the schools of the Sharon Springs Central School District, or on a school bus owned or contracted for by the District or at any school function sponsored by the District.

A violent criminal offense is defined as a crime under New York State Penal Law, Sec. 10.00 that:

- Involves infliction of a serious physical injury upon another as defined in the State Penal Law: or
- A sex offense that involves forcible compulsion; or
- Any offense defined in the Penal Law that involves the use or threatened use of a deadly weapon.

In determining whether a violent criminal offense has been perpetrated upon a student, the Superintendent shall consult with the appropriate law enforcement agencies investigating the incident(s) including reviewing any reports made available by the law enforcement agencies and will also consult with the District's attorney. The Superintendent is responsible for maintaining appropriate documentation of the information he/she uses in formulating his/her determination.

If, after consultation, the Superintendent determines that a violent criminal offense has occurred, the parent(s)/guardian(s) of the student who has been determined to be the victim of a violent criminal offense shall be notified within 24 hours of the Superintendent's determination of their right to transfer their child or children to a safe alternative public school within the geographic bounds of the District. This notification will be made both by telephone and certified mail to the parent(s)/guardians(s) in a language that is understood by the parent(s)/guardian(s). Upon notification, the parent or guardian(s) will have ten (10) calendar days from the day of the Superintendent's notification to inform the District of their decision to exercise their right to have their child transferred to another school. The Superintendent's decision may be appealed to the Board of Education.

If the parent(s) or guardian(s) exercise their right of transfer, the Superintendent or his/her designee will consult with the staff in the building in which the student is currently enrolled to determine the student's unique needs that should be taken into account in discussing with the parents/guardians the most appropriate option(s) for transfer. The alternative public school(s) where the option for transfer is to be provided must have classes at the same grade level as the grade in which the student is currently enrolled. The District will provide the transportation necessary for the student(s) to attend the new school. When a parent requests that a transfer be made, the transfer shall be implemented within thirty (30) calendar days from the day of the parent(s)/guardian(s) notification to the District. Once a student(s) has been transferred to an alternative school within the District the transfer shall be permanent until the child completes the highest grade in that school. However, the parent(s)/guardian(s) may request that the student(s) be transferred back to their original school. At the Superintendent's discretion, the transfer back could be implemented at any time but no later than the start of classes in the next school year.