

**SCHOOL TRANSFER OF STUDENTS WHO HAVE BEEN THE VICTIM OF A  
VIOLENT CRIMINAL OFFENSE REGULATION**

The Superintendent of Schools is responsible for overseeing the investigations of all suspected instances of violent criminal offenses that may have occurred on any school property during school hours, or at any school activity.

In conforming with Section 10.00 of the New York State Penal Law, the Superintendent or his/her designee will consult with either the Colonie Police or the New York State Police agencies, depending upon which agency is investigating the incident. Appropriate North Colonie Central School and police paperwork will be completed and copies filed accordingly.

The criteria for determining if a violent crime has occurred includes affirmative conclusions to any of the following:

- Was a serious physical injury inflicted upon another, as defined in the State Penal Law; or
- was this a sex offense that involved forcible compulsion; or
- was this an offense, as defined in the Penal Law, that involved the use or threatened use of a deadly weapon?

Parents (or guardian) will be called by the administrator investigating the occurrence as soon as it has been determined that a violent criminal offense has occurred. If the injured party attends one of our elementary schools, parents will be notified within 24 hours of their right to transfer their child to an alternative public school within the North Colonie School District. This notification will be made by certified mail and in a language that parents understand. As noted in the Board Policy parents will have 10 calendar days (from notification) to inform the district of their decision to transfer the child.

In any case, the administrator involved and responsible for the child's safety and supervision will meet to discuss future safety and the unique issues of the situation.

If the child transfers to another elementary building, the Superintendent or his/her designee will arrange for transportation to the new school at no cost to the parents. This will occur within 30 days of the incident.

All cases of physical injury will not be assumed to be violent, as per Section 10.00 of the New York State Penal Law. Incidents that fall within these regulations must be determined to be violent, involving a sex offense with forcible compulsion or involve the threat or use of a deadly weapon.

Appropriate paperwork and records will be maintained according to district policy so that BEDS data maybe filed and submitted accordingly.

Adopted: May 19, 2003