



**THE CLEAR VIEW SCHOOL DAY TREATMENT CENTER**

**FAMILY HANDBOOK**

**2022-2023**

## Table of Contents

<b>2022-2023 SCHOOL YEAR CALENDAR .....</b>	<b>3</b>
<b>CONTINUITY OF CARE AND THE TWELVE MONTH PROGRAM.....</b>	<b>4</b>
<b>CLOTHING .....</b>	<b>5</b>
<b>ABSENCES .....</b>	<b>6</b>
<b>PARENT-TEACHER CONFERENCES.....</b>	<b>7</b>
<b>SCHOOL CLOSINGS.....</b>	<b>8</b>
<b>24-HOUR CRISIS SERVICE .....</b>	<b>9</b>
<b>PROCEDURES FOR ADMINISTERING MEDICATION .....</b>	<b>10</b>
<b>POLICY ON ILLNESS.....</b>	<b>11</b>
<b>PSYCHOPHARMACOLOGICAL TREATMENT PLANNING POLICIES AND PROCEDURES.....</b>	<b>12</b>
<b>STUDENT CODE OF CONDUCT AND BEHAVIOR MANAGEMENT.....</b>	<b>15</b>
<b>STUDENT CODE OF CONDUCT.....</b>	<b>16</b>
<b>Appendix I: Procedures for Special Review and Alternative Placement .....</b>	<b>20</b>
<b>Appendix II: Procedure for Suspension .....</b>	<b>21</b>
<b>Appendix III .....</b>	<b>22</b>
Alcohol and Substance Use .....	22
Driving to School .....	22
Driving Rules .....	22
Electronic Communication Devices.....	23
Dress Code Guidelines .....	24
<b>THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA).....</b>	<b>25</b>
<b>ACCESSIBILITY OF PROGRAM RECORDS POLICY .....</b>	<b>26</b>
<b>NOTICE OF PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY UNDER NYS EDUCATION LAW §2-D .....</b>	<b>27</b>
<b>THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) PRIVACY RULE .....</b>	<b>28</b>
<b>CHILDREN'S INTERNET PROTECTION ACT (CIPA) POLICY.....</b>	<b>33</b>

**2022-2023 SCHOOL YEAR CALENDAR**

Program Hours: 9:30 am – 3:00 pm

**2022**

September	5	Monday	Labor Day	School & Program Closed
	6	Tuesday	Staff Orientation	School Closed
	7	Wednesday	Family Orientation	
	8	Thursday	Family Orientation	
	9	Friday	First Day of School	
	26	Monday	Rosh Hashanah	School & Program Closed
October	5	Wednesday	Yom Kippur	School & Program Closed
	10	Monday	Indigenous Peoples' Day	School & Program Closed
	12	Wednesday	Parent Night	
	19	Wednesday	Early Dismissal (1:30 pm)	Staff Conference Half-Day
November	11	Friday	Veterans Day	School & Program Closed
	24	Thursday	Thanksgiving	School & Program Closed
	25	Friday	Thanksgiving	School & Program Closed
December	23	Friday	Early Dismissal (1:30 pm)	
	26	Monday	Christmas Day (Observed)	School & Program Closed
	27	Tuesday	Holiday Break	School Closed

**2023**

January	2	Monday	New Year's Day (Observed)	School & Program Closed
	3	Tuesday	School Reopens	
	16	Monday	Martin Luther King Day	School & Program Closed
February	20	Monday	Winter Vacation	School Closed
	23	Thursday	School Reopens	
March	10	Friday	Staff Conference Day	School Closed
April	3	Monday	Spring Break	School Closed
	10	Monday	School Reopens	
May	26	Friday	Memorial Day Weekend	School & Program Closed
	29	Monday	Memorial Day	School & Program Closed
	30	Tuesday	School & Program Reopen	
June	19	Monday	Juneteenth	School & Program Closed
	23	Friday	Early Dismissal (1:30 pm)	

**Summer Program 2023**

July	5	Wednesday	Staff Orientation	School Closed
	6	Thursday	Family Orientation	
	7	Friday	First Day of Summer Program	
August	17	Thursday	Last Day of Summer Program	

Weather make-up days to be taken in the following order: 2/22, 5/26, 4/3, 4/4

## CONTINUITY OF CARE AND THE TWELVE MONTH PROGRAM

The Clear View School Day Treatment Center is a twelve-month program of integrated special education and therapeutic services. Continuity of care – that is, the provision for *continuous* service throughout the calendar year – is an integral part of the educational and treatment provisions of day treatment necessary to establishing and maintaining stability for students and families and an essential part of preserving and building on the important work we are doing together.

Because continuity of care is a critical aspect of the education and treatment at The Clear View School Day Treatment Center, if a student does not attend the summer session against recommendation, it will be necessary to contact the CSE and to amend the student's IEP to reflect Clear View's concerns regarding the impact of such a disruption on the student's continued progress and well-being.

The summer session is six weeks and generally runs from just after July 4 through the third week in August. The exact dates each year are included in the annual school calendar. Please make camp and/or vacation plans during breaks before and after the summer session. In unusual circumstances, it is possible for a student to miss a few days of program. If your plans do require that your child be absent from summer program, please submit the Summer Program Planned Absences form. The activities are planned as a whole to provide a balanced program of education, therapy, vocational experiences and recreation. All of it is important to your child's care.

## CLOTHING

Each student should have the following, to be left in program:

### YEAR-ROUND

- a pair of sneakers
- a change of (seasonally appropriate) outer clothes
- a pair of socks
- a change of underwear
- a sweater or sweatshirt

### SUMMER PROGRAM

- two towels
- a swimsuit (one-piece or trunks)
- a pair of sandals or flip flops

Extra clothing will be used in the event of accidents, spills and/or activities during which clothing can become wet or soiled. If your child wears their extra clothes home, please send replacement items in as soon as possible. Please make sure that your child's extra clothing, including sneakers, fits them well and comfortably.

All clothes kept in school should be clearly labeled with your child's name in indelible ink or similar.

Please remember that sneakers are required for participation in gym classes. There should be a pair of sneakers left in school for that purpose.

## DRESS CODE GUIDELINES

Students should feel free to dress comfortably and fashionably if they wish to do so. However, we do expect everyone to dress appropriately for school. We ask parents to help students cooperate with the following guidelines in order to maintain a school environment that is both comfortable and productive:

- 1) Clothing, jewelry, ornaments, and accessories that may cause a safety hazard will not be allowed.
- 2) Clothing should not be excessively short, too low cut, or revealing. No garments such as tube tops, halter-tops, one shoulder tops, shirts with spaghetti straps, see-through garments, or "muscle shirt" tank tops. Shoulder straps must be at least one inch wide.
- 3) Undergarments and midribs must be covered at all times.
- 4) Shorts and skirts should not be shorter than the length of the student's fingertips when the student's arms are down at one's side (3 ½" inseam).
- 5) Shirts must be long enough to reach the waistline of the pants, shorts, or skirt being worn.
- 6) Clothing should not display scary or inappropriate themes (drugs/alcohol, sex, foul language, etc.)
- 7) Bathing suits should be one-piece or trunks (no Speedos, bikinis or tankinis).
- 8) Footwear must be worn at all times. Footwear must not be a safety hazard for the student.

## **ABSENCES**

Please contact Clear View first thing in the morning if your child is going to be absent, reporting the absence and the reason for it. You can call the front desk at 914-941-9513 or contact your child's therapist directly to relay this information. We ask that you be in touch each day of an absence that lasts for more than a day.

The transportation company should also be notified of your child's absence whenever possible. This is extremely helpful to the other children who ride the bus, in that it avoids delays and shortens the time they must spend on the bus.

## PARENT-TEACHER CONFERENCES

During the school year, you will formally meet with your child's teacher on at least three occasions. Since parent involvement is an integral part of your child's program, there will, of course, be opportunities for other, more informal meetings during the year.

The first meeting will take place during orientation before the beginning of each school year.

The next meeting will take place on an evening early in the school year, during Parent Night. This will be a group meeting when all of the parents of each classroom will meet with the classroom's teachers. Your child's teachers will describe their plan and expectation for the school year in general terms.

The second meeting will be with your child's treatment team, during which you will discuss your child's program and progress during the course of the year. Parent-Teacher Conferences are generally held during the second semester of the school year, usually in advance of your child's annual Committee on Special Education (CSE) meeting.

Team meetings to discuss progress or concerns can of course be scheduled at other times over the course of the school year. A parent may request such a meeting at any time; additional meetings may be scheduled at the request of your child's treatment team if they feel it could be helpful.

## SCHOOL CLOSINGS

### Scheduled Closings

The calendar enclosed indicates when school will be closed for holidays and breaks. Our clinical program remains open through most breaks and is closed only on those days designated as “School & program closed”.

### Emergency Closings

In the event that weather conditions necessitate a closure, delayed opening or early closing, alerts will be sent through the [Remind App](#). Closings and delays will be posted on [our website](#), shared with the 24-hour Emergency Service, and included on local radio and television stations, including Channel 2 CBS, [News 12](#) and [WHUD](#). You can sign up for WHUD’s Storm Center text alerts [here](#).

When it seems feasible to open on mornings with inclement weather, we will open late (11:30 am start time instead of 9:30 start time) rather than close for the entire day. When there is a delayed opening, your child should not board the bus at the regular time, even if the bus shows up at that time. Pickups should happen about an hour later than usual. Needless to say, should driving conditions appear to you to be unsafe, you need not permit your child to board the bus at all. If you then choose to bring child in at a later hour, you may certainly do so.

Fortunately, early closings are not very common, but they do happen. We will contact families when an early closing is necessary and will utilize your provided emergency contacts if we are unable to reach you directly. It is most important on such occasions that you stay alert to deteriorating conditions and remain available to respond to our outreach.

### **24-HOUR CRISIS SERVICE**

In the case of an emergency or crisis at any time outside of program hours, including weekend and holidays, a member of The Clear View School's Day Treatment Center clinical staff can be reached at 914-941-9513. An answering service will take your call and will contact the requested member of the clinical staff. If the clinical team member you want to speak with is available, the answering service will connect the call. If they are not available, the answering service will connect you with the on-call clinical staff member.

If you experience any problems with this service, please let your therapist know.

## PROCEDURES FOR ADMINISTERING MEDICATION

One of the services of The Clear View School Day Treatment Center is administration of medication. The following are the policies for that function:

### Prescription

- All prescription medications are administered according to written doctor's orders and with parents' written permission, by an appropriately licensed professional.
- Prescription medications are brought to the nurse by the parent or guardian unless specific and clear arrangements have been made in consultation with the program's clinical director and the child's team at The Clear View School Day Treatment Center.
  - In instances where it is determined by the treatment team that a student should transport medication, this will be reflected in the treatment plan.
- Prescription medications must be in an up-to-date pharmacy container, labeled with the medication name, the student's name and the most current prescription date.
- Students over 18 years old may be certified by the nurse for medication self-administration.

### Non-Prescription

- Non-prescription medications are administered according to doctor's order and parents' written permission.
- The nurse maintains stock non-prescription listed medications. Aspirin is not administered.

### Schedules & Record-Keeping

- The nurse will maintain a log of medications received.
- Schedules for administration of medication are set up to integrate timing requirements for medication and program schedules. Students are brought to the nurse, who administers the medication.
- The nurse will maintain a daily log of all medication administration. Any presumed errors of omission or commission of administering medications will be reported and investigated through the Special Review Committee's procedures for untoward incidents.
- All members of a student's treatment team will be aware of the student's medication program, if any, and allergies.

### Storage

- Medications are kept in a double locked cabinet in the nurse's office.
- Where no specific storage directions or limitations are provided, it is to be understood that the storage conditions include protection from moisture, freezing and excessive heat.

## POLICY ON ILLNESS

Please follow these guidelines when deciding whether to send your child to program each day:

- Students who are ill should be kept at home.
- A student who has a fever must be kept at home until there has been no fever for 24 hours, without taking a temperature-lowering medication such as Tylenol or Advil.
- A student who is taking a prescribed antibiotic must have been under treatment for 24 hours before returning to program.
- If your child develops a fever while at school or has not been fever free for 24 hours before arriving to program, you will be called to arrange for your child to return home.
  - For these purposes a fever is a temperature 100° F or above.
- Students who arrive at school feeling ill or who become ill during the program day will be brought to the nurse for assessment. Minor, noncontagious ailments can be managed in program.
- If your child is too ill to remain in program, you will be called to arrange for their return home.

## PSYCHOPHARMACOLOGICAL TREATMENT PLANNING POLICIES AND PROCEDURES

Medication treatment, as needed, is offered as part of the integrated services of The Clear View School Day Treatment Center. The services available related to medication are as follows:

- 1) **Parent/guardian education and participation with issues of medication for students enrolled in The Clear View School Day Treatment Center.**
- 2) **Evaluation of students enrolled in The Clear View School Day Treatment Center for medication.**
- 3) **Prescription of medication for students enrolled in The Clear View School Day Treatment Center.**
- 4) **Administration of medication for students enrolled in The Clear View School Day Treatment Center.**
- 5) **Ongoing evaluation of safety and efficacy of medication for students enrolled in The Clear View School Day Treatment Center.**
- 6) **Consultation with other agencies, health care professionals or educational providers in reference to medication for students enrolled in The Clear View School Day Treatment Center.**

The development of policies for the program on medication use and administration will be the responsibility of the Clinical Director.

### 1) **Parent and student education and participation in reference to issues of medication**

The psychopharmacological treatment plan is part of the student's treatment plan. Development of the psychopharmacological treatment plan includes parent education, input, and consent. Students' participation will be developmentally appropriate; consent of students 18 years old and older will be required for their plan.

### 2) **Evaluation of student enrolled in The Clear View School Day Treatment Center for medication**

#### **A) Students referred to The Clear View School Day Treatment Center, who prior to admission have been evaluated as requiring psychotropic medication:**

1. The CSE will provide all necessary and relevant initial and ongoing evaluation documentation to The Clear View School Day Treatment Center on referral.
2. If a student is already in treatment and parents wish for the treatment to be transferred to The Clear View School Day Treatment Center's team, the parents will be responsible for providing adequate history of previous treatment and all evaluative documentation not available from the school district.
3. The psychiatrist at The Clear View School Day Treatment Center will evaluate the safety and efficacy of the medication through evaluation of the material from 2(A)(1) and (2), conferencing with the parents, and evaluation of the student.

**B) Students referred to The Clear View School Day Treatment Center for whom parents or professionals have recommended considering psychopharmacological intervention:**

1. The CSE will provide all necessary and relevant initial and ongoing evaluation documentation to The Clear View School Day Treatment Center on referral.
2. Parents will be responsible for providing adequate history of previous treatment and evaluation documentation not available from the school district.
3. The psychiatrist of The Clear View School Day Treatment Center will evaluate the possible role of psychotropic medication in the student's Comprehensive Treatment Plan through evaluation of history, records, conferencing with the parents, and evaluation of the student through examination and by the student's team at The Clear View School Day Treatment Center.

**C) Students who are considered to require psychopharmacological intervention during their enrollment in The Clear View School Day Treatment Center:**

1. Parents or The Clear View School Day Treatment Center team members may request evaluation for psychotropic medication from The Clear View School Day Treatment Center's psychiatrist.
2. All relevant and necessary information will be provided to the psychiatrist, who will provide for diagnosis, description of problem and target symptoms, goals of treatment, and specific psychopharmacological recommendations, provided such treatment is evaluated as safe and efficacious.
3. Parents and the student's team at The Clear View School Day Treatment Center must be in agreement on all aspects of the plan.
4. It may be necessary in evaluating safety and efficacy of prescribed psychotropic medications to obtain laboratory tests. The order for the test will be provided. Parents are responsible for obtaining the tests, having results reported, and payment for the tests. Insurance plans have differing requirements, which can be found out from individual plans.

**3) Prescription of medication**

Psychotropic medication that is recommended as part of student's Comprehensive Treatment Plan will be prescribed by The Clear View School Day Treatment Center's psychiatrist. This will be done on a weekly, bi-weekly, or monthly basis, depending upon issues of safety and efficacy in each case. Prescriptions will be electronically prescribed by the psychiatrist to the pharmacy selected by the parent. It will also be the parents' responsibility to provide medication that is to be administered at The Clear View School Day Treatment Center. Records of all prescriptions will be maintained by the psychiatrist.

**4) Administration of medication**

Medication (this includes psychotropic and other medications) can be administered to a student at The Clear View School Day Treatment Center. This is done in accordance with the regulations regarding such practice. Procedures for Administering Medication is on page [10](#) of this document.

Records of all medications administered will be maintained by the nurse.

**5) Ongoing evaluation of safety and efficacy of medication**

On, at minimum, a monthly basis, the safety and efficacy of the psychopharmacological treatment plan will be evaluated. Where there is an acutely unstable situation, monitoring and evaluation will take place on an as-needed basis. Any change in the treatment plan will be arrived at by utilizing evaluation information from the entire treatment team, parents and any outside consultations, where relevant.

**6) Consultation with other agencies, health care professionals or educational providers**

Any part of a student's psychopharmacological treatment plan may require the use of other treating agencies or health care providers. The student's therapist and the psychiatrist of The Clear View School Day Treatment Center will maintain necessary communication.

**7) Students who receive psychopharmacological services from providers outside of The Clear View School Day Treatment Center**

Parents must provide direct access to that provider for sharing of information and necessary treatment collaboration.

## STUDENT CODE OF CONDUCT AND BEHAVIOR MANAGEMENT

Among the basic goals of The Clear View School Day Treatment Center as they have been approved by the Board of Directors of the Association for Mentally Ill Children of Westchester, Inc., are the following:

- 1) To maintain emotionally disabled children in the community and with their families
- 2) To provide an emotionally sustaining environment for students and families, in order to promote the fullest possible emotional, social, and cognitive development in students with serious emotional disabilities with the intention of preparing such students to better function in their intended environment, now and in the future.

Central to that mission, The Clear View School Day Treatment Center designs its program so as to remove, as much as is possible, the threat to the child and family of expulsion or transfer from program as a consequence of behavior and to treat the family as a full participant in the psychoeducational process rather than as a target for complaint. Furthermore, when disciplinary procedures are employed -- whether they involve in-school or out-of-school suspension -- they are used not with the intent of punishing the student, but with the intent of treating and teaching, with the goal of changing behaviors (e.g., assaultive, truant, menacing) which leave children feeling endangered and alone into behaviors that lead to a heightened sense of security and social acceptability.

When it is determined by psychiatric evaluation that a particular child is not able to benefit from a day treatment program because of the nature of mental health needs, it is not the path of suspension that is followed as a matter of policy but rather that of short-term hospitalization (psychiatric) or recommendation for more restrictive education programming such as residential school care. The former intervention may be sought at any time in response to student need as determined by the clinical staff, while the latter is a recommendation to The Committee on Special Education by the treatment team of The Clear View School Day Treatment Center. While such a recommendation is under consideration or in the process of implementation, the student in question remains in attendance at The Clear View School Day Treatment Center unless psychiatric hospitalization is required, or student behavior produces a level of danger which makes it necessary to seek parental consent or judicial authorization for immediate removal from school.

Nonetheless, despite its goals and program procedures which have been developed to avoid even short-term suspension whenever possible and to avoid long term suspension almost at any cost, it is recognized that in-school disciplinary procedures of various kinds and durations are very necessary for behavior management. Indeed, as indicated above, they are a treatment and education method which in skilled hands can produce significant change in behavior and emotional status. These procedures are described in the attached code of conduct, as well as procedures to be followed in the event that it is deemed necessary to remove a child for a short period (less than five days), for an intermediate period (five to ten days) or on a long-term basis (ten days or more) from the school premises.

## STUDENT CODE OF CONDUCT

You are a student at The Clear View School Day Treatment Center ("Clear View"). That means you've had some problems in other schools, and you are now attending a school where you can work on those problems and solve them. It also means that a lot of people, including your parents, who know a lot about the problems of children, have agreed that you will do better for now if you attend Clear View. Some of those people who want you to attend Clear View work for the public school in your hometown. They serve on a committee called the Committee on Special Education (CSE). Others who want you to be at Clear View are all the people who work at Clear View and who want to help young people with problems to feel better and to learn more.

One of the things that helps all of us feel better and learn more is to know we are in a safe place, a place where people don't get hurt, where they don't hurt each other or themselves in any way. In order to keep Clear View safe and in order to make it a place that feels safe even to very young children who are easily frightened, we have some very important rules that we expect everyone at Clear View to follow. These are rules that people must follow even when they don't feel like it -- or even if they believe there is some good reason to break one of the rules. Of course, everyone breaks a rule sometimes. When rules are broken at Clear View there are certain things that the people who work here do to stop that from happening again.

We are going to tell you both what the school's rules are and about how we try to keep them from being broken and what we do when they are broken to help you to remember them and to follow them in the future.

Some of our most important rules have to do with people not getting hurt. For example:

- 1) **No student at Clear View is allowed to attack other people -- students or teachers --in any way.**
- 2) **No student at Clear View is allowed to hurt him/her/themself or to put him/her/themself into situations where there is undue danger of being hurt.**
- 3) **No student is allowed to misbehave on the school bus. When on a school bus, students must follow the directions of the driver and sit where instructed. They must not fight or damage the bus or disturb others by making loud sounds or leaving an assigned seat without permission.**

These are three of the most important rules of Clear View, where we know it is so important to feel safe that we have an important rule about what students may wear to school and another about things they are not allowed to say to each other:

- 4) **No student may wear clothing or jewelry or other items which in the judgement of Clear View staff (subject to review) may be alarming or disturbing to other Clear View students of any age.**
- 5) **Students will not threaten, harass or bully other students nor will they deliberately do things to upset, irritate or intimidate other students nor will they in any way insult or verbally abuse other students for any reason. Students will also stop on request all such behavior when it is directed at staff members. Cyberbullying, by electronic devices or email or an electronic communication, on or off school property, is prohibited.**
- 6) **No student will bring weapons of any kind onto the property of Clear View or into the school buildings nor may they carry with them objects of any kind (without the permission of a teacher or other responsible adult) which could be used to threaten or hurt other students or staff members.**

It is an especially important rule that no student will harass or bully anyone because of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender or any other reason that is because of discrimination.

It is also important that no one brings drugs to school. It is not safe to have illegal drugs around the school:

- 7) Students may not bring drugs, including alcohol, or any intoxicating addictive substance onto the school property and they may not show, offer, sell or give away any such substance to other students.**
- 8) Students may not use drugs or alcohol on school grounds or appear at school, on a school bus or at any school activity when impaired to any degree by drugs or alcohol.**
- 9) It is also a violation of school rules to solicit the sale of a controlled substance while at school, on a school bus, on school grounds or at a school activity. Vaping pens and vaping substances are illegal for minors and are not permitted.**

Like children everywhere, Clear View students are concerned about their own health and the health of friends and important adults. Smoking may affect health, and it is not legal for students to smoke in school. That's why we have a rule about smoking:

- 10) Students may not smoke or vape or use any vaping or tobacco products in the buildings or on the grounds of the school at any time. That includes no smoking or vaping in school vehicles or on school trips.**

In order to keep the school safe, it is very important that everyone respect the use of the fire alarm and do the right things during a fire drill. There are two rules about that:

- 11) No student may set off a false fire alarm.**
- 12) No student may misbehave during a fire drill. All students are to follow the directions of their teachers during a fire drill.**

It is also right that we take care of each other's property and that students feel it is safe to bring personal things to school when they have permission to bring them:

- 13) Students will bring personal property (cell phones, etc.) to school only with permission of parents and teachers.**
- 14) No student will steal the property of others or the property of Clear View.**
- 15) No student will on purpose damage the property of others or the property of Clear View.**

The fifteen rules above are the most important ones we have for helping to make Clear View a safe place to go to school.

Along with these fifteen, there are several more rules which need to be followed so that everyone will learn and accomplish as much as they possibly can at Clear View:

- 16) Students will help to maintain orderly classes. No student will on purpose disturb or disrupt classes or other school events, including events held before or after school hours.**

- 17) **Students will not remain in any classroom or any other part of Clear View if they are asked to leave that area by a teacher or other responsible adult. In general, students will be only in that part of the school where they have permission to be at any given time.**
- 18) **Students will not leave their classrooms or any other part of Clear View or their school buses without the permission of a teacher or other responsible adult.**
- 19) **In general, students at Clear View will at all times follow the instructions of their teachers or other responsible adults.**
- 20) **Students will not get in each other's way on purpose. They will not interfere with the activities of other students or Clear View staff members.**
- 21) **Students may not try to persuade or encourage other student to break any of the rules of Clear View.**
- 22) **Students driving a motor vehicle to school must have their parents' permission to do so. In order to enter a motor vehicle onto school property, they must have the permission of the principal and executive director. Such permission requires that they be properly licensed to drive a motor vehicle and they and their parents agree to all school regulations relating to the management and care of student vehicles on Clear View property.**
- 23) **All students who have been legally enrolled in The Clear View School Day Treatment Center must attend school on all days when school is in session unless they are physically ill or are excused from school attendance by their parents for good and sufficient reason consistent with the education laws of the State of New York, or consistent with their treatment plan at The Clear View School Day Treatment Center.**

Together with the responsibility to follow basic rules, students who attend The Clear View School Day Treatment Center have some important rights:

- They have the right to attend a school that is safe in accordance with the basic rules above so they can concentrate on learning and on solving personal problems.
- They have the right to a free education until they graduate from high school or until they finish the school year in which they become 21 years of age.
- They also have the right to the best professional and personal effort which all members of the Clear View staff can make on their behalf.
- They have a right to attend school without being discriminated against bullied or harassed. Every student has a right to equal educational opportunity and a right to have their own culture and background acknowledged, respected and valued.
- In addition, students have a right to their own feelings - to feel what they feel. They also have a right to say (or write) what they feel or think; that is, they have a right to freedom of expression so long as they don't interfere with the school program or use free expression as an excuse to break Clear View's rules which are listed earlier in this document.
- Students have a right to call attention to their feelings and emotional needs at any time during the school day for the consideration of their teachers or other adult staff members of Clear View.

- They also have a right to privacy when they are discussing those thoughts and feelings, or anything else of a personal nature, with a staff member, so long as the situation remains safe, and the basic rules of the school are kept.
- Students have a right to an individual program plan, both for their education and to help them work on their problems.
- They have a right to participate in making their program plan and to have their parents' participation in making it. They have a right to have the plan explained so that they and their parents understand it and to consent or have their parents' consent to their participation in the program planned for them.
- They have a right to a program that is appropriate and right for them, and to object or disagree with all or part of their care and treatment without concern about retaliation.
- They have a right to have their parents review their program and records, so long as the rules about reviewing records are followed and to have their records kept in a way that is protected and confidential. They have a right to have their parents' consent to the release of any part of their records, (or to consent if they are over the age of 18).
- Students have a right to be free from abuse or mistreatment.

Should any child believe that any of these rights have been ignored or violated, that child has a right to complain to the Executive Director of The Clear View School Day Treatment Center or any senior or supervising member of the staff authorized to receive such complaints.

They also have a right to complain to their home school district or to any of the New York State government agencies that license or approve The Clear View School Day Treatment Center, or to any advocacy groups that they may find helpful. Information about how to reach those offices is provided below.

Along with understanding their rights and obligations, Clear View students should also realize that during the school day, staff members legally are substitutes for parents. Thus, staff members have not only the right but the legal responsibility to enforce Clear View's rules, to keep children from hurting themselves or others, either directly or indirectly, and generally to keep Clear View a safe place to attend. In order to do this, they may use appropriate verbal intervention, and if that is not sufficient, they may use appropriate physical intervention to protect both people (whether they are students, staff or visitors) and property. Staff members may intervene or remove from any school room or area a student whose behavior is interfering with the safety or well-being of others, who is judged unable to stop such behavior, or has not stopped upon request.

Misconduct by students may be handled with one or more of the following procedures: removal from group activity for various periods of time to hall, office, or quiet room; special meetings with teacher, supervisor, or therapist; special meetings with parents; remaining after school; writing supervisor-assigned compositions on issues of conduct; entering into contracts relating to certain rules of conduct; development of student-driven safety plan; checking in with class supervisor at the beginning, end, or during the school day. Whatever the procedure used, its purpose will be not to punish but to help students understand and manage their behavior until such time as they can do so independently.

## STUDENT CODE OF CONDUCT

### Appendix I: Procedures for Special Review and Alternative Placement

On those rare occasions when in-school procedures are not enough to eliminate or very much reduce misconduct, The Clear View School Day Treatment Center staff will seek consultation with the student's school district and its Committee on Special Education and may request that the Committee hold a special meeting with the student to review his or her behavior and the reasons for it, and to make its recommendations for future behavior management. Should the Committee at this time decide that an alternative school placement is necessary, Clear View will, of necessity, subscribe to that decision, but will continue to provide an educational and day treatment program for the student until an approved alternate program becomes available (and been consented to by a parent or ordered by a judge) and the Committee's recommendations have been impartially reviewed.

If at any time during the Clear View's efforts to reduce misconduct by in-school means or by consultation with the Committee on Special Education -- or during the period prior to placement in an alternate school program -- it should be decided by appropriate program authorities that The Clear View School Day Treatment Center cannot properly and safely maintain a child in the program, it will, however reluctantly, institute procedures to suspend that child from The Clear View School Day Treatment Center in accordance with the laws of the State of New York and the policies of the Commissioner of the State Education Department.

The procedures that will be followed in such an instance are attached as Appendix II to this memo, which will serve until further notice as The Clear View School Day Treatment Center's Student Code of Conduct.

## STUDENT CODE OF CONDUCT

### Appendix II: Procedure for Suspension

In-school disciplinary procedures and procedures for instituting a change of placement are described above. Procedures for suspension are set forth below. These procedures may be applicable if a pupil violates one of the fifteen "Safety Rules" described in the Code of Conduct and if it appears that a pupil cannot be safely maintained on school premises while evaluation procedures are under way or alternative placement is being explored.

#### **Short Term Suspension (Five Days or Less)**

A pupil who appears to have willfully violated one of the fifteen Safety Rules of the school will be referred to the School Director. The Director will advise the pupil of the charge and provide an opportunity to deny or explain the incident. After reviewing the evidence, the Director will decide whether the pupil violated a safety rule, whether the incident warranted discipline, and whether the child can be safely continued in the school while discipline is imposed or further evaluation takes place.

If the charge is sustained and safety issues remain, the Director will advise the child to remain at home for a set period of time not to exceed five days. They will immediately thereafter notify the child's parents of the suspension, and the reasons for it, by telephone and by certified mail. The letter to the parent will set a date for a conference prior to the child's return to school.

When the scheduled conference is held, the parent has the right to question witnesses to the conduct which was the basis for the suspension. If, following the conference or on appeal from the conference findings, it appears that the suspension was unjustified, all references to such suspensions will be expunged from the school record.

#### **Long Term Suspension (More Than Five Days)**

If suspension of more than five days is deemed necessary by the School Director, the Director will notify the Superintendent of Schools of the child's home district and request that a suspension hearing be scheduled. The Superintendent will immediately schedule a meeting of the Committee on Special Education to explore a change of placement. The child's parents will be invited. If the parents refuse to consent to a change of placement, the Superintendent will schedule a hearing which will be conducted in accordance with procedures set forth in New York Education Law, 3214, 3.c. The hearing may be conducted by the Superintendent of Schools or an appointed hearing officer.

If the hearing officer conducting the proceeding finds that the pupil committed one of the safety violations prohibited by Clear View's code and finds, further, that the child cannot be safely maintained at the Clear View School Day Treatment Center, the child can be suspended for a period of up to 10 days. During this period, a new CSE review will be scheduled with the objective of seeking an emergency change in placement. If such change cannot be arranged or if the parent continues to refuse to consent to such change, the school district may seek judicial authorization for an immediate long-term change in placement by petitioning the Family Court or the Supreme Court of the State of New York or moving for injunctive relief in the United States District Court in White Plains, NY.

## STUDENT CODE OF CONDUCT

### Appendix III

#### ALCOHOL AND SUBSTANCE USE

Student use of illegal drugs or alcohol is a violation of State, Federal and local law, and is against the school rules. The best professional efforts of The Clear View School Day Treatment Center are directed toward keeping the school free of drugs and alcohol and toward discouraging their use by students even when they are away from the school.

Providing intervention and treatment for students who may be vulnerable to drug or alcohol abuse, and assuring treatment for students who have become involved, are an important part of the overall provisions of the program.

Another important provision is a zero-tolerance policy toward bringing alcohol or illegal drugs to school, and toward being under the influence of alcohol or drugs, including any legal substance being abused for intoxicating or mood altering purposes, while participating in regular school program.

Any student who is "under the influence" will not be permitted to participate in regular classroom program and will be removed from association with other students, at least until the effects of the intoxicant have worn off. Intervention and treatment will be provided to the student and his or her family...

Anyone who brings illegal drugs onto the property of The Clear View School Day Treatment Center, or engages in selling or arranging to sell, illegal drugs on the property of The Clear View School Day Treatment Center will be reported to the police. Such a report will not end our efforts to help the individual and family but is necessary for the health and safety of everyone at the school.

#### DRIVING TO SCHOOL

Please be aware that anyone driving a motor vehicle onto the grounds of The Clear View School Day Treatment Center must have a valid driver's license. A Learner's Permit is not sufficient for either students or guests to drive onto the grounds of the school, even when school is not in session.

Students with a valid driver's license may be given permission to drive to and from school, subject to Clear View's driving rules, with the consent of their parents or legal guardians and the permission of the principal of the school. A copy of the Driving Rules is available upon request.

#### DRIVING RULES

- 1) Both student and parent/guardian will receive a copy of the student driving rules and will discuss the rules with the principal of the school, in a face-to-face meeting.
- 2) The student will have a valid driver's license. Students with a Learner's Permit are not allowed to drive onto Clear View's grounds.
- 3) Student and parent/guardian will have signed the Permission to Drive form of The Clear View School Day Treatment Center. A student who does not have Permission to Drive form, signed by the principal of the school, may not drive onto Clear View's grounds at any time, for any reason.
- 4) Both parent/guardian and student will certify in writing on the Permission to Drive form that any vehicle driven by the student onto Clear View's grounds will be legally registered, inspected, insured and in sound and safe operating condition, and is being operated in conformity with the laws of the State of New York.

- 5) A valid driver's license, and insurance card will be presented annually. A copy of each will be attached to the Permission to Drive form.
- 6) Both parent/guardian and student will certify in writing on the above form that they will be fully responsible for any damage done to property (vehicle or other property) on Clear View's grounds, by any vehicle being operated by the student.
- 7) Both parent/guardian and student will certify in writing on the above form that the Association for Mentally Ill Children/The Clear View School Day Treatment Center or its employees will not be held responsible for any damage that might be done to the student vehicle.
- 8) The keys will be turned over to a designated staff member. The student will not have keys in his/her/their possession during the school day. This rule applies even during appointments or events that occur at times other than regular school hours.
- 9) The student vehicle will be parked in a designated parking place and kept locked while on school grounds.
- 10) Use of the vehicle during school hours will not be allowed. Students driving to school will arrive on time (9:25) and leave on time (2:55) unless this requirement is waived by a supervisory staff member.
- 11) The student will not drive any other student to or from school.
- 12) Parents/guardians may be consulted about the safety of the student driving if any question arises about a particular situation (illness, weather, etc.).
- 13) Both parent/guardian and student agree to inform the classroom supervisor of any change in the status of items required by rules 2 or 4.
- 14) The supervisor of the student's class will have a signed copy of the Permission to Drive form and a copy of this form will be in the student's permanent record.
- 15) If the vehicle to be driven to school is a motorcycle, both parent/guardian and student will have discussed the additional provisions of the Motorcycle Addendum with the school principal and will have signed the Addendum.
- 16) New individualized rules may be added to these by The Clear View School Day Treatment Center if the need for them becomes apparent.
- 17) Permission to drive onto school property may be revoked at any time by a supervising staff member without review of the basis on which revocation is ordered.
- 18) Permission to drive onto school property must be reviewed with the classroom supervisor and renewed at the beginning of each school year.

#### ELECTRONIC COMMUNICATION DEVICES

Cell phones and other electronic devices can be an extremely convenient, reassuring connection to loved ones, business associates, the day-to-day activities of a person's life. Unfortunately, they also have other effects. They can be distracting and disruptive, can signal inattention to the business at hand and interfere with most aspects of the program. The cameras on our phones present a particular problem in a confidential therapeutic milieu. In order to protect the privacy and safety of

all students and avoid disruption of the program, cell phones and other electronic communication devices cannot be an unplanned and unsupervised part of the program day.

- 1) Cell phones (or other electronic communication devices) cannot be used during the school day by any student, for any reason, unless permission is given.
- 2) It is of particular importance that no device that can function as a camera is used to take pictures without the knowledge of those being photographed and proper safeguards.
- 3) If students bring cell phones to school, they must be managed according to individual and class rules. They cannot be on or visible at any time without permission.
- 4) If a student brings a cell phone to school, the number must be given to Clear View staff.
- 5) The phone must be turned off or turned in upon request. If this is a concern, the number will be called and the phone confiscated if it rings, vibrates, etc.
- 6) Any violation of the rules, including having the phone visible without permission, may result in the phone being taken away and returned to a parent.
- 7) Parents should be aware that Clear View cannot be responsible for electronic equipment of any kind that is brought to school, whether or not the rules are being followed.
- 8) Any electronic equipment that is the cause of persistent disruption will be taken away and returned to a parent. A conference will be held with the student and parent before the item will be allowed in school again.

#### DRESS CODE GUIDELINES

Students should feel free to dress comfortably and fashionably if they wish to do so. However, we do expect everyone to dress appropriately for school. We ask parents to help students cooperate with the following guidelines in order to maintain a school environment that is both comfortable and productive:

- 1) Clothing, jewelry, ornaments, and accessories that may cause a safety hazard will not be allowed.
- 2) Clothing should not be excessively short, too low cut, or revealing. No garments such as tube tops, halter-tops, one shoulder tops, shirts with spaghetti straps, see-through garments, or "muscle shirt" tank tops. Shoulder straps must be at least one inch wide.
- 3) Undergarments and midriffs must be covered at all times.
- 4) Shorts and skirts should not be shorter than the length of the student's fingertips when the student's arms are down at one's side (3 ½" inseam).
- 5) Shirts must be long enough to reach the waistline of the pants, shorts, or skirt being worn.
- 6) Clothing should not display scary or inappropriate themes (drugs/alcohol, sex, foul language, etc.)
- 7) Bathing suits should be one-piece or trunks (no Speedos, bikinis or tankinis).
- 8) Footwear must be worn at all times. Footwear must not be a safety hazard for the student.

## THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The [Family Educational Rights and Privacy Act \(FERPA\)](#) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student educational records. FERPA gives families certain rights with respect to their children's educational records. These rights transfer to the student at age 18 or when a student attends a school beyond the high school level.

Under the provisions of FERPA, parents or eligible students have the right to:

- Inspect and review the student's educational records maintained by the school.
- Request that a school amend records that they believe to be inaccurate, misleading, or otherwise in violation of the student's privacy rights. If, upon review, the school decides not to amend the record, the parent or eligible student has the right to a formal hearing. If, after the formal hearing, the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth their view about the contested information.
- Consent to disclosures of personally identifiable information contained in the student's file. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.
- File a complaint with the Department of Education concerning alleged failures of the school to comply with the requirements of this Act.

Policies and procedures for exercising the right to inspect and review the educational record, requesting an amendment to that record, and the specific criteria for determining who constitutes a school official and what constitutes a legitimate educational interest are detailed in the document entitled [Accessibility of Program Records Policy](#), which can be found on page 26 of this document.

### ACCESSIBILITY OF PROGRAM RECORDS POLICY

- 1) The Program Record of a pupil enrolled in The Clear View School Day Treatment Center is accessible only to the parent or legal guardian of the pupil, authorized personnel of the pupil's local school district (education record only) and of The Clear View School Day Treatment Center and to such other third parties as may be allowed access to all or part of the record by the pupil's parent or guardian (or, if over 18, by the pupil him/herself). It should be noted that official representatives of the State Education Department and of the State Office of Mental Health and certain other third parties also have access to Program Records without parental permission for the purpose of verifying that The Clear View School Day Treatment Center is being operated in compliance with Federal and State law and the regulations of these two departments, or as specified in the Notice of Privacy Practices.
- 2) Any parent requesting access to the Program Record, or any portion thereof, should make a written request to the Executive Director.
- 3) While not mandatory, it is the recommendation of The Clear View School Day Treatment Center that all parents, when reviewing all or part of the Program Record for the first time, do so together with a member of the clinical staff for the purpose of immediately answering any questions that might occur in reference to the Record. If the parent does not elect to follow the recommendation, a staff member will, in any event, be made available to meet with the parent at a mutually agreeable time to help in the interpretation of the Record.
- 4) Any parent or eligible student may request amendment of a record that they feel is inaccurate or misleading. They should write the Executive Director, clearly identifying the part of the record they want changed, and specify why it is inaccurate or misleading.
- 5) If there is a decision not to amend the record the Executive Director will notify the parent and advise them of their right to a hearing and provide information about the hearing process.
- 6) Copies of materials in the Education Record will be supplied to the parents upon request at a reasonable price. Should this charge for some reason make it effectively impossible for the parent to review the Record, the charge will be adjusted on a case-by-case basis.
- 7) A request to review the Program Record will be handled as promptly as possible but in all cases the Record will be made available to the parent within 15 days of the day it is requested or prior to meetings called to review the school performance of a particular child.
- 8) A working copy of the Program Record is maintained in the Records Office of The Clear View School Day Treatment Center. A list of professional personnel having access to pupil records is available on request.
- 9) The full Program Record is maintained in a digital format on The Clear View School Day Treatment Center's internal networks cannot be accessed by unauthorized individuals.

## NOTICE OF PARENTS' BILL OF RIGHTS FOR DATA PRIVACY AND SECURITY UNDER NYS EDUCATION LAW §2-D

In accordance with New York State Education Law §2-D, The Clear View School Day Treatment Center hereby sets forth the following Parents' Bill of Rights for Data Privacy and Security, which is applicable to all parents, legal guardians and eligible students (18 years of age or older):

- 1) A student's personally identifiable information cannot be sold or released for commercial purposes.
- 2) Parents have the right to inspect and review the complete contents of their child's educational record.
- 3) The Clear View School Day Treatment Center has the following safeguards in place to protect student data, including personally identifiable information stored or transferred by The Clear View School Day Treatment Center:
  - A) All databases that have student information are protected by a secure password and login. These logins are monitored and kept up to date.
  - B) Student information is only accessible by those who are deemed warranted of having the information.
- 4) New York State, through the New York State Education Department, collects a number of student data elements for authorized uses. A complete list of all student data elements collected by the State is available for public review at <https://www.p12.nysed.gov/irs/sirs/documents/2021-22SIRSMannual17-14.pdf>. Parents may also obtain a copy of this list by writing to the Office of Information and Reporting Services, New York State Education Department, Room 863 EBA, 89 Washington Avenue, Albany NY 12234.
- 5) Parents have the right to submit complaints about possible breaches of student data or teacher or principal APPR data. Any such complaint must be submitted, in writing to the Executive Director, The Clear View School Day Treatment Center, 480 Albany Post Road, Briarcliff Manor, NY 10510. Additionally, parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed to: Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany NY 12234 or [cpo@mail.nysed.gov](mailto:cpo@mail.nysed.gov)

## THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) PRIVACY RULE

The Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule provides consumers with important privacy rights and protections with respect to their health information, including important controls over how their health information is used and disclosed.

The notice that follows refers to The Clear View School Day Treatment Center as “we” and/or “us”. It is addressed to “you”, which includes students 18 years of age or older and the parents and guardians of students under 18 years of age.

This notice describes how medical information about you may be used and disclosed and how you can get access to this information. Please review it carefully.

### Your Rights

You have the right to:

- Get a copy of your paper or electronic medical record
- Correct your paper or electronic medical record
- Request confidential communication
- Ask us to limit the information we share
- Get a list of those with whom we share your information
- Get a copy of this notice of privacy practices
- Choose someone to act for you
- File a complaint if you believe your privacy rights have been violated

### Your Choices

You have some choices in the way that we use and share information as we:

- Tell family and friends about your condition
- Provide disaster relief
- Include you in a program directory
- Provide mental health care
- Advertise and promote our services
- Raise funds

### Our Uses and Disclosures

We may use and share your information as we:

- Treat you
- Run our organization
- Bill for your services
- Help with public health and safety issues
- Do research
- Comply with the law
- Respond to organ and tissue donation requests
- Work with a medical examiner or funeral director
- Address workers’ compensation, law enforcement, and other government requests
- Respond to lawsuits and legal actions

### Your Rights

When it comes to your health information, you have certain rights. This section explains your rights and some of our responsibilities to help you.

**Get an electronic or paper copy of your medical record**

- You can ask to see or get an electronic or paper copy of your medical record and other health information we have about you. Ask how to do this by contacting, in writing, the Executive Director, 480 Albany Post Road, Briarcliff Manor, NY 10510.
- We will provide a copy or a summary of your health information, usually within 30 days of your request. We may charge a reasonable, cost-based fee.

**Ask us to correct your medical record**

- You can ask us to correct health information about you that you think is incorrect or incomplete. Ask us how to do this.
- We may say “no” to your request, but we’ll tell you why in writing within 60 days.

**Request confidential communications**

- You can ask us to contact you in a specific way (for example, home or office phone) or to send mail to a different address.
- We will say “yes” to all reasonable requests.

**Ask us to limit what we use or share**

- You can ask us not to use or share certain health information for treatment, payment, or our operations. We are not required to agree to your request, and we may say “no” if it would affect your care.

**Get a list of those with whom we’ve shared information**

- You can ask for a list (accounting) of the times we’ve shared your health information for six years prior to the date you ask, who we shared it with, and why.
- We will include all the disclosures except for those about treatment, payment, and health care operations, and certain other disclosures (such as any you asked us to make). We’ll provide one accounting a year for free but will charge a reasonable, cost-based fee if you ask for another one within 12 months.

**Get a copy of this privacy notice**

- You can ask for a paper copy of this notice at any time, even if you have agreed to receive the notice electronically. We will provide you with a paper copy promptly.

**Choose someone to act for you**

- If you have designated someone as your health care agent or if someone has been appointed by a court as your legal guardian with health care powers, that person can exercise your rights and make choices about your health information.
- We will make sure the person has this authority and can act for you before we take any action.

**File a complaint if you feel your rights are violated**

- You can complain if you feel we have violated your rights by contacting, in writing, the Executive Director, 480 Albany Post Road, Briarcliff Manor, NY 10510
- You can file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201, calling 1-877-696-6775, or visiting [www.hhs.gov/ocr/privacy/hipaa/complaints/](http://www.hhs.gov/ocr/privacy/hipaa/complaints/). We will not retaliate against you for filing a complaint.

**Your Choices**

For certain health information, you can tell us your choices about what we share. If you have a clear preference for how we share your information in the situations described below, talk to us. Tell us what you want us to do, and we will follow your instructions.

In these cases, you have both the right and choice to tell us to:

- Share information with your family, close friends, or others involved in your care
- Share information in a disaster relief situation
- Include your information in a program directory

*If you are not able to tell us your preference, for example if you are unconscious, we may go ahead and share your information if we believe it is in your best interest. We may also share your information when needed to lessen a serious and imminent threat to health or safety.*

In these cases we never share your information unless you give us written permission:

- Advertisement or promotion of our services
- Fundraising

In the case of fundraising:

- We may contact you for fundraising efforts, but you can tell us not to contact you again.

## **Our Uses and Disclosures**

### **How do we typically use or share your health information?**

We typically use or share your health information in the following ways:

#### **Treat you**

- We can use your health information and share it with other professionals who are treating you.  
*Example: A doctor treating you for an injury asks another doctor about your overall health condition or what medications have been prescribed to you to avoid prescribing another medication, which, in combination, may cause a negative reaction.*

#### **Run our organization**

- We can use and share your health information to run our program, improve your care, and contact you when necessary.  
*Example: We use health information about you to manage your treatment and services.*

#### **Bill for your services**

- We can use and share your health information to bill and get payment from health plans or other entities.  
*Example: We give information about you to your health insurance plan so it will pay for your services.*

### **How else can we use or share your health information?**

We are allowed or required to share your information in other ways – usually in ways that contribute to the public good, such as public health and research. We have to meet many conditions in the law before we can share your information for these purposes. For more information see: [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/index.html).

#### **Help with public health and safety issues**

We can share health information about you for certain situations such as:

- Preventing disease
- Helping with product recalls
- Reporting adverse reactions to medications
- Reporting suspected abuse, neglect, or domestic violence
- Preventing or reducing a serious threat to anyone's health or safety

#### **Do research**

- We can use or share your information for health research.

**Comply with the law**

- We will share information about you if state or federal laws require it, including with the Department of Health and Human Services if it wants to see that we're complying with federal privacy law.

**Respond to organ and tissue donation requests**

- We can share health information about you with organ procurement organizations.

**Work with a medical examiner or funeral director**

- We can share health information with a coroner, medical examiner, or funeral director when an individual dies.

**Address workers' compensation, law enforcement, and other government requests**

We can use or share health information about you:

- For workers' compensation claims
- For law enforcement purposes or with a law enforcement official
- With health oversight agencies for activities authorized by law
- For special government functions such as military, national security, and presidential protective services

**Respond to lawsuits and legal actions**

- We can share health information about you in response to a court or administrative order, or in response to a subpoena.

**Our Responsibilities**

We are required by law to maintain the privacy and security of your protected health information.

We will let you know promptly if a breach occurs that may have compromised the privacy or security of your information. We must follow the duties and privacy practices described in this notice and give you a copy of it.

We will not use or share your information other than as described here unless you tell us we can in writing. If you tell us we can, you may change your mind at any time. Let us know in writing if you change your mind.

For more information see: [www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html](http://www.hhs.gov/ocr/privacy/hipaa/understanding/consumers/noticepp.html).

**Changes to the Terms of this Notice**

We can change the terms of this notice, and the changes will apply to all information we have about you. The new notice will be available upon request to the Executive Director, 480 Albany Post Road, Briarcliff Manor, NY 10510 and on our web site ([www.clearviewschool.org](http://www.clearviewschool.org)).

**Special Notices**

This Notice of Privacy Practices is effective as of its revision date.

Any questions or inquiries regarding The Clear View School Day Treatment Center's Privacy Practices or any requests or complaints pursuant to this Notice of Privacy Practices should be directed to The Clear View School Day Treatment Center's Executive Director, who is the officer responsible for our Privacy Practices, at 480 Albany Post Road, Briarcliff Manor, NY 10510 (914)941-9513

The Clear View School Day Treatment Center never markets or sells Personal Health Information (PHI) or any personally identifiable information (PII) maintained in any of its records.

**Confidentiality of HIV Related Information and Alcohol or Substance Abuse Related Information:**

Under NYS Law, there are special protections afforded HIV and Alcohol or Substance Abuse Related Information. This information may not be released or disclosed without a specific, written authorization by you. A general consent to the release or disclosure of PHI does not satisfy the requirement of a specific, written authorization for the release or disclosure of HIV and Alcohol or Substance Abuse Related Information.

**Confidentiality of Mental Health Information:**

Under NYS Law, there are special protections afforded Mental Health Information. This information may not be released or disclosed without a specific, written authorization by you. A general consent to the release or disclosure of PHI does not satisfy the requirement of a specific, written authorization for the release or disclosure for Mental Health Information. Other protections regarding Mental Health Information may be found in NYS Mental Hygiene Law §§33.13; 33.16.

**Special treatment of Psychotherapy Notes:**

Psychotherapy notes are treated differently from other Mental Health Information both because these notes contain particularly sensitive information and are the personal notes of the therapist. Typically, except for the health care professional who created them, psychotherapy notes are not required or useful for treatment nor for payment, or health care operations. With few exceptions, therefore, the HIPAA Privacy Rule requires specific, written authorization prior to the release or disclosure of psychotherapy notes for any reason, ***including a disclosure for treatment purposes to a health care provider other than the originator of the notes.*** See 45 CFR 164.508(a)(2). A general consent to the release or disclosure of PHI, or even a general consent to the release or disclosure of Mental Health Information does not satisfy the requirement of a specific, written authorization for the release or disclosure of Psychotherapy Notes. There are limited exceptions to this rule, such as for mandatory reporting of abuse and neglect (SSL Art.6, Title 6), and mandatory “duty to warn” of substantial risk or threat of harm (MHL §9.46).

## CHILDREN'S INTERNET PROTECTION ACT (CIPA) POLICY

### **Use of the Internet at The Clear View School Day Treatment Center**

It is the policy of The Clear View School Day Treatment Center to encourage the use of the Internet for educational purposes. Internet programs are used to teach and practice skills, to gain information, to learn research methods and to develop critical thinking. Students have access to the Internet on laptops, chrome books, desktops and iPads.

### **Filtering**

Internet filtering software has been installed on devices owned by Clear View to block student access to inappropriate and/or harmful web-site content. The software works by scanning website addresses and web site content for objectionable words and concepts. When the software finds any such objectionable words or concepts it denies the user access to them. At present Clear View is utilizing Ubiquiti and NetGate firewalls with content filter and screening categories that are industry standard. Additional sites are added and some restrictions may be deleted for specific study purposes by the IT consultant working in collaboration with classroom teachers.

### **Safety and Security**

Clear View students do not have access to external e-mail or social media on Clear View's computers or during the program day. Students are not permitted to access external e-mail or social media on personal devices during program hours. Social media apps and websites are blocked for both students and teachers by the firewall currently in place. All student use of the internet is monitored; any inappropriate usage will be dealt with promptly and appropriately, on an individualized basis, by the appropriate members of the student's treatment team.

### **Unauthorized Disclosure, Use and Dissemination of Students' Personal Information**

Safeguards associated with industry standards and best practices, including encryption, firewalls, password protections are in place to protect student data that is or may be stored or transferred electronically.