

LOAN OF INSTRUCTIONAL COMPUTER HARDWARE AND SOFTWARE

The School District shall loan, upon request of an individual or a group of individual students, to all students legally attending nonpublic elementary or secondary schools located in the School District, instructional computer hardware/software which is designated for use in any public elementary or secondary schools of the State or is approved by any school authorities as such term is defined in Education Law Section 2(12). Such instructional computer hardware/software is to be loaned free to such children, subject to such rules and regulations as are or may be prescribed by the Board of Regents and school authorities. The following shall not be considered to constitute computer software programs for the purpose of this policy; microcomputers, blank diskettes, cassettes or tapes, chips, computer correction devices, consoles, cords, disk drives and other similar items of hardware.

The School District shall not be required to loan instructional computer hardware/software to nonpublic school students in excess of the instructional computer hardware/software acquired pursuant to Education Law Section 753. Instructional computer hardware/software shall be loaned on an equitable basis to children attending nonpublic schools in the District and to students with disabilities residing in the District who attend programs under the provisions of Education Law Sections 4401(2)(c), 4401(2)(e), 4401(2)(g), 4401(2)(i), and 4401(2)(l). However, the School District shall not be required to loan to children attending nonpublic schools in the District, or to such students with disabilities, instructional computer hardware/software purchased with local or federal funds or with State funds, other than Instructional Computer Hardware Aid funds.

Instructional computer hardware containing computer software programs or other software programs which are religious in nature or content shall not be purchased or loaned by the School District.

Instructional computer hardware/software shall be loaned upon the individual written request of nonpublic school students, but such requests shall not be required of students attending public school districts. Requests may be presented directly to the lending District or, with the consent of the lending District, to an appropriate official of the nonpublic school which the student attends. The request form used by the lending District will provide for a guarantee by a parent or guardian for the return of such hardware/software or, in the case of loss or damage, for payment of the value thereof.

School authorities shall adopt regulation specifying the date by which written requests for the purchase and loan of instructional computer hardware/software must be received by the District. Notice of the date shall be given to all nonpublic schools in the School District. Such date shall not be earlier than the first day of June of the school year prior to that for which such instructional computer hardware/software is being requested. For a child not attending a nonpublic school prior to June first, the parent/guardian may submit a written request for instructional computer hardware/software within thirty (30) days after such child is enrolled in the nonpublic school. In no event, however, shall a request made later than the times otherwise provided pursuant to Education Law Section 754 be denied where a reasonable explanation is given for the delay in making the request.

The District has established May 1st as the date by which such requests for the purchase and loan of instructional computer hardware/software must be received by the District unless otherwise authorized in accordance with law and Commissioner's Regulation.

Such instructional computer hardware/software shall remain the property of the lending District and shall bear an identifying label. The school authorities of the District shall establish lending procedures which apply to students in public and nonpublic schools, and shall inform the authorities of such schools of these procedures.

Instructional Computer Hardware/Software and Technology Equipment Apportionment

The School District shall be eligible for an apportionment under the provisions of Education Law Section 753 for approved expenses of:

- a) The purchase or lease of micro and/or mini computer equipment or terminals for instructional purposes; or
- b) Technology equipment with a useful life used in conjunction with or in support, of educational programs including but not limited to video, solar energy, robotic, satellite, laser and such other equipment as the Commissioner of Education shall approve; or
- c) The repair of such equipment and training/staff development for instructional purposes.

Such aid shall be provided pursuant to the Instructional Computer Technology Plan developed by the District which specifies requirements for the School District's Technology Plan, including an assurance of the Superintendent of Schools, in a form prescribed by the Commissioner of Education, that the School District has provided for the loan of instructional computer hardware/software to students legally attending nonpublic schools pursuant to Education Law Section 754.

The School District shall not be required to purchase or otherwise acquire instructional computer hardware/software or technology equipment, the cost of which exceeds the amount of state aid provided pursuant to Education Law Section 753.

Expenses aided pursuant to Section 753 shall not be eligible for aid pursuant to any other provision of Education Law.

The School District shall maintain a separate record of expenditures incurred from state aid received pursuant to Education Law Section 753 and the Rules of the Board of Regents Section 21.3.

Education Law Sections 2(12), 753, 754, 3602(6), 4401(2)(c), 4401(2)(e), 4401(2)(g), 4401(2)(i), and 4401(2)(l)

8 New York Code of Rules and Regulation (NYCRR) Section 21.3, 100.12, 155.1(a)(4), and 175.25

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