

**Lafayette Central School District**

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Non-Instructional/Business  
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**Lafayette Central School District**

**NUMBER**

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**SUBJECT: BUDGET PLANNING AND DEVELOPMENT**

Budget planning and development for the District is an integral part of program planning so that the annual operating budget may effectively express and implement programs and activities of the District. Budget planning is a year-round process involving participation of District-level administrators, principals, directors, supervisors, coordinators, teachers, and other personnel. The process of budget planning and development will allow for community input and opportunities for public information and feedback.

The Superintendent has overall responsibility for budget preparation, including the construction of and adherence to a budget calendar. Program managers will develop and submit budget requests for their particular areas of responsibility after seeking the advice and suggestions of staff members.

Principals will develop and submit budget requests for their particular schools in conjunction with the advice and suggestions of staff members and their own professional judgment. Each school's budget request will be the principal's recommendation as to the most effective way to use available resources in achieving progress toward the approved educational objectives of the school. Program budgets and school budgets will reflect state and/or federal requirements, special sources of funding, and District objectives and priorities.

The Board will give consideration to budget requests, and will review allocations for appropriateness and for their consistency with the District's educational priorities.

All budget documents for distribution to the public will be in plain language and organized in a manner which best promotes public comprehension of the contents. Documents will be complete, and accurate, and contain sufficient detail to adequately inform the public regarding data such as estimated revenues, proposed expenditures, transfers to other funds, fund balance information, and changes in this information from the prior year's submitted budget.

In accordance with Commissioner's regulations, the budget will be presented in three components which are to be voted upon as one proposition. The law prescribes the types of items to be included in each component and further prescribes that all relevant costs be included in the component.

- a) A program component which will include, but need not be limited to, all program expenditures of the District, including the salaries and benefits of teachers and any school administrators or supervisors who spend a majority of their time performing teaching duties, and all transportation operating expenses;
- b) A capital component which will include, but need not be limited to, all transportation capital, debt service, and lease expenditures; costs resulting from judgments and tax certiorari proceedings or the payment of awards from court judgments, administrative orders or settled or compromised

(Continued)

**SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)**

claims; and all facilities costs of the District, including facilities lease expenditures, the annual debt service and total debt for all facilities financed by bonds and notes of the District, and the costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that such budget will include a rental, operations, and maintenance section that includes base rent costs, total rent costs, operation and maintenance charges, cost per square foot for each facility leased by the District, and any and all expenditures associated with custodial salaries and benefits, service contracts, supplies, utilities, and maintenance and repairs of school facilities; and

- c) An administrative component which will include, but need not be limited to, office and central administrative expenses, traveling expenses and all compensation, including salaries and benefits of all school administration and supervisors, business administrators, superintendents of schools and deputy, assistant, associate or other superintendents under all existing employment contracts or collective bargaining, any and all expenditures associated with the operation of the Office of the Board, the Office of the Superintendent, General Administration, the School Business Office, consulting costs not directly related to direct student services and programs, planning, and all other administrative activities.

Additionally, the Board will append to the proposed budget the following documents:

- a) A detailed statement of the total compensation to be paid to the Superintendent, and any Assistant or Associate Superintendent in the ensuing school year, including a delineation of the salary, annualized cost of benefits and any in-kind or other form of remuneration;
- b) A list of all other school administrators and supervisors, if any, whose annual salary for the coming school year will be at or above that designated in law for such reporting purposes, with the title of their positions and annual salary identified;
- c) A School District Report Card, prepared pursuant to Commissioner's regulations, which includes measures of the academic performance of the District, on a school by school basis, and measures of the fiscal performance of the District (see subheading School District Report Card);
- d) A Property Tax Report Card prepared in accordance with law and Commissioner's regulations (see subheading Property Tax Report Card); and
- e) A Tax Exemption Report prepared in accordance with law (see subheading Tax Exemption Report).

(Continued)

**SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)**

The Board will ensure that unexpended surplus funds (i.e., operating funds in excess of the current school year budget, not including funds properly retained under other sections of law) have been applied in determining the amount of the school tax levy. Surplus funds means any operating funds in excess of four percent.

The proposed budget for the ensuing school year will be reviewed by the Board and publicly disseminated, in accordance with law, prior to its submission to District voters for approval.

District funds may be expended to inform the public regarding the annual budget and to present the annual budget to District voters; however, these funds will not be utilized to promote either a favorable or negative opinion of the proposed budget.

**School District Report Card**

Each year the District will supply data as required by the State Education Department (SED) and will receive a School District Report Card, sometimes referred to as a New York State Report Card. These provide enrollment, demographic, attendance, suspension, dropout, teacher, assessment, accountability, graduation rate, post-graduation plan, career and technical education, and fiscal data for public and charter schools, districts, and the State. The School District Report Cards consist of three parts:

- a) Accountability and Overview Report - shows District or school profile data, accountability statuses, data on accountability measures such as ELA, Math, and Science scores, and graduation rates.
- b) Comprehensive Information Report - shows non-accountability data such as annual Regents examination results and post-graduate plans of students completing high school.
- c) Fiscal Accountability Supplement - shows expenditures per pupil and some information about placement and classification of students with disabilities.

School District Report Cards are also available online at the SED website.

**Property Tax Report Card**

Each year, the Board will prepare a Property Tax Report Card, pursuant to Commissioner's regulations, and will make it publicly available by transmitting it to local newspapers of general circulation, appending it to copies of the proposed budget made publicly available as required by law, making it available for distribution at the Annual Meeting, and otherwise disseminating it as required by the Commissioner.

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**SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)**

The Property Tax Report Card will include:

- a) The amount of total spending and total estimated school tax levy that would result from adoption of the proposed budget, and the percentage increase or decrease in total spending and total school tax levy from the District budget for the preceding school year; and
- b) The projected enrollment growth for the school year for which the budget is prepared, and the percentage change in enrollment from the previous year; and
- c) The percentage increase in the average of the Consumer Price Indexes from January first of the prior school year to January first of the current school year as defined in Education Law; and
- d) The projected amount of the adjusted unrestricted fund balance that will be retained if the proposed budget is adopted; the projected amount of the adjusted restricted fund balance; the projected amount of the assigned appropriated fund balance; the percentage of the proposed budget that the adjusted unrestricted fund balance represents; the actual adjusted unrestricted fund balance retained in the District budget for the preceding school year; and the percentage of the District budget for the preceding school year that the actual adjusted unrestricted fund balance represents; and
- e) The District's school tax levy limit calculation. The District will submit its school tax levy limit calculation to the Office of the State Comptroller, SED, and the Office of Taxation and Finance by March 1 annually. If a voter override of the tax levy limit is necessary, the budget vote must be approved by 60% of the District's qualified voters present and voting.

A copy of the Property Tax Report Card prepared for the Annual District Meeting will be submitted to the SED in the manner prescribed by the Department by the end of the business day next following approval of the Property Tax Report Card by the Board, but no later than 24 days prior to the statewide uniform voting day (i.e., the third Tuesday in May).

The SED will compile such data for all school districts whose budgets are subject to a vote of the qualified voters, and will make this compilation available electronically at least ten days prior to the statewide uniform voting day. Links to each school year's Property Tax Report Card can be found on the SED's official website.

**Tax Exemption Report**

A Tax Exemption Report will be annexed to any tentative or preliminary budget and will become part of the final budget. This report will be on the form as prescribed by the State Board of Real Property Services and will show the following:

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**SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)**

- a) How much of the total assessed value of the final assessment roll(s) used in the budgetary process is exempt from taxation;
- b) Every type of exemption granted as identified by statutory authority;
- c) The cumulative impact of each type of exemption expressed either as a dollar amount of assessed value or as a percentage of the total assessed value on the roll;
- d) The cumulative amount expected to be received from recipients of each type of exemption as payments in lieu of taxes or other payments for municipal services; however, individual recipients are not to be named; and
- e) The cumulative impact of all exemptions granted.

Notice of this report will be included in any notice of the preparation of the budget required by law and will be posted on any bulletin board maintained by the District for public notices as well as on any website maintained by the District.

Education Law §§ 1608(3)-(7), 1716(3)-(7), 2022(2-a), 2023-a, 2601-a(3) and 2601-a(7)  
General Municipal Law § 36  
Real Property Tax Law §§ 495 and 1318(1)  
8 NYCRR §§ 170.8, 170.9 and 170.11  
State Education Department Handbook No. 3 on Budget

Adoption Date: 3/29/2018



**SUBJECT: SCHOOL DISTRICT BUDGET HEARING**

The Board will hold an Annual Budget Hearing, in accordance with law, so as to inform and present to District residents a detailed written statement regarding the District's estimated expenditures and revenue for the upcoming school year prior to the budget vote which is taken at the Annual District Meeting and Election.

The Budget Hearing will be held not less than seven nor more than 14 days prior to the Annual District Meeting and Election or Special District Meeting at which the budget vote will occur. The proposed budget will be completed at least seven days prior to the budget hearing at which it is to be presented.

Notice of the date, time, and place of the annual budget hearing and other required information will be included in the notice of the Annual Meeting and Election and/or Special District Meeting as required by law.

**Dissemination of Budget Information**

Copies of the proposed annual operating budget for the succeeding year and all required attachments may be obtained by any District resident. Requests for copies of the proposed budget should be made at least seven days before the budget hearing. Copies will be prepared and made available at the school district office, public or associate libraries within the district, and on the district website, if one exists. Copies will be available to district residents during the 14-day period immediately preceding the Annual Meeting and Election or Special District Meeting at which the budget vote will occur. Additionally, the Board will include notice of the availability of copies of the budget at least once during the school year in any District-wide mailing.

**Budget Notice**

The District Clerk will mail a School Budget Notice to all qualified voters of the District after the date of the Budget Hearing, but no later than six days prior to the Annual Meeting and Election or Special District Meeting at which a school budget vote will occur. The Budget Notice will compare the percentage increase or decrease in total spending under the proposed budget over total spending under the District budget adopted for the current school year, with the percentage increase or decrease in the Consumer Price Index from January first of the prior school year to January first of the current school year.

The District will also include in the notice:

- a) The school tax levy limit;
- b) The proposed school year tax levy (without permissible exclusions to the school tax levy limit);

(Continued)

**SUBJECT: SCHOOL DISTRICT BUDGET HEARING (Cont'd.)**

- c) The total permissible exclusions; and
- d) The proposed school year tax levy (including permissible exclusions to the school tax levy limit).

The Notice will also include, in a manner and format prescribed by the Commissioner of Education, a comparison of the tax savings under the basic school tax relief (STAR) exemption and the increase or decrease in school taxes from the prior year, and the resulting net taxpayer savings for a hypothetical home within the District with a full value of \$100,000 under the existing District budget as compared with savings under the proposed budget.

The Notice will also set forth the date, time, and place of the school budget vote in the same manner as in the Notice of the Annual Meeting. The School Budget Notice will be in a form prescribed by the Commissioner of Education.

**Notice of Budget Hearing/Availability of Budget Statement:**

Education Law §§ 1608(2), 1716(2), 2003(1), 2004(1), 2023-a and 2601-a(2)

**Election and Budget Vote:**

Education Law §§ 1804(4), 1906(1), 2002(1), 2018(5), 2018(6), 2022(1), 2023-a and 2601-a(2)

**Budget Development and Attachments:**

Education Law §§ 1608(3), 1608(4), 1608(5), 1608(6), 1608(7), 1716(3), 1716(4), 1716(5), 1716(6), 1716(7), 2022(2-a), 2023-a and 2601-a(3)

8 NYCRR §§ 100.2(bb), 170.8 and 170.9

Adoption Date: 3/29/2018

**SUBJECT: BUDGET ADOPTION**

The Board will review the recommended budget of the Superintendent and seek public input and feedback regarding the recommended budget including, but not limited to, holding a public budget hearing not less than seven nor more than 14 days prior to the Annual District Meeting and Election at which the budget vote is to occur. The Board may modify the recommended budget of the Superintendent prior to its submission to District voters. Final authorization of the proposed budget is dependent upon voter approval unless a contingency budget is adopted by the Board.

In the event the original proposed budget is not approved at the Annual District Meeting and Election, the Board may resubmit the original proposed budget or a revised budget for voter approval, or individual propositions may be placed before District voters, at a special meeting held on the third Tuesday of June. If the voters fail to approve the second budget submittal, or budget proposition(s), or if the Board elects not to put the proposed budget to a public vote a second time, the Board must adopt a contingency budget with a tax levy that is no greater than the prior year's levy.

The District budget for any school year, or any part of such budget, or any proposition(s) involving the expenditure of money for that school year, will not be submitted for a vote of the qualified District voters more than twice.

The District budget, once adopted, becomes the basis for establishing the tax levy on real property within the District.

Education Law §§ 1608, 1716, 1804(4), 1906(1), 2002(1), 2003(1), 2004(1), 2007(3)(b), 2022, 2023,  
2023-a and 2601-a  
8 NYCRR §§ 100.2(bb), 170.8 and 170.9

Adoption Date: 3/29/2018

**SUBJECT: ADMINISTRATION OF THE BUDGET**

The Superintendent, working in conjunction with the administrative staff, is responsible to the Board for the administration of the budget.

- a) He or she will acquaint District employees with the final provisions of the program budget and guide them in planning to operate efficiently and economically within these provisions.
- b) Under his or her direction the District will maintain those records of accounting control as are required by the New York State Uniform System of Accounts for School Districts, the Board, and other procedures as are deemed necessary and will keep the various operational units informed through periodic reports as to the status of their individual budgets.
- c) Board approval is required prior to the expenditure of District funds.

**Budget Transfers**

The Board of Education is authorized to transfer funds within the budget. Budget transfers are authorized via Board of Education approval at Board of Education Meetings. The Board of Education may authorize the Superintendent to approve end of year Budget Transfers and those transfers will be added to the Board of Education Meeting Agenda as FYI.

Education Law § 1718  
8 NYCRR § 170.2(1)

Adoption Date: 3/29/2018

**SUBJECT: CONTINGENCY BUDGET**

If the original proposed budget is not approved by District voters at the Annual District Meeting and Election, the Board has the option of either resubmitting the original or revised budget for voter approval at a special meeting held at a later date; or the Board may, at that point, adopt a contingency budget. If the Board decides to submit either the original or a revised budget to the voters for a second time, and the voters do not approve the second budget submittal, the Board must adopt a contingency budget and the tax levy cannot exceed the total tax levy of the prior year (0% levy growth).

The administrative component of the contingency budget will not comprise a greater percentage of the contingency budget exclusive of the capital component than the lesser of:

- a) The percentage the administrative component had comprised in the prior year budget exclusive of the capital component; or
- b) The percentage the administrative component had comprised in the last proposed defeated budget exclusive of the capital component.

Education Law §§ 2002, 2023, 2023-a, 2024 and 2601-a

Adoption Date: 3/29/2018

*2018*

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Non-Instructional/Business  
Operations

**SUBJECT: REVENUES**

The District Treasurer will have custody of all District funds in accordance with the provisions of state law. The Treasurer will be authorized and directed by the Board to invest the balances available in various District funds in accordance with regulations set forth in state law.

Education Law §§ 1604(a) and 1723(a)

Adoption Date: 3/29/2018

**SUBJECT: DISTRICT INVESTMENTS**

Whenever the District has funds (including operating funds, reserve funds and proceeds of obligations) that exceed those necessary to meet current expenses, the Board will authorize the Treasurer to invest such funds in accordance with all applicable laws and regulations and in conformity with the guidelines established by this policy.

**Objectives**

The objectives of this investment policy are four-fold:

- a) Investments will be made in a manner so as to safeguard the funds of the District.
- b) Bank deposits will be made in a manner so as to safeguard the funds of the District.
- c) Investments will be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the District.
- d) Funds will be invested in such a way as to earn the maximum yield possible given the first three investment objectives.

**Authorization**

The authority to deposit and invest funds is delegated to the Treasurer. These functions will be performed in accordance with the applicable sections of the General Municipal Law and the Local Finance Law of the State of New York.

The Treasurer may invest funds in the following eligible investments:

- a) Obligations of the State of New York.
- b) Obligations of the United States Government, or any obligations for which principal and interest are fully guaranteed by the United States Government.
- c) Time Deposit Accounts placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law. (Banking Law Section 237(2) prohibits a savings bank from accepting a deposit from a local government. This also applies to savings and loan associations.)
- d) Transaction accounts (demand deposits) both interest bearing and non-interest bearing that do not require notice of withdrawal placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law.

(Continued)

**SUBJECT: DISTRICT INVESTMENTS (Cont'd.)**

- e) Certificates of Deposits placed in a commercial bank authorized to do business in the State of New York providing the Certificates are collateralized as required by law.
  - 1. Deposits in excess of the amount insured by the Federal Deposit Insurance Corporation will be secured in accordance with subdivision 3 of the General Municipal Law Section 10.
  - 2. The District may, in its discretion, authorize the bank designated for the deposit of District funds to arrange for the redeposit of such funds in one or more banking institutions, for the account of the District, through a deposit placement that meets the conditions set forth in General Municipal Law Section 10(2)(a)(ii).
- f) Securities purchased pursuant to a Repurchase Agreement whereby one party purchases securities from a second party and the second party agrees to repurchase those same securities on a specific future date at an agreed rate of return (the interest rate).

**Implementation**

Using the policy as a framework, regulations and procedures shall be developed which reflect:

- a) A list of authorized investments;
- b) Procedures including a signed agreement to ensure the District's financial interest in investments;
- c) Standards for written agreements consistent with legal requirements;
- d) Procedures for the monitoring, control, deposit and retention of investments and collateral which will be done at least once a month;
- e) Standards for security agreements and custodial agreements consistent with legal requirements;
- f) Standards for diversification of investments including diversification as to type of investments, and firms and banks with whom the District transacts business; and
- g) Standards for qualification of investment agents which transact business with the District including, at minimum, the Annual Report of the Trading Partner.

This policy will be reviewed and re-adopted at least annually or whenever new investment legislation becomes law, as staff capabilities change, or whenever external or internal issues warrant modification.

(Continued)



**2018**

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Non-Instructional/Business  
Operations

**SUBJECT: DISTRICT INVESTMENTS (Cont'd.)**

Education Law §§ 1604-a, 1723(a), 2503(1) and 3652  
General Municipal Law §§ 10 and 39  
Local Finance Law § 165

Adoption Date: 3/29/2018

**SUBJECT: ACCEPTANCE OF GIFTS, GRANTS AND BEQUESTS TO THE DISTRICT**

The Board may accept gifts, donations, grants and/or bequests of money, real or personal property, as well as other merchandise which, in view of the Board, add to the overall welfare of the District, provided that such acceptance is in accordance with existing laws and regulations. Donations to the school are fully tax deductible so long as the gift is used exclusively for public purposes in accordance with USC Section 170(c). However, the Board is not required to accept any gift, grant, or bequest and does so at its discretion, basing its judgment on the best interests of the District. Furthermore, the Board will not accept any gift, grant or bequest which constitutes a conflict of interest and/or gives an appearance of impropriety. At the same time, the Board will safeguard the District, the staff, and students from commercial exploitation, from special interest groups, and the like.

The Board will not accept any gifts or grants which will place encumbrances on future Boards, or result in unreasonable additional or hidden costs to the District. The Board may, if it deems it necessary, request that gifts of equipment, facilities, or any item that requires upkeep and maintenance include funds to carry out such maintenance for the foreseeable life of the donation.

The Board will not formally consider the acceptance of gifts or grants until and unless it receives the offer in writing from the donor or grantor or their attorney or financial advisor. Any such gifts or grants donated to the Board and accepted on behalf of the District must be by official action and resolution passed by Board majority. The Board would prefer the gift or grant to be a general offer rather than a specific one. Consequently, the Board would suggest that the donor or grantor work first with the school administrators in determining the nature of the gift or grant prior to formal consideration for acceptance by the Board. However, the Board, in its discretion, may direct the Superintendent to apply such gift or grant for the benefit of a specific school or school program.

The Board is prohibited, in accordance with the New York State Constitution, from making gifts or charitable contributions with District funds.

Gifts and/or grants of money to the District will be annually accounted for under the general fund account or designated account in an approved bank designated by the Board.

All gifts, grants and/or bequests will become District property. A letter of appreciation, signed by the President of the Board and the Superintendent, will be sent to a donor or grantor in recognition of his or her contribution to the District. Letters will be sent in a timely manner and will acknowledge the possible tax deduction available to donors whose gifts qualify under IRS regulations.

New York State Constitution Article 8, § 1  
Education Law §§ 1709(12), 1709(12-a) and 1718(2)  
General Municipal Law § 805-a(1)

Adoption Date: 3/29/2018

**SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION/PROPERTY TAX  
EXEMPTIONS**

A tax collection plan giving dates of warrant and other pertinent data will be prepared annually and submitted for review and consideration by the Assistant Superintendent for Business to the Board. Tax collection will occur by mail or by direct payment to the place designated by the Board.

**Senior Citizens**

Unless specifically exempted by law, real property used exclusively for residential purposes and owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife or by siblings, one of whom is 65 years of age or over, will be exempt from taxation to the extent of percentum of the assessed valuation determined by the Board if the owners meet the criteria established annually by the Board.

The real property tax exemption of real property owned by husband and wife, when one of them is 65 years of age or over, once granted, will not be rescinded solely because of the death of the older spouse so long as the surviving spouse is at least 62 years of age.

The District may permit a property tax exemption to an otherwise eligible senior citizen even if a child who attends a public school resides at that address, provided that any such resolution will condition the exemption upon satisfactory proof that the child was not brought into the residence in whole or in substantial part for the purpose of attending a particular school within the District. The Board must adopt a resolution allowing such an exemption following a public hearing on this specific issue.

**Disabled Citizens**

Unless specifically exempted by law, real property used exclusively for residential purposes and owned by one or more persons with disabilities; or owned by a husband, wife or both, or siblings, at least one of whom has a disability; and whose income, as defined pursuant to law, is limited by reason of such disability will be exempt from taxation to the extent of percentum of the assessed valuation determined by the Board if the owners meet the criteria established annually by the Board. The Board must adopt a resolution allowing such an exemption following a public hearing on this specific issue.

No exemption will be granted unless the real property is the legal residence of and is occupied in whole or in part by the disabled person; except where the disabled person is absent from the residence while receiving health-related care as an in-patient of a residential health care facility as defined in Public Health Law.

The District may permit a property tax exemption to an otherwise eligible disabled citizen even if a child who attends a public school resides at that address, provided that any such resolution will condition this exemption upon satisfactory proof that the child was not brought into the residence in whole or in substantial part for the purpose of attending a particular school within the District. The Board must adopt a resolution allowing such an exemption following a public hearing on this specific issue.

(Continued)

**SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION/PROPERTY TAX  
EXEMPTIONS (Cont'd.)**

For purposes of this policy, and in accordance with law, a person with a disability is one who has a physical or mental impairment, not due to current use of alcohol or illegal drug use, which substantially limits such person's ability to engage in one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working; and who is certified to receive Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits under the federal Social Security Act or is certified to receive Railroad Retirement Disability benefits under the federal Railroad Retirement Act, or has received a certificate from the State Commission for the Blind and Visually Handicapped stating that such person is legally blind.

**Volunteer Firefighters and Ambulance Workers**

In accordance with law, the District, after a public hearing, may adopt a resolution allowing the full benefits of the real property tax law exemptions for enrolled members of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service.

Enrolled members will be exempt from real property and school taxation to the extent of ten percent not to exceed \$3000 multiplied by the latest state equalization rate for the assessing unit in which the property is located.

These tax exemptions will not be granted to enrolled members unless:

- a) They reside in the city, town, or village which is served by the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and
- b) The property is their primary residence, used exclusively for residential purposes; however, if any portion of the property is used otherwise, that portion is subject to regular taxation.

Members must be certified by the jurisdiction as having been an enrolled member of the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service for at least five years. An enrolled member who is certified as having accrued more than 20 years of active service will be granted the exemption for the remainder of his or her life provided his or her residence is located within a county providing such exemption.

Any volunteer firefighter or volunteer ambulance worker already receiving benefits under the existing real property tax law will not have their benefits diminished.

(Continued)

**SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION/PROPERTY TAX  
EXEMPTIONS (Cont'd.)****Alternative Veterans' Exemption**

The Board, having held a public hearing and passed a resolution, in accordance with the Real Property Tax Law, provides a property tax exemption available to any veteran of the U.S. Armed Forces who served on active duty during a period of war, or received an expeditionary medal. The District will grant such exemption in a manner consistent with the Real Property Tax Law and at levels set forth by the Board. Should the District wish to reduce or increase the ceilings on the exemptions, it must hold a separate hearing and pass a separate resolution.

Education Law § 2130

Public Health Law § 2801

Real Property Tax Law §§ 458-a, 459-c, 466-c, 466-f, 466-g, 466-I, 467, 1300-1342

Adoption Date: 3/29/2018

**SUBJECT: SALE AND DISPOSAL OF DISTRICT PROPERTY****Sale of School Property**

No school property will be sold without prior approval of the Board. However, the responsibility for these sales may be delegated. The net proceeds from the sale of school property will be deposited in the General Fund.

**Disposal of District Personal Property**Equipment

District equipment that is obsolete, surplus, or unusable by the District will be disposed of in such a manner that is advantageous to the District.

The Assistant Superintendent for Business will be responsible for selling the equipment in such a way so as to maximize the net proceeds of sale which may include a bona fide public sale preceded by adequate public notice. If it is determined that reasonable attempts to dispose of the equipment have been made and those attempts have not produced an adequate return, the Assistant Superintendent for Superintendent or designee may dispose of the equipment in any manner which he or she deems appropriate.

Textbooks

Textbooks may lose their value to the educational program because of changes in the curriculum or because they contain outdated material and/or are in poor condition. If textbooks are no longer useful or usable, the procedures for disposal will adhere to the following order of preference:

- a) Sale of textbooks. If reasonable attempts to dispose of surplus textbooks fail to produce monetary return to the District; then
- b) Donation to charitable organizations; or
- c) Recycle through appropriate means.

Education Law §§ 1604(4), 1604(30), 1604(36), 1709(9), 1709(11), 2503, 2511, and 2512  
General Municipal Law §§ 51 and 800, et seq.

Adoption Date: 3/29/2018

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Non-Instructional/Business  
Operations

**SUBJECT: BONDING OF EMPLOYEES AND BOARD MEMBERS**

In accordance with New York State Education Law and the Commissioner's regulations, the Board directs that the Treasurer of the Board, the Tax Collector, and the Claims Auditor be bonded prior to assuming their duties. These bonds will be in the amounts as determined and approved by the Board.

Other school personnel and members of the Board authorized or required to handle District revenues may be covered by a blanket undertaking provided by the District in those amounts as approved by the Board based upon the recommendations of the Superintendent or designee.

Education Law §§ 1709(20-a), 1720, 2130(5), 2526 and 2527  
Public Officers Law § 11(2)  
8 NYCRR § 170.2(d)

Adoption Date: 3/29/2018

**SUBJECT: EXPENDITURES OF DISTRICT FUNDS**

The Board authorizes the Purchasing Agent to expend school funds as appropriated by approved operational and capital budgets, and by the adoption of special resolutions. He or she will make expenditures in accordance with applicable law and in a manner that will achieve the maximum benefit from each dollar expended.

All claims will be properly audited before payment by the Claims Auditor who **must** attest to the existence of evidence of indebtedness to support the claim.

Complete records of all expenditures will be maintained for future analysis and reporting within the time frame required by the Records Disposition Law or regulation.

Arts and Cultural Affairs Law § 57.19  
Education Law §§ 1720 and 2523  
8 NYCRR § 185

NOTE: Refer also to Policies #5321 -- Use of the District Credit Card  
#5322 -- Use of the District Cell Phone  
#5323 -- Reimbursement for Meals/Refreshments  
#6161 -- Conference/Travel Expense Reimbursement

Adoption Date: 3/29/2018



**SUBJECT: USE OF THE DISTRICT CREDIT CARD**

It will be the policy of the Board to encourage the safety of the District credit card(s) and to enforce proper and prudent rules in connection with their use, per Education Law and all applicable regulations of the State of New York. The School District has adopted the following procedures:

It will be the duty of the Claims Auditor to have custody of all credit cards and maintain them in a secure location with limited access.

Each officer or employee will sign a receipt for all cards placed in his or her custody and he or she will take the necessary precautions to ensure the safety of these cards.

Upon return from travel, each officer or employee must promptly return District credit cards to the Claims Auditor, signing a receipt indicating return. Theft or loss of any card(s) must be reported by the officer or employee to the Credit Card Company and District Office immediately.

District employees, directors, administrators, and Board members may receive authorization from the Superintendent of Schools or Assistant Superintendent for Business.

District credit cards are to be used for pre-approved reimbursable travel expenses, such as hotel accommodations, car rental, transportation, and meals (exclusive of alcoholic beverages).

Using District credit cards for purchases such as: books, computer equipment, material and supplies, requires a purchase offer signed by the Purchasing Agent. This gives proper authorization for credit card use.

Credit card expenditures will be charged to appropriate budget codes and original receipts must be forwarded to the Business Office for all charges. Failure to submit original receipts for charges made will result in the officer or employee being held personally liable for the undocumented charges.

District credit cards will also be used for the purchase of items in an emergency or crisis situation or as otherwise deemed appropriate by the Superintendent of Schools or Assistant Superintendent for Business or designee.

**Use of the District Credit Card**

The School District may issue a credit card in its name to the Purchasing Agent for the use of its officers and designated employees for authorized expenses. The maximum credit limit on the school credit card will be forty thousand dollars (\$40,000). However, authorized personnel must submit purchase orders for those related expenses, prior to the use of the credit card.

(Continued)

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Non-Instructional/Business  
Operations

**SUBJECT: USE OF THE DISTRICT CREDIT CARD (Cont'd.)**

This credit card will only be for those purchases of goods and services that require a credit card and do not accept other payment methods. Any other reason for credit card use must be approved by the Assistant Superintendent for Business, prior to use.

Any individual who makes an unauthorized purchase with a School District credit card will be required to reimburse the School District for the purchase.

Adoption Date: 3/29/2018

**SUBJECT: USE OF THE DISTRICT CELL PHONE**

## Option A: District-Owned Cell Phones

A District-owned cell phone will be issued to a District employee when required by that employee's job duties and as determined by the Superintendent or designee.

Additionally, the following rules will apply regarding the use of a District-owned cell phone:

- a) The cell phone may not be used by anyone other than the School District employee.

## Option B: Employee-Owned Cell Phones

The Superintendent may, in lieu of providing a District-owned cell phone to the employee, require the employee to acquire their own personal cell phone and in return pay a monthly reimbursement in the amount of sixty dollars (\$60) to each individual whose job description requires them to have a cellular phone for business use.

- a) In providing this reimbursement, the employee agrees to:
  1. Provide the cell phone number to all staff or others deemed necessary individuals as determined by the Superintendent; and
  2. Provide an monthly invoice with the cell phone number listed; and
  3. Have the phone available for incoming calls during business hours and other hours as deemed necessary as part of their job description.

Adoption Date: 3/29/2018

**SUBJECT: REIMBURSEMENT FOR MEALS/REFRESHMENTS****Travel Outside of District/Emergency Meetings**

District officials and employees are entitled to reimbursement for necessary expenses incurred in the performance of their official duties. However, meals of public officers and employees generally should not be reimbursed or paid by the District unless the officer or employee is traveling outside his or her regular work area on official business for an extended period of time, or where events prevent them from taking off during mealtime for food consumption because of a pressing need to complete business. All requests for reimbursement must document who attended the meetings and how the meetings fit these conditions.

**Staff or Board Meetings and District Events**

The Board recognizes that at certain times it may be appropriate to provide meals and/or refreshments at District meetings and/or events which are being held for an educational purpose. Prior approval of the Superintendent or designee must be obtained for food and beverages provided at meetings or activities which will be charged to the District.

Any such expenditures must be appropriately documented with an itemized receipt and information showing the date and purpose of the meeting, food served, who attended the meetings and why the attendees needed food and/or refreshments to conduct District business. These requirements must be met for meals/refreshments provided by the school lunch fund or local vendors, charged to District credit cards, and/or reimbursed to a District official.

In no case will the costs for meals exceed the current federal per diem meal rates for the geographic area.

NOTE: Refer also to Policy #6161 -- Conference/Travel Expense Reimbursement

Adoption Date: 3/29/2018

**SUBJECT: PURCHASING: COMPETITIVE BIDDING AND OFFERING**

Except as otherwise provided by law, all contracts for public work involving an expenditure of more than \$35,000 and all purchase contracts involving an expenditure of more than \$20,000 will be awarded by the District to the lowest responsible bidder furnishing the required security after advertisement for sealed bids. However, the District may, in its discretion, award purchase contracts on the basis of "best value" to a responsive and responsible bidder or offerer, provided the Board has authorized this action by rule, regulation, or resolution adopted at a public meeting.

No bid or offer will be accepted that does not conform to specifications furnished unless those specifications are waived by Board action. The District may, in its discretion, reject all bids or offers and readvertise for new bids or offers in a manner consistent with New York State law.

All contracts requiring public advertising and competitive bidding or offering will be awarded by resolution of the Board.

Except as authorized by law, no Board member or employee of the District will have an interest in any contract entered into by the District.

**Standardization**

Upon the adoption of a standardization resolution by a vote of at least 3/5 of all Board members, purchase contracts for a particular type or kind of equipment, materials, or supplies of more than \$20,000 may be awarded by the Board to the lowest responsible bidder or offerer furnishing the required security after advertisement for sealed bids in the manner provided in law. This resolution must state that, for reasons of efficiency or economy, there is a need for standardization and must contain a full explanation of those reasons. Upon the adoption of a valid standardization resolution, the District may provide in its specifications for a particular make or brand to the exclusion of others.

**"Piggybacking" Exception to Competitive Bidding**

The District may, in its discretion, purchase certain goods and services (apparatus, materials, equipment, and supplies) at costs beyond the above-referenced thresholds through the use of contracts let by the United States or any agency thereof, any state, and any county, political subdivision, or district of any state.

This method of procurement is permitted on contracts issued by other governmental entities, provided that the original contract:

- a) Has been let by the United States or any agency thereof, any state (including New York State) or any other political subdivision or district;

(Continued)

**SUBJECT: PURCHASING: COMPETITIVE BIDDING AND OFFERING (Cont'd.)**

- b) Was made available for use by other governmental entities and agreeable with the contract holder; and
- c) Was let in a manner that constitutes competitive bidding consistent with New York State law, or was awarded on the basis of best value, and is not in conflict with other New York State laws.

**Annual Review**

Comments concerning the District's bidding and purchasing policies and procedures will be solicited from those District employees involved in the procurement process from time to time.

The Board will annually review its bidding and purchasing policies and procedures. The School Business Official will be responsible for conducting an annual review of such policies and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

General Municipal Law Articles 5-A and 18  
State Finance Law §§ 162, 163, and 163-b

NOTE: Refer also to Policies #5411 -- Procurement of Goods and Services  
#5412 -- Alternative Formats for Instructional Materials

Adoption Date: 3/29/2018

**SUBJECT: PROCUREMENT OF GOODS AND SERVICES****Purchasing Authority**

The District's purchasing activities will be part of the responsibilities of the Business Office, under the general supervision of the Purchasing Agent designated by the Board. The Purchasing Agent is authorized to enter into cooperative bidding and cooperative purchasing arrangements to meet the various needs of the District. No contracts for goods and services will be made by individuals or organizations in the school that involve expenditures without first securing approval for the contract from the Purchasing Agent.

Except as authorized by law, no Board member or employee of the District will have an interest in any contract entered into by the District.

**Purchasing Process**

The Board recognizes its responsibility to ensure the development of procedures for the procurement of goods and services not required by law to be made pursuant to competitive bidding requirements. These goods and services will be procured in a manner so as to:

- a) Assure the prudent and economical use of public moneys in the best interests of the taxpayer;
- b) Facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and
- c) Guard against favoritism, improvidence, extravagance, fraud, and corruption.

These procedures will contain, at a minimum, provisions which:

- a) Prescribe a process for determining whether a procurement of goods and services is subject to competitive bidding and if it is not, documenting the basis for such determination;
- b) With certain exceptions, provide that alternative proposals or quotations for goods and services will be secured by use of written request for proposals, written quotations, verbal quotations, or any other method of procurement which furthers the purposes of General Municipal Law Section 104-b;
- c) Set forth when each method of procurement will be utilized;
- d) Require adequate documentation of actions taken with each method of procurement;
- e) Require justification and documentation of any contract awarded to other than the lowest responsible dollar offer, stating the reasons;

(Continued)

**SUBJECT: PROCUREMENT OF GOODS AND SERVICES (Cont'd.)**

- f) Set forth any circumstances when, or the types of procurement for which, the solicitation of alternative proposals or quotations will not be in the best interest of the District; and
- g) Identify the individual or individuals responsible for purchasing and their respective titles. This information will be updated biennially.

Any unintentional failure to fully comply with these provisions will not be grounds to void action taken or give rise to a cause of action against the District or any District employee.

**Professional Services**

Professional services are generally those services that require specialized skills, training, professional judgement, expertise, and creativity. Examples include, attorneys, architects and engineers. The procurement of professional services falls within an exception to competitive bidding. In order to procure these services, the District will use the request for proposals (RFP) process as set forth in General Municipal Law to protect the District's interests and to avoid the appearance of impropriety. Although not necessarily bound to select the lowest bidder in response to its RFP, the District will adequately document its selection process to demonstrate its economical and practical use of public monies and to ensure fair competition.

The District will develop administrative regulations to establish procedures for the procurement of goods and services.

Education Law §§ 1604, 1709, 1950, 2503, 2554, and 3602  
General Municipal Law Articles 5-A and 18  
General Municipal Law § 119-o

**Purchasing Guideline (see next page)**

(Continued)



Purchasing Guideline						
	VERBAL QUOTES		WRITTEN QUOTES	FORMAL BID	RFP	OTHER
	1	3	3			
<b>PURCHASE CONTRACTS</b>						
\$500.00 AND BELOW	X					
\$500.01 TO \$19,999.99			X			
\$20,000.00 AND ABOVE				X		
<b>CONTRACTS FOR PUBLIC WORK</b>						
\$500.00 AND BELOW	X					
\$500.01 TO \$3,000.00		X				
\$3,000.01 TO \$34,999.99			X		X	
\$35,000.00 AND ABOVE				X		
<b>EMERGENCIES</b>						*
<b>SECOND HAND EQUIPMENT FROM OTHER GOV'TS</b>						*
<b>SOLE SOURCE (PATENTED OR MONOPOLY ITEM)</b>						*
* THESE PROCUREMENTS MUST BE EXAMINED ON A CASE BY CASE BASIS TO DETERMINE THE BEST METHOD TO BE USED IN THE SOLICITATION OF QUOTES.						

NOTE: Refer also to Policies #5410 -- Purchasing: Competitive Bidding and Offering  
#5412 -- Alternative Formats for Instructional Materials

Adoption Date: 3/29/2018

**SUBJECT: ALTERNATIVE FORMATS FOR INSTRUCTIONAL MATERIALS**

Preference in the purchase of instructional materials will be given to vendors who agree to provide materials in a usable alternative format (i.e., any medium or format, other than a traditional print textbook, for presentation of instructional materials that is needed as an accommodation for each student with a disability, including students requiring Section 504 Accommodation Plans, enrolled in the District). Alternative formats include, but are not limited to, Braille, large print, open and closed captioned, audio, or an electronic file in an approved format as defined in Commissioner's regulations.

The District has adopted the National Instructional Materials Accessibility Standard (NIMAS) to ensure that curriculum materials are available in a usable alternative format for students with disabilities. The District will ensure that each student who requires instructional materials in an alternate format will receive it in a timely manner and in a format that meets NIMAS standards.

The District will establish a plan to ensure that instructional materials in a usable alternative format for each student with a disability (including students requiring Section 504 Accommodation Plans) are based upon the student's educational needs and course selections, and will be available at the same time as those instructional materials are available to non-disabled students.

The Plan will:

- a) Specify that the District gives a preference in the purchase of instructional materials it has selected for its students to those vendors who agree to provide such instructional materials in alternative formats;
- b) Specify when an electronic file is provided, how the format will be accessed by students and/or how the District will convert to an accessible format;
- c) Specify the process to be used when ordering materials to identify the needs of students with disabilities residing in the District for alternative format materials;
- d) Specify ordering timelines to ensure that alternative format materials are available at the same time as regular format materials are available; and
- e) Include procedures so that when students with disabilities move into the District during the school year, the process to obtain needed materials in alternative formats for those students is initiated without delay.

20 USC § 1474(e)(3)(B)  
8 NYCRR §§ 200.2(b)(10), 200.2(c)(2) and 200.2(i)

Adoption Date: 3/29/2018

**SUBJECT: ACCOUNTING OF FUNDS**

Accounting and reporting procedures will be developed to facilitate analysis and evaluation of the District's financial status and fixed assets. The District will use the Uniform System of Accounts for School Districts. Books and records of the District will be maintained in accordance with statutory requirements. Provision will be made for the adequate storage, security, and disposition of all financial and inventory records.

**Online Banking**

The Board has entered into a written agreement with designated banks and trust companies for online banking and electronic or wire transfers, which includes the implementation of a security procedure for all transactions. Online transactions must be authorized by the District's Business Official. The District Treasurer, with a separate established user name and password, will have the authority to process online banking transactions. The Deputy Treasurer, with a separate established user name and password, will be responsible for online banking transactions in the event the District Treasurer is not available, or as a job responsibility delegated to him or her by the District Treasurer. A monthly report of all online banking activity will be reviewed by staff independent of the online banking process and reconciled with the bank statement. Online banking will only take place on secure District computers located inside the Treasurer's or Business Office.

**Electronic Transactions and Wire Transfers**

Procedures will be implemented specifying who is authorized to initiate, approve, transmit, record, review, and reconcile electronic transactions. At least two individuals will be involved in each transaction. Authorization and transmitting functions will be segregated and, whenever possible, the recording function will be delegated to a third individual.

The District will enter into written wire transfer security agreements for District bank accounts which will include established procedures for authenticating wire transfer orders. All wire transfers must be authorized by the District Treasurer or his or her designee. Dual approval controls will be established for non-routine wire transfer orders.

Education Law § 2116-a  
General Municipal Law Article 2 § 5, 5-a, 5-b, 99-b  
N.Y. UCC § 4-A-201

Adoption Date: 3/29/2018

**SUBJECT: MAINTENANCE OF FUND BALANCE****General Provisions**

The Board recognizes that the maintenance of a fund balance is essential to the financial integrity of the District insofar as it helps mitigate current and future risks and assists in ensuring stable tax rates. Consistent with this understanding, the Board adopts the following standards and practices.

**Classification of Funds**

The District will ensure that funds are classified consistent with Governmental Accounting Standards Board (GASB) Statement Number 54, *Fund Balance Reporting and Governmental Fund Type Definitions*. Consequently, fund balance amounts will be categorized as non-spendable, restricted, committed, assigned, or unassigned.

**Unassigned Fund Balance**Minimum Unassigned Fund Balance

In order to maintain financial stability and protect against cash flow shortfalls, the Board will strive to maintain an unassigned fund balance of at least \*3% of the current year's budgeted expenses. In the event such balance falls below the \*3% floor, the District will seek to replenish deficiencies through reducing expenses and/or increasing revenue.

Maximum Unassigned Fund Balance

In order to support normal operating costs and provide fiscal stability for the District, the Board will also strive to ensure that the unassigned fund balance does not exceed 4% of the current year's budgeted expenditures. If it is anticipated that such balance will exceed the 4% ceiling, the Board will evaluate current commitments and assignments in order to determine the final distribution of fund balance in any fiscal year. The District will ensure unexpended surplus funds are used to reduce taxpayer liability in conformance with Real Property Tax Law Section 1318.

**Fund Balance and Budget Development**

The District's ability to maintain its unassigned fund balance within the limits articulated above is contingent upon the development of a reasonable budget. Consequently, the District will develop and adopt budgets that, to the extent possible, reflect the anticipated revenues and expenditures.

Likewise, the District will ensure that appropriate reserve funds are established and utilized, consistent with applicable law and District policy, to ensure the fund balance is sufficient to meet District needs.

(Continued)

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Non-Instructional/Business  
Operations

**SUBJECT: MAINTENANCE OF FUND BALANCE (Cont'd.)**

**Compliance**

The District will adhere to the reporting requirements of Article 3 of the General Municipal Law of the State of New York, and the practices set forth in GASB Statement Number 54.

NOTE: Refer also to Policies #5110 -- Budget Planning and Development  
#5512 -- Reserve Funds

Adoption Date: 3/29/2018

**SUBJECT: RESERVE FUNDS**

Reserve funds (essentially a legally authorized savings account designated for a specific purpose) are an important component in the District's financial planning for future projects, acquisitions, and other lawful purposes. To this end, the District may establish and maintain reserve funds in accordance with New York State Laws, Commissioner's regulations, and the rules and/or opinions issued by the Office of the New York State Comptroller, as applicable. The District will comply with the reporting requirements of Article 3 of the General Municipal Law of the State of New York and the Governmental Accounting Standards Board (GASB) issued GASB Statement Number 54, *Fund Balance Reporting and Governmental Fund Type Definitions*.

Any and all District reserve funds will be properly established and maintained to promote the goals of creating an open, transparent, and accountable use of public funds. The District may engage independent experts and professionals, including, but not limited to, auditors, accountants, and other financial and legal counsel, as necessary, to monitor all reserve fund activity and prepare any and all reports that the Board may require.

**Periodic Review and Annual Report**

The Board will periodically review all reserve funds. The District will also prepare and submit an annual report of all reserve funds to the Board. The annual report will include the following information for each reserve fund:

- a) The type and description of the reserve fund;
- b) The date the reserve fund was established and the amount of each sum paid into the fund;
- c) The interest earned by the reserve fund;
- d) Capital gains or losses resulting from the sale of investments of the reserve fund;
- e) The total amount and date of each withdrawal from the reserve fund;
- f) The total assets of the reserve fund showing cash balance and a schedule of investments; and
- g) An analysis of the projected needs for the reserve fund in the upcoming fiscal year and a recommendation regarding funding those projected needs.

The Board will utilize the information in the annual report to make necessary decisions to adequately maintain and manage the District's reserve fund balances while mindful of its role and responsibility as a fiduciary of public funds.

Adoption Date: 3/29/2018

**SUBJECT: EXTRACLASSROOM ACTIVITY FUND**

An extraclassroom activity fund will be established for activities conducted by students whose financial support is raised other than by taxation or through charges of the Board.

All extraclassroom activities will be approved by the Board. The building principal will maintain an up to date register of all extraclassroom activities that are approved or discontinued. Each extraclassroom activity will have a faculty advisor appointed by the building principal. A Central Treasurer and a Faculty Auditor will oversee all financial aspects of extraclassroom activities. The annual District audit will include all extraclassroom activity funds.

All extraclassroom activity funds will be handled in accordance with the financial procedures set forth in Safeguarding, Accounting and Auditing of Extraclassroom Activity Funds, Revised 2015, published by the New York State Education Department. All commitments and contracts will be the sole responsibility of the extraclassroom activity club giving rise to the transaction, regardless of a change in advisors, membership, or officers.

Proper books will be kept and all moneys deposited in appropriate accounts as set up by the Board. These accounts will be subject to audit. All transactions involving extraclassroom funds will be on a cash basis and no accounts will remain unpaid at the end of the school year. Funds will be invested in accordance with the Board's Fiscal Management Policy on the "Investment of District Funds."

The extraclassroom activities of the District are not included in the exemption granted to the District from New York State sales tax. Without exception, clubs and activities are prohibited from using the school's tax exemption. The Central Treasurer will be responsible for filing the periodic sales tax returns for the extraclassroom activity funds.

Funds of discontinued extraclassroom activities, those inactive for one year and of graduating classes will revert to the account of the general student organization or student council and will be expended in accordance with the organization's constitution.

The building principals, with approval of the Superintendent, will set up procedures for receipt and payment from the extraclassroom activity fund in their respective schools.

8 NYCRR Part 172

NOTE: Refer also to Policy #5620 -- Fixed Asset Inventories, Accounting, and Tracking

Adoption Date: 3/29/2018

**SUBJECT: PETTY CASH FUNDS AND CASH IN SCHOOL BUILDINGS****Petty Cash Funds**

A petty cash fund of not more than \$100 will be maintained in the District Office and in each school building in a secure location. Payments from petty cash funds may be made for materials, supplies, or services only when payment is required upon delivery. At the time of reimbursement, an itemized statement of expenditures, together with substantiating receipts, must be submitted. These accounts will be authorized by Board resolution at its annual meeting.

**Cash in School Buildings**

Not more than \$250, whether District or extraclassroom funds, will be held in the vault in the Main Office of each District school building. Under no circumstances will cash be left in classroom areas or desks. The District will not be responsible for funds left unprotected.

All funds, whether District or extraclassroom funds, will be deposited prior to close of school each week. Only authorized personnel designated by the building administrator will be allowed in the Main Office vault.

Education Law §§ 1604(26), 1709(29) and 2503(1)  
8 NYCRR § 170.4

Adoption Date: 3/29/2018



**SUBJECT: PUBLICATION OF DISTRICT'S ANNUAL FINANCIAL STATEMENT**

In compliance with Education Law, the Board is required to publish a financial statement, including a full, detailed account of moneys received and moneys expended, at least once a year, during either July or August. This annual financial report will be in the form prescribed in Commissioner's regulations.

The law requires that the information be published in one public newspaper which is published in the District. If no public newspaper is published in the District, then the District must use a newspaper having general circulation in the District. If no public newspaper is published in the District, and there is no newspaper having general circulation in the District, then the District must provide the information to the taxpayers by posting copies in five public places in the District.

Education Law §§ 1610, 1721, 2117, 2528 and 2577  
8 NYCRR § 170

Adoption Date: 3/29/2018

**SUBJECT: MAINTENANCE OF FISCAL EFFORT (TITLE I PROGRAMS)**

A Local Educational Agency (LEA) may receive its full allocation of Title I funds if the combined fiscal effort per student or the aggregate expenditures of state and local funds with respect to the provision of free public education in the LEA for the preceding fiscal year was not less than 90% of the combined fiscal effort per student or the aggregate expenditures for the second preceding fiscal year.

In determining an LEA's compliance with the maintenance of effort requirement, the State Educational Agency (SEA) will consider the LEA's expenditures from state and local funds for free public education. These include expenditures for administration, instruction, attendance, health services, student transportation services, plant operation and maintenance, fixed charges, and net expenditures to cover deficits for food services and student body activities.

The SEA will not consider the following expenditures in determining an LEA's compliance with the maintenance of effort requirements:

- a) Any expenditures for community services, capital outlay, and debt service;
- b) Any expenditures made from funds provided by the federal government for which the LEA is required to account to the federal government directly or through the SEA.

The Board assigns the Assistant Superintendent for Business the responsibility of reviewing, as part of the budgeting process, this combined fiscal effort to ensure compliance.

Title I of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001  
34 CFR Part 200

Adoption Date: 3/29/2018

**SUBJECT: USE OF FEDERAL FUNDS FOR POLITICAL EXPENDITURES**

The Board prohibits the use of any federal funds for partisan political purposes or expenditures of any kind by any person or organization involved in the administration of federally-assisted programs.

This policy refers generally, but is not limited to, lobbying activities, publications, or other materials intended for influencing legislation or other partisan political activities.

The Board assigns the Purchasing Agent the responsibility of monitoring expenditures of federal funds so that these funds are not used for partisan political purposes.

OMB Circular A-87 Cost Principles for State, Local and Indian Tribal Governments (revised May 10, 2004)  
Compliance Supplement for Single Audit of State and Local Governments (revised June 27, 2003)  
supplementing OMB Circular A133

NOTE: Refer also to Policy #6430 -- Employee Political Activities

Adoption Date: 3/29/2018

**SUBJECT: FINANCIAL ACCOUNTABILITY**

The District has internal controls in place to ensure that:

- a) The goals and objectives of the District are accomplished;
- b) Laws, regulations, policies, and good business practices are complied with;
- c) Audit recommendations are considered and implemented;
- d) Operations are efficient and effective;
- e) Assets are safeguarded; and
- f) Accurate, timely, and reliable data are maintained.

The District's governance and control environment will include the following:

- a) The District's code of ethics addresses conflict of interest transactions with Board members and employees. Transactions that are less-than-arm's length are prohibited. Less-than-arm's length is a relationship between the District and employees or vendors who are related to District officials or Board members.
- b) The Board requires corrective action for issues reported in the Certified Public Accountant's (CPA's) management letter, audit reports, the Single Audit, and consultant reports.
- c) The Board has established the required policies and procedures concerning District operations.
- d) The Board routinely receives and discusses the necessary fiscal reports including the:
  - 1. Treasurer's cash reports,
  - 2. Budget status reports,
  - 3. Revenue status reports,
  - 4. Monthly extra-classroom activity fund reports, and
  - 5. Fund balance projections (usually starting in January).

(Continued)

**SUBJECT: FINANCIAL ACCOUNTABILITY (Cont'd.)**

- e) The District has a long-term (three to five years) financial plan for both capital projects and operating expenses.
- f) The District requires attendance at training programs for Board members, business officials, treasurers, claims auditors, and others to ensure they understand their duties and responsibilities and the data provided to them.
- g) The Board has an audit committee to assist in carrying out its fiscal oversight responsibilities.
- h) The District's information systems are economical, efficient, current, and up-to-date.
- i) All computer files are secured with passwords or other controls, backed up on a regular basis, and stored at an off-site or in a secure fireproof location.
- j) The District periodically verifies that its controls are working efficiently.
- k) The District requires all staff to take leave time during which time another staff member performs the duties of the staff on leave. Staff may also schedule transactions and other responsibilities to occur electronically before taking a leave.

**Audit Response**

Periodically, the District receives audit reports from the External (Independent) Auditor and/or the Office of the New York State Comptroller. The Board will review all audit recommendations in consultation with the Audit Committee and respond appropriately. Independent and Comptroller audit reports and the accompanying management letters will be made available for public inspection. Notice of the availability of independent and Comptroller audit reports will be published in the District's official newspaper or one having general circulation in the District. If there is no newspaper, notice must be placed in ten public places within the District. Additionally, final audit reports from the Office of the New York State Comptroller should be posted on the District website, if one is available, for a period of five years.

8 NYCRR § 170.12  
General Municipal Law § 33(2)(e) and 35(1)(2)

Adoption Date: 3/29/2018

**SUBJECT: ALLEGATIONS OF FRAUD****Reporting and Investigations of Allegations of Fraud**

All Board members and officers, District employees, and third party consultants are required to abide by the District's policies, administrative regulations, and procedures in the course of their duties. Further, all applicable federal and/or state laws and regulations must be adhered to in the course of District operations and practices. Any individual who has reason to believe that financial improprieties or wrongful conduct is occurring within the School System should disclose this information according to the reporting procedures established by the District. The reporting procedures will follow the chain of command as established within the department or school building or as described in the District's Organizational Chart. In the event that the allegations of financial improprieties/fraud and/or wrongful conduct concern the investigating official, the report shall be made to the next level of supervisory authority. If the chain of supervisory command is not sufficient to ensure impartial, independent investigation, allegations of financial improprieties/fraud and/or wrongful conduct will be reported as applicable, to the Internal Auditor (if available), or the External (Independent) Auditor, or the School Attorney, or the Board. The District's prohibition of wrongful conduct, including fraud, will be publicized within the District as deemed appropriate; and written notification will be provided to all employees with fiscal accounting/oversight and/or financial duties including the handling of money.

Upon receipt of an allegation of financial improprieties/fraud and/or wrongful conduct, the Board or designated employee(s) will conduct a thorough investigation of the charges. However, even in the absence of a report of suspected wrongful conduct, if the District has knowledge of, or reason to know of, any occurrence of financial improprieties/fraud and/or wrongful conduct, the District will investigate the conduct promptly and thoroughly. To the extent possible, within legal constraints, all reports will be treated confidentially and privately. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a "need to know" basis. Written records of the allegation, and resulting investigation and outcome will be maintained in accordance with law.

Based upon the results of this investigation, if the District determines that a school official has engaged in financial improprieties/fraudulent and/or wrongful actions, appropriate disciplinary measures will be applied, up to and including termination of employment, in accordance with legal guidelines, District policy and regulation, and any applicable collective bargaining agreement. Third parties who are found to have engaged in financial improprieties/fraud and/or wrongful conduct will be subject to appropriate sanctions as warranted and in compliance with law. The application of disciplinary measures by the District does not preclude the filing of civil and/or criminal charges. When school officials receive a complaint or report of alleged financial improprieties/fraud and/or wrongful conduct that may be criminal in nature, law authorities should be immediately notified.

An appeal procedure will also be provided, as applicable, to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable investigating officer(s).

(Continued)

**SUBJECT: ALLEGATIONS OF FRAUD (Cont'd.)****Protection of School Employees who Report Information Regarding Illegal or Inappropriate Financial Practices**

Any employee of the District who has reasonable cause to believe that the fiscal practices or actions of an employee or officer of the District violates any local, state, federal law or rule and regulation relating to the financial practices of the District, and who in good faith reports such information to an official of the District, or to the Office of the State Comptroller, the Commissioner of Education, or to law enforcement authorities, will have immunity from any civil liability that may arise from the making of the report. Further, neither the District, nor any employee or officer of the District will take, request, or cause a retaliatory action against any employee who makes such a report.

**Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)**

The Board also prohibits any retaliatory behavior against any witnesses and/or any other individuals who participate in the investigation of an allegation of illegal or inappropriate fiscal practices or actions. Follow-up inquiries will be made to ensure that no reprisals or retaliatory behavior has occurred to those involved in the investigation. Any act of retaliation will be subject to appropriate disciplinary action by the District.

**Knowingly Makes False Accusations**

Any individual who knowingly makes false accusations against another individual as to allegations of financial improprieties or fraud may also face appropriate disciplinary action.

Civil Service Law § 75-B  
Education Law § 3028-d

Adoption Date: 3/29/2018

**SUBJECT: AUDIT COMMITTEE**

An Audit Committee has been established by Board resolution. The Audit Committee may consist of:

- a) The Board as a whole;
- b) A subcommittee of the Board; or
- c) An Advisory Committee that may include, or be composed entirely of persons other than Board members if, in the opinion of the Board, membership is advisable to provide accounting and auditing expertise.

Persons other than Board members who serve on the advisory committee will be independent and will not be:

1. Employed by the District;
2. An individual who within the last two years provided, or currently provides, services or goods to the District;
3. The owner of or have a direct and material interest in a company providing goods or services to the District; or
4. A close or immediate family member of an employee, officer, or contractor providing services to the District.

The Audit Committee will consist of at least three members who should collectively possess knowledge in accounting, auditing, financial reporting, and District finances. They will serve without compensation, but will be reimbursed for any actual and necessary expenditure incurred in relation to attendance at meetings. Employees of the District are prohibited from serving on the Audit Committee. Members of the Audit Committee will be deemed District Officers, but will not be required to be residents of the District.

The role of the Audit Committee will be advisory unless the Audit Committee consists of at least a quorum of Board members, and any recommendations it provides to the Board will not substitute for any required review and acceptance by the Board.

The Audit Committee will develop and submit to the Board for approval a formal, written charter which includes, but is not limited to, provisions regarding the committee's purpose, mission, duties, responsibilities, and membership requirements.

(Continued)



**SUBJECT: AUDIT COMMITTEE (Cont'd.)**

The Audit Committee will hold regularly scheduled meetings and report to the Board on the activities of the Committee on an as needed basis, but not less than annually. The report will address or include at a minimum:

- a) The activities of the Audit Committee;
- b) A summary of the minutes of the meeting;
- c) Significant findings brought to the attention of the Audit Committee;
- d) Any indications of suspected fraud, waste, or abuse;
- e) Significant internal control findings; and
- f) Activities of the internal audit function.

The responsibilities of the Audit Committee include the following:

- a) Providing recommendations regarding the appointment of the External (Independent) Auditor for the District;
- b) Meeting with the External (Independent) Auditor prior to commencement of the audit;
- c) Reviewing and discussing with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable;
- d) Receiving and reviewing the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assist the Board in interpreting such documents;
- e) Making a recommendation to the Board on accepting the annual audit report; and
- f) Discussing and analyzing every corrective action plan developed by the District in response to any audit and assist the Board in its implementation.

**Corrective Action Plan**

Within 90 days of receipt of the report or management letter, the Superintendent will prepare a corrective action plan approved by the Board in response to any findings contained in:

(Continued)

**SUBJECT: AUDIT COMMITTEE (Cont'd.)**

- a) The annual external audit report or management letter;
- b) A final audit report issued by the District's internal auditor;
- c) A final report issued by the State Comptroller;
- d) A final audit report issued by the State Education Department (SED); or
- e) A final audit report issued by the United States or an office, agency or department thereof.

The Audit Committee will review and approve the corrective action plans developed by the Superintendent and Business Official. The corrective action plan must be filed with the SED, and if appropriate, must include the expected date(s) of implementation. To the extent practicable, implementation of the corrective action plan should begin no later than the end of the next fiscal year.

Additional responsibilities of the Audit Committee include: assisting in the oversight of the Internal Audit Function including, but not limited to, providing recommendations regarding the appointment of the Internal Auditor; reviewing significant findings and recommendations of the Internal Auditor; monitoring the District's implementation of these recommendations; and participating in the evaluation of the performance of the Internal Audit Function.

The Audit Committee may conduct an Executive Session pertaining to the following matters:

- a) To meet with the External (Independent) Auditor prior to commencement of the audit;
- b) To review and discuss with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable; and
- c) To receive and review the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assist the Board in interpreting such documents.

Any Board member who is not a member of the Audit Committee may be allowed to attend an Audit Committee Meeting, including an executive session of the Audit Committee, if authorized by a Board resolution. However, if the Board member's attendance results in a meeting of a quorum of the full Board, any action taken by formal vote may constitute official Board action.

(Continued)

**SUBJECT: AUDIT COMMITTEE (Cont'd.)**

Education Law §§ 2116-c, and 3811-3813  
Public Officers Law §§ 105(b), 105(c) and 105(d)  
8 NYCRR § 170.12(d)

NOTE: Refer also to policies #1330 -- Appointments and Designations by the Board  
#1335 -- Appointment and Duties of the Claims Auditor  
#2210 -- Committees of the Board

**SUBJECT: INSURANCE**

The objective of the Board is to obtain the best possible insurance at the lowest possible cost, and to seek advice from an Insurance Appraisal Service to determine that adequate coverage is being provided regarding fire, boiler, general liability, bus, and student accident insurance.

The Board will carry insurance to protect the District's real and personal property against loss or damage. This property includes school buildings, the contents of such buildings, school grounds, and vehicles.

The Board may also purchase liability insurance to pay damages assessed against Board members and District employees acting in the discharge of their respective duties, within the scope of their employment and/or under the direction of the Board.

All insurance policies, along with an inventory of the contents of the building, should be kept in a fireproof depository or with the appropriate insurance agent for safekeeping and referral purposes. The Superintendent will review the District's insurance program annually and make recommendations to the Board if more suitable coverage is required.

Education Law §§ 1709(8), 1709(26), 1709(34-b), 2503(10), 2503(10-a), 2503(10-b), 3023, 3028  
and 3811

General Municipal Law §§ 6-n and 52

Public Officers Law § 18

Adoption Date: 3/29/2018

**SUBJECT: FIXED ASSET INVENTORIES, ACCOUNTING, AND TRACKING**

The Superintendent or designee will maintain a continuous and accurate inventory of fixed assets owned by the District in accordance with applicable rules, standards, procedures, and best practices. Fixed assets are, generally, long-term, tangible resources intended to be continuously held or used, and may include land, buildings, improvements, machinery, and equipment.

All fixed assets purchased and received by the District will be checked, logged, and stored through an established procedure.

The Assistant Superintendent for Business will account for assets on an annual basis according to applicable rules, standards, procedures, and best practices. These accounts will serve to:

- a) Maintain an inventory of assets;
- b) Establish accountability;
- c) Determine replacement costs; and
- d) Determine and provide appropriate insurance coverage.

The Board will establish a dollar threshold of five thousand dollars (\$5,000) as a basis for considering which fixed assets are to be depreciated. This threshold will ensure that at least 80% of the value of these assets is reported. Standard methods and averaging conventions will be used in assessing, capitalizing, and depreciating fixed assets.

All assets that meet the following criteria shall be coded to an appropriate account, tagged and added to the district inventory by LaFayette Central School District.

- a) The asset has a useful life of more than one year, and
- b) The asset has a historical cost or, if donated, a fair market value of greater than one thousand dollars (\$1,000), or
- c) The asset is considered an *Exception*

An *Exception* item is one that may have a historical cost or value below one thousand dollars (\$1,000), but, due to the type and nature of the item, asset accountability is required. *Exception* assets include, but are not limited to, the following:

Cameras & Camera Equipment (greater than \$250)  
Two-Way Radio Equipment and Cell Phones  
Televisions (greater than \$250)  
Lawn Maintenance Equipment  
Computer & Computer Equipment (greater than \$200)

Fixed assets will be recorded at initial cost or, if not available, at estimated initial cost; gifts of fixed assets will be recorded at estimated fair value at the time of the gift. A property record will be maintained for each fixed asset and will contain, where possible, the following information:

(Continued)

Non-Instructional/Business  
Operations

- a) Date of acquisition;
- b) Description;
- c) Serial or other identification number;
- d) Any funding source and percentage contributed by the source;
- e) Vendor;
- f) Cost or value;
- g) Location and use;
- h) Asset type;
- i) Condition and estimated useful life;
- j) Replacement cost;
- k) Current value;
- l) Salvage value;
- m) Sale price and date and method of disposition; and
- n) Responsible official.

There should be a Centralized Inventory list that is maintained by the Asset Manager and is created from purchases. The District will conduct an unannounced inventory of one building per year. This is the list that should be used to conduct the unannounced annual building inventory and appraisal. The Asset manager should not be the Purchasing Agent and should not be relying on lists that are maintained by Department Heads for inventory inspections. All fixed assets will be labeled. Any discrepancies between an inventory and the District's property records should be traced, explained, and documented.

**Management of Assets Acquired Under a Federal Government Grant or Subgrant**

Inventories will be maintained for assets acquired with funds obtained through federal grant programs. A separate inventory will be maintained for each program. Each inventory will record assets in the same manner as the District's fixed asset inventory. Assets will be labeled to specify the source of funds used to purchase the item. All Title I assets will include "Title I" on the label. These inventories will track assets for at least five (5) years from the date of receipt.

When original or replacement assets acquired under a federal grant or subgrant are no longer needed for the original project or for other activities currently or previously supported by a federal agency, the District will dispose of the assets as follows:

(Continued)

**SUBJECT: FIXED ASSET INVENTORIES, ACCOUNTING, AND TRACKING (Cont'd.)**

- a. Assets with a current per-unit fair market value of less than five thousand dollars (\$5,000) may be retained, sold, or otherwise disposed of with no further obligation to the awarding agency.
- b. Assets with a current per-unit fair market value of greater than five thousand dollars (\$5,000) may be retained or sold and the awarding agency will have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the assets.
- c. No federal approval is necessary to dispose of an asset costing under five thousand dollars (\$5,000) but approval from the New York State Education Department (SED) is necessary. Once SED has determined that it has no other need for the use of the asset, the District may proceed with selling it.

The District will comply with the U.S. Department of Education regulations governing the use, management, and disposition of all equipment acquired through a federal government grant.

**Equipment Purchased with Extraclassroom Funds**

Title to all equipment acquired with extraclassroom activity funds will reside with the District and be carried as an insurable asset on its list of insurable values. This equipment will be tagged as District property but is available for exclusive use by the extraclassroom activity club acquiring it.

34 CFR Parts 74-99, 200

SED Finance Pamphlet, The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds, 2015  
Uniform System of Accounts for School Districts (Fiscal Section)

Adoption Date: 3/29/2018

**SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE****Operation and Maintenance**

The Board, through the Superintendent and his/her staff, has the responsibility of protecting the District's facilities through a systematic maintenance program. The program will include periodic preventive maintenance activities, long-range maintenance schedules, and emergency repair procedures. The District will make reasonable attempts to ensure that all maintenance work will be carried out in the least intrusive manner.

**Construction and Remodeling of School Facilities**

The District will ensure all capital projects and maintenance comply with the requirements of the New York State Uniform Fire Prevention and Building Code, the Manual of Planning Standards, and the Commissioner's regulations. Relevant documentation regarding all new buildings must be formally submitted to the State Education Department no matter the size or cost. The New York State Education Department Office of Facilities Planning has provided an Instruction Guide on their official website.

Plans and specifications for the erection, enlargement, repair, or remodeling of facilities of the District will be submitted to the Commissioner consistent with applicable law.

Plans and specifications submitted to the Commissioner will bear the signature and seal of an architect or engineer licensed to practice in the State of New York. The architect or engineer who sealed the plans and specifications must also certify that the plans and specifications conform to the standards set forth in the State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code.

For remodeling or construction projects, the District will ensure compliance with the requirements of the State Uniform Fire Prevention and Building Code and Commissioner's regulations. The District will also retain the services of an architect or engineer licensed to practice in New York State as required by law or regulation, or as necessary given the scope and cost of the project.

**Carbon Monoxide Detection Requirements**

All new and existing District buildings that have appliances, devices, or systems that may emit carbon monoxide, and all attached garages, must have a means to detect carbon monoxide. Buildings include school buildings, administrative buildings, bus maintenance facilities, concession stands, and field houses. Carbon monoxide may be produced by fuel-fired heating systems (boilers, HVAC units, and makeup air units), emergency or standby electric generation within a building, fuel-fired kitchen equipment (ranges, ovens, steamers, dishwashers, and makeup air units serving hoods), fuel-fired domestic hot water heaters, laboratory/shop equipment (gas outlets, torches, gas-fired kilns, and stationary or portable engines), maintenance and storage areas with fuel-fired equipment, and in garages.

(Continued)



**SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE (Cont'd.)**

The District may use a self-contained carbon monoxide alarm, a carbon monoxide detection system, or both. The District will comply with all laws and regulations regarding alarms/detectors, including where they must be located, their power sources, and labeling requirements. The District should develop written standard operating procedures to follow when a carbon monoxide detector is activated.

**Inspections**

The District is mindful of the health and safety of its students, staff, and visitors and, as such, the District administration will cooperate with appropriate officials conducting health, fire, asbestos, bus, and boiler inspections. In addition, the administration will keep the Board informed of the results of these inspections in a timely fashion.

In accordance with the Asbestos Hazard Emergency Response Act (AHERA), the District will inform all employees and building occupants (or their legal guardians) at least once each school year about all asbestos inspections, response actions, post-response action activities, as well as triennial re-inspection activities and surveillance activities that are either planned or in progress. The District will provide yearly notification to parent, teacher, and employee organizations on the availability of the District's asbestos management plan and any asbestos-related actions taken or planned in the school.

The District will test potable water for lead contamination from all outlets as required by law. If an outlet exceeds the action level for lead content, the District will prohibit use of the outlet for drinking and cooking purposes, and it will remediate as allowed by state and county health departments. The District will make all required notifications and issue all mandated reports to the public, local health departments, or the SED. For ten years following creation, the District will retain all records of test results, lead remediation plans, lead-free building determinations, and waiver requests. The District may seek a waiver from testing requirements from the local health department by demonstrating prior substantial compliance with testing requirements.

To help protect staff, students, and visitors from contracting Legionnaires' disease from Legionella bacteria, the District will register any cooling towers it owns with the New York State Department of Health (DOH), providing the information in any form that the DOH requires. The District will also adhere to the inspection, annual certification, and maintenance program and planning requirements mandated by the DOH. Further, the District will maintain records regarding all inspection results, corrective action, cleaning and disinfection, tests, and certifications for at least three years. The District will keep a copy of its required maintenance program and plan on the premises where the cooling tower is located.

(Continued)

**SUBJECT: FACILITIES: INSPECTION, OPERATION, AND MAINTENANCE (Cont'd.)****Comprehensive Public School Building Safety Program (RESCUE)**

To ensure that all District facilities are properly maintained and preserved and provide suitable educational settings, the Board requires that all occupied school facilities which are owned, operated or leased by the District comply with the provisions of the Comprehensive Public School Building Safety Program, the Uniform Code of Public School Building Inspections, and the Safety Rating and Monitoring as prescribed in Commissioner's regulations. For this reason, the District shall develop a Comprehensive Public School Building Safety Program in accordance with Commissioner's regulations.

The program will be reevaluated and made current at least annually, and shall include, at a minimum, the following:

- a) A five year capital facilities plan which will include an appraisal of the following: the educational philosophy of the District, with resulting administrative organization and program requirements; present and projected student enrollments; space use and State-rated student capacity of existing facilities; the allocation of instructional space to meet the current and future education program and service needs, and to serve students with disabilities in settings with nondisabled peers; priority of need of maintenance, repair or modernization of existing facilities, including consideration of the obsolescence and retirement of certain facilities; and the provision of additional facilities.
- b) A District-wide building inventory, which will include information pertaining to each building including, but not limited to:
  1. Type of building, age of building, size of building;
  2. Rated capacity, current enrollment;
  3. List of energy sources and major systems (lighting, plumbing, electrical, heating); and
  4. Summary of triennial Asbestos Inspection reports.
- c) A building condition survey will be conducted for all occupied school buildings once every five years by a team that includes at least one licensed architect or engineer.
- d) A District-wide monitoring system which includes:
  1. Establishing a Health and Safety Committee;
  2. Development of detailed plans and a review process of all inspections;

(Continued)

**SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE (Cont'd.)**

3. Procedures for a response in writing to all inquiries about building health and safety concerns, a copy of which will be sent to the District's Health and Safety Committee for oversight, and a copy kept on permanent file.
- e) Procedures to ensure the safety of the building occupants while a construction or renovation project is taking place. These procedures will include:
  1. Notification to parents, staff and the community at least two months in advance of a construction project of \$10,000 or more to be conducted in a school building while the building is occupied; provided, however, that in the case of emergency construction projects, notice will be provided as far in advance of the start of construction as is practicable;
  2. A plan to ensure that all contractors comply with all health and safety issues and regulations, and wear photo identification badges;
  3. An opportunity for the District's Health and Safety Committee to conduct a walk-through inspection of newly renovated or constructed areas to confirm that the area is ready to be reopened for use; and
  4. An emergency plan which will address potential concerns with the capital project including, but not limited to, evacuation procedures, fire drills, and structural failures.

Asbestos Inspection: 40 CFR Part 763, Subpart E

15 USC §§ 2641-2656

Carbon Monoxide Detection: 19 NYCRR § 1228.4

Fire Inspection: Education Law § 807-a

8 NYCRR § 155.4

Health and Safety Committee: 8 NYCRR § 155.4(d)(1)

Lead Testing: 10 NYCRR § 67-4.1, *et seq.*

Legionella Protection: 10 NYCRR § 4.1, *et seq.*

Plans and Specifications: Education Law §§ 408, 408-a and 409

8 NYCRR §§ 155.1 and 155.2

19 NYCRR §§ 1221-1240

Structural Safety Inspections: Education Law §§ 409-d, 409-e, 3602 and 3641(4)

8 NYCRR §§ 155.1, 155.3, and 155.4(b)(1)

Adoption Date: 3/29/2018

**SUBJECT: HAZARDOUS WASTE AND HANDLING OF TOXIC SUBSTANCES BY  
EMPLOYEES**

The Board directs the Superintendent to establish rules to ensure District implementation of applicable federal and state laws pertaining to the identification, transportation, treatment, storage, and disposal of hazardous wastes.

**Hazard Communication Standard**

All personnel will be provided with applicable training to comply with the New York State "Right-to-Know" Law and the Hazard Communication Standard. Both the "Right to Know" poster and the "Labor Law Information Relating to Public Employees" poster must be posted in common areas informing workers of relevant work hazards and associated rights.

The Superintendent or designee will maintain a current record of the contact information of every employee who handles or uses toxic substances and which substance(s) were handled or used by the employee.

Environmental Protection Agency, 40 CFR Parts 261 and 262  
Occupational Safety and Health Administration (OSHA), 29 CFR § 1910.1200  
Labor Law §§ 875-883  
Public Health Law §§ 4800-4808  
6 NYCRR Part 371  
9 NYCRR Part 1174

Adoption Date: 3/29/2018

**SUBJECT: PEST MANAGEMENT AND PESTICIDE USE**

The Board is committed to maintaining the integrity of school buildings and grounds while protecting the health and safety of students and staff and maintaining a productive learning environment.

Structural and landscape pests can pose significant problems for people and property. Weeds and infestations can destroy playing fields and playgrounds and more importantly, cause severe allergic reactions. Pesticides can pose risks to people, property, and the environment. It is therefore the policy of the District to incorporate Integrated Pest Management (IPM) procedures for control of weeds, structural, and landscape pests. The objective of this program is to provide necessary pest control while using the least toxic approach to all pests, weeds, and infestations.

**Pest/Pesticide Management Plan**

The District will manage weeds and pests to:

- a) Reduce any potential human health hazard or threat to public safety;
- b) Prevent loss or damage to school structures or property;
- c) Prevent pests from spreading into the community, or to plant and animal populations beyond the site; and
- d) Enhance the quality of life for students, staff, and others.

**Integrated Pest Management (IPM) Coordinator**

An IPM Coordinator will be appointed by the Superintendent. The Coordinator will be responsible for implementing the IPM policy and plan. The coordinator's responsibilities will include, but are not limited to, the following:

- a) Recording all pest sightings by school staff and students;
- b) Recording all pesticide use and utilizing the least toxic approach;
- c) Meeting with a local pest control expert, such as a pesticide contractor to share information on what pest problems are present in the school;
- d) Ensuring that all of the expert's recommendations on maintenance and sanitation are carried out where feasible;

(Continued)

**SUBJECT: PEST MANAGEMENT AND PESTICIDE USE (Cont'd.)**

- e) Ensuring that pesticide use is done when school is not in session or when the area can be completely secured against access by school staff and students for a standard 72 hours, or as required by the pesticide being used;
- f) Evaluating the school's progress in the IPM plan; and
- g) Notifying parents, staff and neighbors of any applications of pesticides 48 hours before they occur. The IPM Coordinator will serve as the District's Pesticide Representative.

**Pesticide Use on Common Areas**

Pesticides will not be used on playgrounds, turf, athletic or playing fields, in effect, all lawn areas of the school. In these common areas where children gather and play, pesticide alternatives will be used whenever possible and effective. The prohibition does not apply to indoor use or the application to building structures.

An exception may be made for emergency applications of pesticide only when approved in advance by the Board. The Board may consult with the local Health Department on public health related emergency determinations. They may also consult with the Department of Environmental Conservation (DEC) for environmental emergency determinations. Emergency determinations should only be sought for one-time pesticide application in a specific situation, which presents a true emergency. The guidance document from DEC provides clarification on emergency determinations and can be found on the official website of the DEC.

Some types of pesticides and alternatives, those deemed safe in federal regulation, may be allowable on playing fields and playgrounds in certain circumstances. The District will develop regulations governing the use of pesticides and their alternatives on school grounds.

**Fertilizer Use**

Phosphorous fertilizers will only be used on school grounds in compliance with the following requirements:

- a) Fertilizer use is prohibited between December 1 and April 1 annually.
- b) The use of fertilizers is prohibited within 20 feet of any surface water except:
  - 1. Where a continuous natural vegetation buffer, at least ten feet wide, separates lawn and water.
  - 2. Where a spreader guard, deflector shield or drop spreader is used, then the application may not occur within three feet of any surface water.

(Continued)

**SUBJECT: PEST MANAGEMENT AND PESTICIDE USE (Cont'd.)**

- c) The use of phosphorus fertilizers is prohibited on lawns or other non-agricultural turf with the following exceptions:
  - 1. The use of phosphorus fertilizers is needed to establish a new lawn; or
  - 2. A soil test shows that phosphorus fertilizers are needed for growth.
- d) Fertilizer cannot be used on any impervious surfaces and if such an application occurs, it must be cleaned immediately and legally applied or placed in an appropriate container.

**Notification**

The District's IPM Coordinator or designated Pesticide Representative will give prior written notice of all pesticide applications to anyone who has asked to receive this notice. The District will also notify parents, students, and staff of periodic pesticide applications. The District will maintain a list of those people who wish to receive 48 hour notice before pesticide applications and will ensure that a system is developed to deliver such notice in a timely fashion to all affected. The notification system may be by mail or email, and will ensure that a back-up method is available to notify those for whom the regular system is unworkable. The name and contact information for the District Pesticide Representative will be made available to all requesting it.

The District must also provide additional written notification to all parents and staff three times per year to inform them of any pesticide applications that have occurred: within ten days of the end of the school year, within two school days of the end of winter recess and within two days of the end of spring recess.

**Recordkeeping**

Records of pesticide use will be maintained on site for three years and will be completed on the day of pesticide use. In addition, pest surveillance records will be maintained to help verify the need for pesticide treatments. Annual reports of any applications must be sent to DEC.

Education Law §§ 409-k, 409-h  
Environmental Conservation Law §§ 17-2103, 33-0303  
40 CFR Part 152.25  
7 USC § 136(mm), 136q(h)(2) (FIFRA)  
8 NYCRR Part 155.4(d)(2)

Adoption Date: 3/29/2018

**SUBJECT: SMOKING/TOBACCO USE****School Grounds**

Tobacco use will not be permitted and no person will use tobacco on school grounds or within 100 feet of the entrances, exits, or outdoor areas of any public or private elementary or secondary schools. However, this does not apply to smoking in a residence, or within the real property boundary lines of residential real property. For purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds, including entrances or exits, contained within the District's preschool, nursery school, elementary or secondary school's legally defined property boundaries as registered in the County Clerk's Office; as well as all District vehicles, including vehicles used to transport children or school personnel.

Similarly, "tobacco" is defined to include any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, spit/spitless tobacco and any other smoking or tobacco product, (smokeless, dip, chew, snus and/or snuff) in any form.

It is the policy of the District that the use of e-cigarettes, vaporizers, and any other products containing nicotine, except for current FDA-approved smoking cessation products, are also prohibited.

**Off-School Grounds**

Tobacco use is prohibited by students at any school sponsored event or activity off school grounds.

**Posting/Notification of Policy**

In compliance with the New York State Clean Indoor Air Act, the District will prominently post its Smoking/Tobacco Use policy and signs prohibiting all forms of tobacco products in District buildings and other appropriate locations; and will supply a copy upon request to any current or prospective employee. The District will also designate a school official to tell individuals who smoke in a non-smoking area that they are in violation of the New York State Public Health Law, Education Law, the federal Pro-Children Act of 1994, and District policy.

The District will also ensure that this policy is communicated to staff, students, parents/guardians, volunteers, and visitors as deemed appropriate in order to orient all persons to the District's "No Smoking" Policy and environment.

**Prohibition of Tobacco Promotional Items/Tobacco Advertising**

Tobacco promotional items (e.g., brand names, logos, and other identifiers) are prohibited:

- a) On school grounds;

(Continued)



**SUBJECT: SMOKING/TOBACCO USE (Cont'd.)**

- b) In school vehicles;
- c) At school sponsored events, including those that take place off school premises and in another state;
- d) In school publications;
- e) On clothing, shoes, accessories, gear, and school supplies in accordance with the District *Code of Conduct* and applicable collective bargaining agreements.

This prohibition of tobacco promotional items will be enforced in accordance with the District *Code of Conduct* and applicable collective bargaining agreements.

In addition, tobacco advertising is also prohibited in all school sponsored publications and at all school sponsored events. The District will request, whenever possible, tobacco free editions of periodical publications for school libraries and classroom use.

Safe and Drug-Free Schools and Communities Act, 20 USC § 7101 et seq.  
Pro-Children Act of 2001, as amended by the No Child Left Behind Act of 2001, 20 USC §§ 7181-7184  
Education Law §§ 409, 2801(1) and 3020-a  
Public Health Law Article 13-E

NOTE: Refer also to Policies #3280 -- Use of School Facilities, Materials and Equipment  
#3410 -- Code of Conduct on School Property  
#7320 -- Alcohol, Tobacco, Drugs, and Other Substances  
#8210 -- Safety Conditions and Prevention Instruction  
District *Code of Conduct*

Adoption Date: 3/29/2018

**SUBJECT: ENERGY CONSERVATION AND RECYCLING IN THE SCHOOLS**

The Board recognizes the importance of energy conservation and is committed to the analysis, development, and initiation of conservation measures throughout the District for the purpose of reducing energy consumption, particularly in these times of declining levels of natural energy resources and increasing cost of these resources. The Board maintains an aggressive and responsible program to reduce consumption of energy by its facilities and to provide education to both staff and students on the conservation of energy.

The District is committed to an energy conservation program that addresses not only capital-related energy projects but ongoing, day-to-day energy related issues as well. All staff are urged to participate actively in a program of energy conservation by assisting in the efforts to eliminate the wasteful use of energy in the operation of the District's buildings. Cooperation will be required of each employee and each student to achieve a meaningful energy conservation program that results in a more efficient use of energy resources. Involvement of staff and students is essential to a successful program of energy conservation.

**Energy Manager**

The Director of Facilities and Operations is designated as the Energy Manager of the District and he or she will report directly to the Board and the Superintendent, or their designee, on matters pertaining to energy conservation.

**Energy Conservation Task Force**

The Board further directs the Superintendent to establish an energy conservation task force consisting of at least two Board members, the Superintendent, the School Business Official, the Director of Facilities and Operations, and such other individual(s) as may be necessary. The duties of this task force will include, but are not limited to, the following:

- a) Analyzing the District's energy consumption patterns and cost data;
- b) Selecting and recommending to the Board an energy audit or technical assistance study to determine where the District can save;
- c) Consider financing energy improvements with an energy performance contract. A technical assistance study can evaluate a proposed performance contract before the District enters into an agreement;
- d) Consider cost savings from cooperative purchasing arrangements with other municipalities and school districts.

(Continued)

**SUBJECT: ENERGY CONSERVATION AND RECYCLING IN THE SCHOOLS (Cont'd.)**

- e) Work with outside consultants and/or staff members to recommend and evaluate energy saving ideas including, but not limited to, technology power management, lighting changes, HVAC changes; and
- f) Evaluate and make recommendations about the energy efficiency of District buildings through periodic building inspections and surveys.

Progress reports on the implementation of energy conservation measures will be made to the Board at least annually.

**Minimum Indoor Air Temperature**

The District will comply with the Property Maintenance Code of New York State, part of the New York State Uniform Fire Prevention and Building Code, which requires that indoor occupiable work spaces be maintained at a minimum temperature of 65 degrees from September 14 to May 31 during the period the spaces are occupied. There are exceptions for areas of vigorous physical activities such as gymnasiums as well as processing spaces such as coolers or freezers. However, by law, code, or regulation there is no maximum temperature specified. Ventilation requirements only require fresh air, not cool air-conditioning.

**Long-Range Considerations**

The energy conservation program is an important factor to be considered in planning effective use of school facilities, new construction, remodeling or rehabilitation programs, and modernization projects.

**Recycling**

The Board is committed to protecting and improving the environment by recycling commonly used materials, waste prevention strategies, and purchasing recycled products when feasible. The Superintendent will create a task force charged with developing a program for the source separation and segregation of recyclable or reusable materials in the District. This District-wide recycling plan will include:

- a) A conservation education program to teach students about their social responsibility for preserving our resources, and involvement of all students and personnel in a comprehensive effort to reduce, reuse and recycle waste materials;
- b) A concerted effort to purchase recycled and biodegradable items;
- c) Separation of waste into appropriate categories for the purposes of recycling; and
- d) A cooperative effort with community recycling programs.

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**SUBJECT: ENERGY CONSERVATION AND RECYCLING IN THE SCHOOLS (Cont'd.)**

Environmental Conservation Law §§ 27-2101- 27-2117  
General Municipal Law § 120-aa  
19 NYCRR §§ 1221-1228 and 1240  
Energy Conservation Code of New York State 2007

Adoption Date: 3/29/2018

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)****School Food Service Program (Lunch and Breakfast)**

The Board has entered into an agreement with the New York State Education Department (SED) to participate in the National School Lunch Program, School Breakfast Program and/or Special Milk Program to receive commodities donated by the Department of Agriculture and to accept responsibility for providing free and reduced price meals to elementary and secondary students in the schools of the District.

The Superintendent or designee will have the responsibility to carry out the rules of the School Lunch and Breakfast Programs. The determination of which students are eligible is the responsibility of the Reviewing Official and Verification Official or the Office of Temporary and Disability Assistance of the Department of Social Services. Appeals regarding eligibility should be submitted to the Hearing Official of the District.

Free or reduced price meals may be allowed for qualifying students attending District schools upon receipt of a written application from the student's parent or guardian or a "Direct Certification" letter from the New York State Office of Temporary and Disability Assistance (OTDA). Applications will be provided by the District to all families.

School officials must also determine eligibility for free/reduced meals by using the Direct Certification Matching Process, a dataset supplied by the Office of Temporary and Disability Assistance, and made available by the SED. Any student receiving federal assistance through Supplemental Nutrition Assistance Program (SNAP) or Temporary Assistance to Needy Families (TANF) is automatically eligible for free meals and milk. There is no need for families to complete further applications. The District will notify parents or guardians of eligibility, giving them the opportunity to decline free meals if they so choose.

Procedures for the administration of the free and reduced price meal program of this District will be the same as those prescribed in current state and federal laws and regulations.

**Child Nutrition Program/Charging Meals**

Although not required by law, because of the District's participation in the Child Nutrition Program, the Board approves the establishment of a system to allow a student to charge a meal.

While it is the parents' or guardians' responsibility to provide their child with adequate funding to stay current with their meal accounts, we must never forget our overarching concern is the well-being of the child. Therefore, in those instances when children's meal accounts are depleted, great care should be taken to not embarrass the child and continue to take care of his or her nutritional needs.

(Continued)

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST) (Cont'd.)**

When a meal account is depleted, the child is to be provided a reimbursable meal. The meal "charge" will be noted but there will never be any comment made to the child (particularly in the presence of other children). When a student accumulates a negative balance, school messenger notifies the household of the charge balance. When an account reaches a \$5.00 charge balance, food services personnel will contact the parents to advise them of the situation. It is permissible to send a note home with the child at the end of the day which alerts the parent of the charges. If non-payment for charges persists, food services personnel will make contact with the family to see if they qualify for free or reduced price meals and involve school leadership.

Restriction of Sweetened Foods in School

Per school nutrition guidelines, the sale of sweetened foods will be prohibited from the beginning of the school day until the end of the last scheduled meal period.

Sweetened foods consist of sweetened soda water, chewing gum, candy, including hard candy, jellies, gum, marshmallow candies, fondant, licorice, spun candy, candy coated popcorn, and water ices except those which contain fruit or fruit juices.

Restrictions on Sale of Milk Prohibited

Schools that participate in the National School Lunch Program may not directly or indirectly restrict the sale or marketing of fluid milk products at any time or in any place on school premises or at school sponsored events.

Food Substitutions for Children with Disabilities

Federal regulations governing the operation of Child Nutrition Programs, Part B of the Individuals with Disabilities Education Act, and Section 504 of the Rehabilitation Act of 1973 require that children with disabilities be offered the opportunity to participate in all academic and nonacademic activities including the school nutrition programs. The District will make reasonable accommodations to those children with disabilities whose disabilities restrict their diets, such as providing substitutions and/or modifications in the regular meal patterns. These meal substitutions for students with disabilities will be offered at no extra charge. A student with a disability must be provided substitutions in food when that need is supported by a statement signed by a physician attesting to the need for the substitutions and recommending alternate foods.

However, the school food service is not required to provide meal services (for example, School Breakfast Program) to students with disabilities when the meal service is not normally available to the general student body, unless a meal service is required under the student's individualized education program (IEP) or Section 504 Accommodation Plan as mandated by a physician's written instructions.

(Continued)

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST) (Cont'd.)****Food Substitutions for Nondisabled Children**

Though not required, the District will also allow substitutions for non-disabled children who are unable to consume the regular meal because of medical or other special dietary needs if the request is supported by a statement signed by a recognized medical authority.

The District may also allow substitutions for fluid milk with a non-dairy beverage that is nutritionally equivalent (as established by the Secretary of Agriculture) to fluid milk and meets nutritional standards for students who are unable to consume fluid milk because of medical or other special dietary needs if the request is supported by a statement signed by a recognized medical authority or by the student's parent/legal guardian.

**Prohibition Against Adults Charging Meals**

Adults should pay for their meals at the time of service or set up pre-paid accounts.

**HACCP-Based Food Safety Program**

Schools participating in the National School Lunch and/or School Breakfast programs are required to implement a food safety program based on Hazard Analysis and Critical Control Point (HACCP) principles. The District must develop a written food safety program for each of its food preparation and service facilities that is based on *either* traditional HACCP principles *or* the "Process Approach" to HACCP. (The "Process Approach" simplifies traditional HACCP by grouping foods according to preparation process and applying the same control measures to all menu items within the group, rather than developing an HACCP plan for each item.) Regardless of the implementation option that is selected, the District's written food safety program must also include:

- a) Critical control points and critical limits;
- b) Monitoring procedures;
- c) Corrective actions;
- d) Verification procedures;
- e) Recordkeeping requirements; and
- f) Periodic review and food safety program revision.

(Continued)

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST) (Cont'd.)****School District Nutrition Advisory (Health and Safety) Committee**

In accordance with Education Law, the District has established a Child Nutrition Advisory Committee. The Committee includes, but is not limited to, a representative of the School Board; the food preparation staff; the physical education departments; the school registered professional nurse or health staff; a registered dietitian, if available; the faculty of the District; the parent-teacher associations in the District; the students enrolled in the District; and the parents/guardians of students enrolled in the District.

If, due to special circumstances, it is impossible or impracticable for all recommended groups to have members on the Committee for representation, the District may approve a Committee that, to the greatest extent possible, represents the interests of the aforementioned groups.

Prior to the start of school in the fall, the District will send in a newsletter written notice to all parents or guardians of enrolled students of the existence of the School District Nutrition (Health and Safety) Advisory Committee and supply information as to how interested parents or guardians may participate on the Committee. The District will also, to the extent practicable, give notice to all parents or guardians and students through its regular newsletters or other regular forms of written communication as to the scheduled dates of all meetings of the Advisory Committee.

The Committee will study all facets of the current nutritional policies of the District including, but not limited to:

- a) The goals of the District to promote health and proper nutrition;
- b) Vending machine sales;
- c) Menu criteria;
- d) Educational curriculum teaching healthy nutrition;
- e) Educational information provided to parents or guardians regarding healthy nutrition and the health risks associated with obesity;
- f) Opportunities offered to parents or guardians to encourage healthier eating habits to students;  
and
- g) The education provided to teachers and other staff as to the importance of healthy nutrition.

In addition, the Committee will consider recommendations and practices of other districts and nutrition studies.

(Continued)



**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST) (Cont'd.)**

Child Nutrition and WIC Reauthorization Act of 2004, PL 108-265

Child Nutrition Act 1966, 42 USC § 1771 et seq.

Richard B. Russell National School Lunch Act 1946, 42 USC § 1751 et seq.

§ 504 of the Rehabilitation Act of 1973, 29 USC § 794 et seq.

Individuals with Disabilities Education Act (IDEA), 20 USC §§ 1400-1485

7 CFR Parts 15B, 210 and 220

Education Law §§ 902(b), 915, 918, 1604(28), 1709(22), 1709(23) and 2503(9)(a)

8 NYCRR §§ 200.2(b)(1) and 200.2(b)(2)

Social Services Law § 95

**SUBJECT: WELLNESS**

**Introduction**

- a) Approximately 13% of school-aged children are obese, and 15% are overweight. (2001 Surgeon General's Report)
  - a) Between 56 – 85% of school age children consume soda everyday. (J Am Diet Assoc. 2003)
  - b) 51% of school-aged children consume less than one serving of fruits and vegetables a day. (J Am Diet Assoc. 2003)
  - c) 84% of school-age children consume too much fat. (J Am Diet Assoc. 2003)

It is our hope that we can help our children reach their full academic potential, to grow and to thrive, by providing access to healthful foods and opportunities to be physically active. Good health fosters students' attendance and better concentration. The normal school day is, for most children, nearly one-half of their non-sleep time. For some children it is even more. When we provide healthy food and physical activities for our students, we are reinforcing that we want healthy children so they can do well in school now and throughout their lives.

In order to provide the best opportunities for the LaFayette Central School District students, our wellness efforts include the coordination of the following:

- a) School Food Service
- b) Other food provided and available in the school
- c) Physical activity
- d) Nutrition education
- e) Health education
- f) School nurse
- g) Community involvement

**Goal**

It is our goal that the LaFayette School District will model healthful eating and provide opportunities for physical activity so that all students will have nutritious food in school, develop the habit of making nutritious food choices, and engage in regular physical activity now and for a lifetime. With this goal in mind we have set forth the following wellness policy.

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**SUBJECT: WELLNESS POLICY (Cont'd.)**

**Nutrition Education**

a) Classroom teaching

1. Elementary Science Standards

"Describe the factors that help promote good health and growth in humans."

Major understandings: "Humans need a variety of healthy foods, exercise, and rest in order to grow and maintain good health."

This standard is addressed in grades K through 6 in the Health Education.

Topics include Kindergarten through Grade Four: Healthy choices related to exercise, sleep and nutrition.

2. Intermediate (Grade Five through Grade Eight) Home and Career Skills:

Nutrition Education will be consistent with the *New York State Standards for Health, Physical Education and Family and Consumer Sciences*, and taught at the Elementary, Intermediate and High School level as outlined in the Learning Standards.

Standard #1, related to nutrition education, states "Students will have the necessary knowledge and skills to establish and maintain physical fitness, participate in physical activity and maintain personal health".

The key idea is that "students will use an understanding of the elements of good nutrition to plan appropriate diets for themselves and others. They will know and use the appropriate tools and technologies for safe and healthy food preparation."

(Continued)

**SUBJECT: WELLNESS POLICY (Cont'd.)**

Nutrition Education, which is a major focus of Intermediate Home and Careers, will help the students develop healthful eating habits by providing instruction in nutrition and modeling healthy eating. The students will have opportunities to prepare healthy food, and, as they eat the food they have cooked themselves, they will develop enthusiasm for eating healthy now, and in their future adult years. The three components of teaching this standard include:

(a) Nutrition knowledge

- 1) The food groups as described in the food guide pyramid.
- 2) Essential nutrients and the function of each.
- 3) Planning for meals and snacks that include a variety of food, and meet nutritional needs.
- 4) Safe food preparation, safe food handling and food storage.
- 5) Healthy weight management, body image topics, and diabetes will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically-active lifestyle and to reduce time spent on sedentary activities.

(b) Assessing one's personal eating habits, include using the website, [mypyramid.gov](http://mypyramid.gov), to help meet individual needs for nutrition and physical activity, and setting goals for improvement and achieving the goals.

(c) Nutrition-related skills, include understanding and using food labels, critically evaluating nutrition information and food advertising, and basic food preparation skills.

### 3. Regents Biology

The students learn about the Human Body Systems which includes the functions of the digestive system and a discussion of current research about nutrition issues.

b) Education, marketing, and promotion links outside the classroom

1. School Integration

(Continued)

**SUBJECT: WELLNESS POLICY (Cont'd.)**

(a) Other subjects such as math, science, language arts, social studies and foreign languages, if applicable to their curriculum, will be encouraged to include content, writing, critical thinking or problem solving nutrition activities.

(b) Home Communication, Families will be encouraged as partners in providing healthy food for their children. Communication will include, sharing nutrition and physical activity tips on the school website and in the LaFayette green sheet. Also information will be sent home with the school lunch menu, with the free-reduced meal application, as enclosures with back to school mailings and report cards and as handouts at school information meetings. Guest speakers, who are nutrition professionals, could provide informational programs and orientation to the school wellness policy.

(c) Cultural food tasting can be offered though the school Cultural Heritage week, Harvest/Spring Planting dinners and guest speakers.

(d) Signage, posted on the school lunch lines and school vending machines, will promote healthy choices.

(e) School Wellness Club could be created to help students develop healthy eating and exercise habits. They could also advocate and publicize healthy eating and exercise practices within the school.

(f) School Staff members are encouraged to model healthy eating for the students.

(g) Food and Beverages Sold Individually, food sold outside of reimbursable school meals, such as through school vending machines that are available to students, and fundraisers, during the school day, or through programs for students after the school day (excludes the LaFayette Apple Festival and food brought from home in student's school lunch).

Will meet the following nutrition and portion size standard:

1) Beverages accessible to students

**Allowed**

- Water or seltzer water without added caloric sweeteners
- Fruit and vegetable juices and fruit-based drinks that contain at least fifty percent (50%) fruit juice and that do not contain additional caloric sweeteners

(Continued)

**SUBJECT: WELLNESS POLICY (Cont'd.)**

- Unflavored or flavored low-fat or fat-free fluid milk
- Sports drinks, up to twenty (20) ounces, could be sold after the school lunch periods

**Not allowed**

- Soft drinks containing caloric sweeteners
- Iced teas
- Fruit based-drinks that contain less than fifty percent (50%) real fruit juice
- Beverages containing caffeine, (excluding low-fat or fat-free chocolate milk (which contain trivial amounts of caffeine))

**2) Foods**

A food item sold individually will meet the following requirements:

- "Will have no more than thirty five percent (35%) of its calories from fat (excluding nuts, seeds, peanut butter, and other nut butters) and ten percent (10%) of its calories from saturated and trans fat combined;
- Will not have high fructose corn syrup as the first listed ingredient and another form of sugar as the second listed ingredient;
- Will contain no more than 300 mg of sodium for chips, cereals, crackers, baked goods and other snack items.

A choice of at least two (2) fruits and/or non-fried vegetables will be offered for sale at any location on the school site where foods are sold. Such items could include, but are not limited to, fresh fruits and vegetables; one hundred percent (100%) fruit juices; cooked, dried or canned fruits (canned in fruit juice or light syrup); and cooked, dried or canned vegetables (that meet the above fat and sodium guidelines)".

**3) Portion Sizes**

Limit portion sizes of foods and beverages sold individually to those listed below or as updated per state and federal mandated requirements:

- "One and one-quarter (1 1/4) ounces for chips, crackers, popcorn, cereal, trail mix, nuts, seeds, dried fruit, or jerky
- One (1) ounce for cookies
- Two (2) ounces for cereal bars, granola bars, pastries, muffins, bagels, and other bakery items
- Four (4) fluid ounces for frozen desserts, including, but not limited to, low-fat or fat-free ice cream

(Continued)

**SUBJECT: WELLNESS POLICY (Cont'd.)**

- Eight ounces for non-frozen yogurt
- Twelve (12) fluid ounces for beverages, excluding water
- The portion size of a la carte entrée and side dishes, including potatoes, will not be greater than the size of comparable portions offered as part of school meals. Fruit and non-fried vegetables are exempt from portion-size limits."

**c) Fundraising Activities**

To support children's health and school nutrition-education efforts, school fundraising activities will encourage food or will use only foods that meet the above nutrition and portion size standards for foods and beverages sold individually. Healthy food fund raisers such as fruit and citrus fruit sales are encouraged. Schools will encourage fundraising activities that Promote physical activity.

**d) Teacher Training**

1. All staff members will receive orientation to the schools nutrition policy and training in basic knowledge of nutrition. This could be presented on the first Superintendent's Conference Day as staff returns to school. Guest speakers, who are nutrition professionals, could provide the program.
2. Staff responsible for teaching the nutrition education program for the LaFayette Central School District will be professionally certified to teach Family and Consumer Science or Health. They will attend professional development conferences to become updated on new nutrition information and teaching strategies.

**Physical Education**

The District will provide opportunities for every student to develop the knowledge and skills for specific physical activities, to maintain physical fitness, to regularly participate in physical activity, and to understand the short-term and long-term benefits of a physically active and healthy lifestyle.

The health education teacher and family consumer sciences teacher will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically active lifestyle and to reduce the time spent on sedentary activities.

The wellness committee has determined that the following standards are necessary to achieve this goal:

(Continued)

**SUBJECT: WELLNESS POLICY (Cont'd.)**

## a) Physical education graduation requirements

Graduation Requirements: 16 quarters of successful completion/2 credits completed during grades 9 through 12.

1 quarter = 1/8 of a credit

1 year = 1/2 of a credit

2 years = 1 credit

4 years = 2 credits

## b) Physical education class requirements

Students in grades K-12 will receive 120 minutes per week of physical education for the entire school year. All students will include those with disabilities, special health-care needs and students in an alternative setting. There will be no substituting the physical education requirement with an activity that includes physical activity such as interscholastic or intramural sports. Students will be engaged in moderate to vigorous activity fifty percent of their physical education class.

## c) Staff training/certification for physical education

1. Physical education will be taught by a certified physical education teacher.

2. Members of the physical education staff will attend at least one physical education or sport specific conference per year to increase the knowledge of the latest trends in physical activities.

3. The physical education, coaching, and wellness center staff must update their CPR/AED training every year and their First Aid training every three (3) years.

## d) Physical activity outside physical education classes

## 1. Classroom based physical activity

(a) Encourage elementary classroom teachers to create lessons which include physical activity to total at least one (1) thirty minute session per month.

(b) Encourage junior/senior high school classroom teachers to create lessons to include physical activity. Teachers are encouraged to create up to four (4) thirty minute sessions.



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**SUBJECT: WELLNESS POLICY (Cont'd.)**

(c) Opportunities will be available for teachers to receive trainings on classroom physical education activities.

2. Daily Recess/ Open Gym

(a) Elementary: 15 to 30 minutes every day of supervised recess, weather and scheduling permitting.

(b) Junior High: 15 minutes every other day of supervised open gym.

(c) Teachers and school staff will not use physical activity or withhold opportunities for physical activity as punishment.

3. Additional opportunities for physical activity

All elementary schools could offer extracurricular physical activity programs such as intramurals and/or fitness clubs. All junior and senior high schools will offer interscholastic athletics in accordance with Title IX. All students will be encouraged to join an athletic team that interests them and participate for the physical and social benefits of being a member of that team.

**Other School-Based Activities**

The district wishes to establish a school environment that presents consistent wellness message and is conducive to healthy eating and physical activity for all. In order to present a coordinated school approach where District decision-making related to nutrition and physical activity encompasses all aspects of the school, the Wellness Committee has determined that the following standards are necessary to achieve this goal.

a) Federal School Meal Programs

The District will participate to the maximum extent practicable in available federal school meal programs [School Breakfast Program, National School Lunch Program (including after-school snacks), Summer Food Service Program, Fruit and Vegetable Snack Program, and the Child and Adult Care Food Program (including suppers)].

b) Access to school nutrition programs

1. Schools will encourage all students to participate in school meal programs and will protect the identity of students who eat free and reduced-priced meals.

**SUBJECT: WELLNESS POLICY (Cont'd.)**

2. Free-Reduced Breakfast/Lunch Application Letter will be sent home to families and made available on the district website.
3. Meal options are offered that are culturally sensitive and address special dietary needs.
4. Schools in which more than 50% of students are eligible for free or reduced meals will sponsor the Summer Food Service for at least 4-6 weeks between the last day of the school year and the first day of the following school year.

c) Meal Environment

1. Meal timing and scheduling encourage participation in the school nutrition programs.
2. The physical environment is conducive to proper eating habits. The environment is pleasant and social and is enhanced and supervised by staff.
3. Staff is encouraged to eat with students.
4. Should schedule meal periods at appropriate times.

d) After-school programs for students

The after-school programs, such as the LaFayette After School Program (LASP) are made aware of nutrition related components and/or physical activity in line with our school-based philosophy.

e) Community Access to District facilities for physical activities

1. The staff will be encouraged to engage in three days of physical activity per week.
2. A school district wellness center is available for all students, age 14 and over with liability and medical release forms, staff and community members. It is located in the basement of the Junior/Senior High School. The wellness room consists of cardio and weight training equipment. The hours of operation shall be posted. There is a nominal fee for all staff and community members.
3. A facilities request form can be obtained from the main offices at the Onondaga Nation School, Grimshaw School, and the Junior/Senior High School. Any members of the community are able to request school facilities for physical activity including community council teams.

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**SUBJECT: WELLNESS POLICY (Cont'd.)**

f) Community involvement

1. The Wellness Center (located at the Junior/Senior High School) is open to the public.
2. The gymnasium (located at the Onondaga Nation School) is used by community organization during evening hours.
3. The cafeteria and gymnasium (located at the Grimshaw Elementary School) is used for various Community Council activities such as Aerobics.
4. Staff/Students athletic match-ups are planned at all buildings.
5. The Wellness Policy will be publicized on the District website. Community activities will be publicized by signage at the schools and newsletters.

g) Sustainable food practices

1. Standards for environmentally-friendly practices relating to food service will be sustained such as recycling, using fresh foods and environmentally-friendly soaps.
2. School practices will be encouraged such as sustaining a school garden, using locally grown and seasonal foods. The Onondaga Nation Community makes maple syrup annually.

**Nutrition Guidelines**

The Federal School Nutrition Standards will be implemented for all foods available on school campus during the school day based upon the unique needs of the student body and the community. The goal is to encourage healthy lifelong eating habits by providing foods that are high in nutrients, low in fat and added sugars, and of moderate portion size.

a) Nutritional Values of Foods and Beverages

1. Reimbursable school meals served at school will minimally meet the program requirements and nutrition stands of the National School Lunch Program.  
[http://www.access.gpo.gov/nara/cfr/waisidx\\_05/7cfr210\\_05.html](http://www.access.gpo.gov/nara/cfr/waisidx_05/7cfr210_05.html)
2. Food of minimal nutritional value on the school campus will be replaced with more nutritional options by adhering to the following standards for nutritional value of foods and beverages:

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**SUBJECT: WELLNESS POLICY (Cont'd.)**

- (a) Calories from total fat - Will have no more than thirty five percent (35%) of its calories from fat (excluding nuts, seeds and peanut butter)
- (b) Calories from saturated fat - Will have no more than ten percent (10%) of its calories from saturated and trans fat combined
- (c) Total sugar - Will have no more than thirty five percent (35%) of its weight from added sugars
- (d) Whole grain - at least fifty percent (50%) of breads and cereals will be whole grain
- (e) Portion size (current federal and state mandates or as updated)
  - 1) \*1.25 ounces for chips, crackers, popcorn, cereal, trail mix, nuts, seeds, dried fruit or jerky
  - 2) \*One ounce for cookies
  - 3) \*Two ounces for cereal bars, granola bars, pastries, muffins, doughnuts, bagels and other bakery items
  - 4) \*Four fluid ounces for frozen desserts, including, but not limited to, low-fat or fat free ice cream
  - 5) \*Four to Eight ounces for non-frozen yogurt
  - 6) \*Twelve fluid ounces for beverages, excluding water
  - 7) \*The portion size of a la cart entrees and side dishes, including potatoes, will not be greater than the size of comparable portions offered as part of school meals. Fruits and non-fried vegetables are exempt from portion-size limits.
- (f) Fruits and vegetables - a choice of at least two fruits and/or non-fried vegetables will be offered. Such items could include, but are not limited to, fresh fruits and vegetables; one hundred percent (100%) fruit or vegetable juice; cooked, dried or canned fruits (in light syrup); and cooked, dried or canned vegetables (that meet the above fat and sodium guidelines)
- (g) Beverages - only low-fat (1%) and fat-free milk will be served

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Operations

**SUBJECT: WELLNESS POLICY (Cont'd.)**

3. Nutrition information for products offered during lunch and after school will be readily available near the point of purchase.

**b) A la carte, vending machines, student stores, snack bars, concession stands, parties, celebrations, food-related fundraising, and food rewards/punishments**

1. Celebrations - Schools should limit celebrations that involve food during the school day (including but not limited to birthdays and holidays) to no more than two parties per class per month. The people providing the food are encouraged to include food and beverages that meet the nutrition standards for foods and beverages sold individually. Healthy party foods may include, fruit salads, vegetable trays, vegetarian pizza on whole grain English muffins, fruit spritzer with real fruit juice and soda water, reduced fat chocolate milk and fruit smoothies.

2. Snacks - Snacks served during the school day or in after-school care or enrichment programs will make a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. Schools will assess if and when to offer snacks based on timing of school meals, children's nutritional needs, children's ages, and other considerations.

3. Rewards - Schools will use foods and beverages that meet the nutrition standards for foods and beverages sold individually, as rewards for academic performance or good behavior. Schools will not withhold food or beverages (including food served through school meals) as punishment.

4. School-Sponsored Events - Foods and beverages offered or sold at school-sponsored events outside the school day will be encouraged to meet the nutrition standards for meals or for foods and beverages sold individually.

**c) Food or beverage contracts**

1. Food or vending company contracts must promote healthy alternatives.

2. Eliminate soda; promote 100% fruit juices, milk and water.

3. Venders will be directed to the District Website for the Wellness Policy.

(Continued)

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Non-Instructional/Business  
Operations

**SUBJECT: WELLNESS POLICY (Cont'd.)**

**d) Vending machines, snack shack, school stores, concession stands, and other food outlets**

1. Access to vending machines, snack bars, school stores, concession stands, and other food outlets on school property will be limited to after the school lunch is served.
2. Encourage all school sponsored events to offer healthy food and beverages that meet the nutrition recommendations.

**Implementation and Evaluation of the Wellness Policy**

In accordance with law, the District's wellness policy must be established by July 1, 2006; and the District will ensure school and community awareness of this policy through various means such as publication in District newsletters and/or the District calendar. Further, professional development activities for staff and student awareness training will be provided, as appropriate, on the goals of the District's wellness program, including activities/programs for the development of healthy eating habits and the incorporation of physical activity as part of a comprehensive healthy lifestyle.

The District shall establish an implementation and evaluation plan for the wellness policy in order to monitor the effectiveness of the policy and the possible need for further modification over time. Accordingly, the Superintendent shall designate one or more staff members within the District or at each school as appropriate to have operational responsibility for ensuring that the District meets the goals and mandates of its local wellness policy. Designated staff members may include, but are not limited to, the following personnel:

- a) Administrators;
- b) School health personnel including the school nurse, physical education teacher, family consumer sciences teacher and/or health education teacher;
- c) School Food Service Director.

These designated staff members shall periodically report to the Superintendent on the District's compliance with the wellness policy (or, if done at the building level, to the School Principal) and the Superintendent shall inform the Board of such findings. The Superintendent/designee shall prepare a summary report on the District-wide compliance with the District's wellness policy based on input from schools within the District. That report will be provided to the School Board and also distributed to the wellness committee, parent-teacher organizations, Building Principals, and school health services personnel within the District. The report shall also be available to community residents upon request.

Adoption Date: 3/29/2018

**SUBJECT: RECORDS MANAGEMENT**

A Records Management Officer will be designated by the Superintendent, subject to the approval of the Board. Such Records Management Officer will develop and coordinate an orderly and efficient records management program. This program includes the legal disposition or destruction of obsolete records and the storage and management of inactive records. The Records Management Officer will further be given the authority and responsibility to work with other local officials at all levels in the development and maintenance of the records management program.

In addition, a Records Advisory Board may be created to assist in establishing and supporting the records management program. The District's legal counsel, the fiscal officer, and the Superintendent or designee may comprise the Advisory Board.

**Retention and Disposition of Records**

The Superintendent will retain records for such a period and dispose of them in the manner described in Records Retention and Disposition Schedule ED-1.

Special Approvals for Disposition of Records

Records not listed on a records retention and disposition schedule will not be disposed of without the approval of the Commissioner of Education. Similarly, records that have been damaged by natural or manmade disasters, such that the information contained in those records is substantially destroyed, or the records constitute a human health or safety risk also require the Commissioner's approval before disposition.

**Replacing Original Records with Microforms or Electronic Images**

Digital images of public records may be stored on electronic media, and such electronic records may replace paper originals or micrographic copies of these records. To ensure accessibility and intelligibility for the life of these records, the District will follow the procedures prescribed by the Commissioner of Education.

**Retention and Preservation of Electronic Records**

The District will ensure that records retention requirements are incorporated into any plan and process for design, redesign, or substantial enhancement of an information system that stores electronic records. The District will also ensure that electronic records are not rendered unusable because of changing technology before their retention and preservation requirements are met.

**SUBJECT: DISPOSAL OF CONSUMER REPORT INFORMATION AND RECORDS**

In accordance with the Federal Trade Commission's (FTC) "Disposal Rule," and in an effort to protect the privacy of consumer information, reduce the risk of fraud and identity theft, and guard against unauthorized access to or use of the information, the District will take appropriate measures to properly dispose of sensitive information (i.e., personal identifiers) contained in or derived from consumer reports and records. The District may determine what measures are reasonable based on the sensitivity of the information, the costs and benefits of different disposal methods, and changes in technology.

The term "consumer report" includes information obtained from a consumer reporting company that is used - or expected to be used - in establishing a consumer's eligibility for employment or insurance, among other purposes. The term "employment purposes" when used in connection with a consumer report means a report used for the purpose of evaluating a consumer for employment, promotion, reassignment, or retention as an employee.

The FTC Disposal Rule defines "consumer information" as "any record about an individual, whether in paper, electronic, or other form, that is a consumer report or is derived from a consumer report. Consumer information also means a compilation of such records. Consumer information does not include information that does not identify individuals, such as aggregate information or blind data."

**Information Covered by the Disposal Rule**

There are a variety of personal identifiers beyond simply a person's name that would bring information within the scope of the Disposal Rule, including, but not limited to, a social security number, driver's license number, phone number, physical address, and email address. Depending upon the circumstances, data elements that are not inherently identifying can, in combination, identify particular individuals.

**"Proper" Disposal**

The District will utilize disposal practices that are reasonable and appropriate to prevent the unauthorized access to—or use of—information contained in or derived from consumer reports and records. Reasonable measures to protect against unauthorized access to or use of consumer information in connection with District disposal include the following examples.

- a) Burning, pulverizing, or shredding of papers containing consumer information so that the information cannot practicably be read or reconstructed;
- b) Destroying or erasing electronic media containing consumer information so that the information cannot practicably be read or reconstructed;

(Continued)



**SUBJECT: DISPOSAL OF CONSUMER REPORT INFORMATION AND RECORDS  
(Cont'd.)**

- c) After due diligence, entering into and monitoring compliance with a contract with another party engaged in the business of record destruction to dispose of material, specifically identified as consumer information, in a manner consistent with the Disposal Rule.
- d) For persons (as defined in accordance with the Fair Credit Reporting Act) or entities who maintain or otherwise possess consumer information through their provision of services directly to a person subject to the Disposal Rule, monitoring compliance with policies and procedures that protect against unauthorized or unintentional disposal of consumer information, and disposing of this information in accordance with examples a) and b) above.

**Implementation of Practices and Procedures**

The Board delegates to the Superintendent or designee the authority and responsibility to review current practices regarding the disposal of consumer information; and to implement such further reasonable and appropriate procedures, including staff training as necessary, to ensure compliance with the FTC's Disposal Rule.

The Fair Credit Reporting Act, 15 USC § 1681 et seq.  
The Fair and Accurate Credit Transactions Act of 2003, Public Law §§ 108-159  
Federal Trade Commission Disposal of Consumer Report Information and Records, 16 CFR Part 682  
General Business Law Article 39-G  
19 NYCRR § 199

**SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION**

The District values the protection of private information of individuals in accordance with applicable law and regulations. The District is required to notify affected individuals when there has been or is reasonably believed to have been a compromise of the individual's private information in compliance with the Information Security Breach and Notification Act and Board policy.

a) "Private information" means \*\*personal information in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:

1. Social security number;
2. Driver's license number or non-driver identification card number; or
3. Account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account.

"Private information" does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

\*\*"Personal information" means any information concerning a person which, because of name, number, symbol, mark or other identifier, can be used to identify that person.

b) "Breach of the security of the system" means unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the District. Good faith acquisition of personal information by an employee or agent of the District for the purposes of the District is not a breach of the security of the system, provided that private information is not used or subject to unauthorized disclosure.

**Determining if a Breach Has Occurred**

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or person without valid authorization, the District may consider the following factors, among others:

- a) Indications that the information is in the physical possession or control of an unauthorized person, such as a lost or stolen computer or other device containing information; or
- b) Indications that the information has been downloaded or copied; or

(Continued)

**SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)**

- c) Indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported;
- d) System failures.

**Notification Requirements**

- a) For any computerized data owned or licensed by the District that includes private information, the District will disclose any breach of the security of the system following discovery or notification of the breach to any New York State resident whose private information was, or is reasonably believed to have been, acquired by a person without valid authorization. The disclosure to affected individuals will be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system. The District will consult with the State Office of Information Technology Services to determine the scope of the breach and restoration measures.
- b) For any computerized data maintained by the District that includes private information which the District does not own, the District will notify the owner or licensee of the information of any breach of the security of the system immediately following discovery, if the private information was, or is reasonably believed to have been, acquired by a person without valid authorization.

The notification requirement may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. The required notification will be made after the law enforcement agency determines that the notification does not compromise the investigation.

**Methods of Notification**

The required notice will be directly provided to the affected persons by one of the following methods:

- a) Written notice;
- b) Electronic notice, provided that the person to whom notice is required has expressly consented to receiving the notice in electronic form; and a log of each such notification is kept by the District when notifying affected persons in electronic form. However, in no case will the District require a person to consent to accepting such notice in electronic form as a condition of establishing any business relationship or engaging in any transaction;
- c) Telephone notification, provided that a log of each such notification is kept by the District when notifying affected persons by phone; or

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**SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)**

- d) Substitute notice, if the District demonstrates to the State Attorney General that the cost of providing notice would exceed \$250,000, or that the affected class of subject persons to be notified exceeds 500,000, or that the District does not have sufficient contact information. Substitute notice will consist of all of the following:
1. Email notice when the District has an email address for the subject persons;
  2. Conspicuous posting of the notice on the District's website page, if the District maintains one; and
  3. Notification to major statewide media.

Regardless of the method by which notice is provided, the notice will include contact information for the notifying District and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.

In the event that any New York State residents are to be notified, the District will notify the New York State Attorney General (AG), the New York State Department of State, and the New York State Office of Information Technology Services as to the timing, content, and distribution of the notices and approximate number of affected persons.

In the event that more than 5,000 New York State residents are to be notified at one time, the District will also notify consumer reporting agencies, as defined in State Technology Law Section 208, as to the timing, content and distribution of the notices and approximate number of affected persons. This notice will be made without delaying notice to affected New York State residents. A list of consumer reporting agencies will be compiled by the State Attorney General and furnished upon request to school districts required to make a notification in accordance with State Technology Law Section 208(2), regarding notification of breach of security of the system for any computerized data owned or licensed by the District that includes private information.

State Technology Law §§ 202 and 208

Adoption Date: 3/29/2018

**SUBJECT: EMPLOYEE PERSONAL IDENTIFYING INFORMATION**

The District will restrict the use and access to employee personal identifying information. As defined in law, "personal identifying information" includes social security number, home address or telephone number, personal electronic mail address, Internet identification name or password, parent's surname prior to marriage, or driver's license number.

The District will not unless otherwise required by law:

- a) Publicly post or display an employee's social security number;
- b) Visibly print a social security number on any identification badge or card, including any time card;
- c) Place a social security number in files with unrestricted access; or
- d) Communicate an employee's personal identifying information to the general public.

A social security number will not be used as an identification number for purposes of any occupational licensing.

District staff will have access to this policy, informing them of their rights and responsibilities in accordance with Labor Law Section 203-d. District procedures for safeguarding employee "personal identifying information" will be evaluated; and employees who have access to this information as part of their job responsibilities will be advised as to the restrictions on release of this information in accordance with law.

Labor Law § 203-d

Adoption Date: 3/29/2018

**SUBJECT: DATA NETWORKS AND SECURITY ACCESS**

The District values the protection of private information of individuals in accordance with applicable law, regulations, and best practice. Accordingly, District officials and Information Technology (IT) staff will, with collaboration of the Central New York Regional Information Center (CNYRIC), plan, implement, and monitor IT security mechanisms, procedures, and technologies necessary to prevent improper or illegal disclosure, modification, or denial of sensitive information in the District Computer System (DCS). Similarly, such IT mechanisms and procedures will also be implemented in order to safeguard District technology resources, including computer hardware and software. District network administrators may review District computers to maintain system integrity and to ensure that individuals are using the system responsibly. Users should not expect that anything stored on school computers or networks will be private.

In order to achieve the objectives of this policy, the Board entrusts the Superintendent, or his or her designee, to:

- a) Inventory and classify personal, private, and sensitive information on the DCS to protect the confidentiality, integrity, and availability of information;
- b) Develop password standards for all users including, but not limited to, how to create passwords and how often such passwords should be changed by users to ensure security of the DCS;
- c) Ensure that the "audit trail" function is enabled within the District's network operating system, which will allow the District to determine on a constant basis who is accessing the DCS, and establish procedures for periodically reviewing such audit trails;
- d) Develop procedures to control physical access to computer facilities, data rooms, systems, networks, and data to only authorized individuals; such procedures may include ensuring that server rooms remain locked at all times;
- e) Establish procedures for tagging new purchases as they occur, relocating assets, updating the inventory list, performing periodic physical inventories, and investigating any differences in an effort to prevent unauthorized and/or malicious access to these assets;
- f) Periodically grant, change, and terminate user access rights to the overall networked computer system and to specific software applications and ensure that users are given access based on, and necessary for, their job duties;
- g) Limit user access to the vendor master file, which contains a list of vendors from which District employees are permitted to purchase goods and services, to only the individual who is responsible for making changes to such list, and ensure that all former employees' access rights to the vendor master list are promptly removed;

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**SUBJECT: DATA NETWORKS AND SECURITY ACCESS (Cont'd.)**

- h) Determine how, and to whom, remote access should be granted, ensure computer use agreements are signed with those whom have remote access to establish the District's needs and expectations, as appropriate, and monitor and control such remote access;
- i) Deploy software to servers and workstations to identify and eradicate malicious software attacks such as viruses and malware;
- j) Develop a disaster recovery plan appropriate for the size and complexity of District IT operations to ensure continuous critical IT services in the event of any sudden, catastrophic event, including, but not limited to fire, computer virus or deliberate or inadvertent employee action.

Adoption Date: 3/29/2018

**SUBJECT: STUDENT GRADING INFORMATION SYSTEMS**

Student performance is assessed in many ways, but primarily through assigned grades. The District will help ensure the integrity of student grades by controlling access to its grading information system and by approving modifications to grades where warranted.

**The System**

The District utilizes an electronic software system that contains a record of student performance, credit accumulation, report cards, and a transcript. More specifically, the system includes class rosters where teachers enter student grades and track their students' academic progress. The system is used to generate student report cards and transcripts, and to maintain all student grading records.

To protect student data in the system, the District will first establish who has the authority to grant, change, or terminate user access. The personnel with this authority will be very limited. Further, if the grading system has a feature that allows one user or account to assume the identity of another user or account, the District will restrict or disable that feature. These types of features could allow a user greater access than intended, including inheriting permissions of another user that are greater than the user's.

**System Access**

The District will create categories of system users and assign appropriate system permissions to each. Users' permissions will be compatible with and restricted by their roles and job duties; their access will be as restrictive as possible. Typically, teachers will have the ability to enter, update, and modify grades each marking period before a pre-determined lockout date. The lockout function will be consistently used throughout the school year to help prevent grade modifications without authorization after a marking period closes. Through increased system permissions, other individuals—such as non-classroom teachers, guidance counselors, information technology (IT) staff, clerical staff, and support staff—will be able to view or modify grades.

The District will work with its IT, human resources, and other appropriate departments to determine how best to timely establish access rights, add users, deactivate or modify user accounts, and monitor user accounts. The District will develop further IT controls to protect against improper access, if needed.

**Grade Changes**

Once the lockout period begins, only authorized users identified by the District may change grades, and only under certain circumstances. The system will recognize when grades change, and a log of modified grades may then be viewed and printed. Any grade mismatches will be reconciled before the next marking period closes or before the end of the school year, whichever is earlier.

(Continued)



**SUBJECT: STUDENT GRADING INFORMATION SYSTEMS (Cont'd.)**

The staff member seeking to change a grade will submit a written or email request to his/her building principal. All documents supporting a grade modification will be electronically filed in the grading system or filed in a non-electronic system—if electronic filing is impossible or impractical—and maintained for six years. The personnel seeking the modification should specify one or more reasonable grounds for the grade change in the request for change. There must be reasonable grounds to alter a grade. The reasons may include:

- a) Data entry error;
- b) Computational error;
- c) A modification based on work submitted or considered after the lockout date;
- d) Changing an incomplete grade to a regular grade because a student completed course requirements;
- e) Credit recovery coursework;
- f) Administrative change; or
- g) Other acceptable justifications.

**Audit Log and Monitoring**

The District's grading system will have an audit log or grade-change report function that records certain system activities, including modifications to grades. The District will periodically monitor audit logs or grade-change reports to confirm the integrity of the system, to ensure proper access by personnel, and to confirm that modifications within the system are appropriate and completed in a timely manner. The District will also periodically monitor user accounts and rights so that the permissions granted are proper and the minimum necessary for each user or user group. To the extent feasible, the District will make sure that user accounts are current and updated regularly. The District will be able to print user information, logs, reports, and other documents from the student grading information system, as needed.

**Student Transcripts**

Student transcripts may show all credit-bearing classes; final grades; test scores; grade-point average; class rank; diploma type; SAT, ACT, and other standardized test scores; and graduation date. The same controls, protections, and monitoring applicable to student grading information apply equally to student transcripts.

Adoption Date: 3/29/2018

**SUBJECT: SCHOOL SAFETY PLANS**

The District considers the safety of its students and staff to be of the utmost importance and is keenly aware of the evolving nature of threats to schools. As such, it will address those threats accordingly through appropriate emergency response planning. The District-wide school safety plan and the building-level emergency response plan will be designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the coordination of schools and the District with local and county resources in the event of these incidents or emergencies.

These plans will be reviewed by the appropriate team on at least an annual basis and updated as needed by September 1. Specifically, the Board will make each District-wide school safety plan available for public comment at least 30 days prior to its adoption. The District-wide school safety plans may only be adopted by the Board after at least one public hearing that provides for the participation of school personnel, parents, students, and any other interested parties. Additionally, the District-wide school safety plan will designate the Superintendent or designee as the chief emergency officer responsible for coordinating communication between school staff and law enforcement and first responders, and for ensuring staff understanding of this plan. Similarly, the Superintendent will be responsible for ensuring the completion and yearly updating of building-level emergency response plans.

**District-Wide School Safety Plan**

District-wide school safety plan means a comprehensive, multi-hazard school safety plan that covers all school buildings of the District, addresses crisis intervention, emergency response and management at the District level, and has the contents as prescribed in Education Law and Commissioner's regulations.

The District-wide school safety plan will be developed by the District-wide school safety team appointed by the Board. The District-wide team will include, but not be limited to, representatives of the Board, , teacher, administrator, and parent organizations, school safety personnel, and other school personnel.

The plan will further address, among other items as set forth in Education Law and Commissioner's regulations, how the District will respond to implied or direct threats of violence by students, teachers, other school personnel as well as visitors to the school, including threats by students against themselves (e.g. suicide).

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**SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)****Building-Level Emergency Response Plan**

Building-level emergency response plan means a plan that addresses crisis intervention, emergency response and management at the building level and has the contents as prescribed in Education Law and Commissioner's regulations. As part of this plan, the District will define the chain of command in a manner consistent with the National Incident Management System (NIMS)/Incident Command System (ICS).

The building-level emergency response plan will be developed by the building-level emergency response team. The building-level emergency response team is a building-specific team appointed by the building principal, in accordance with regulations or guidelines prescribed by the Board. The building-level team will include, but not be limited to, representatives of teacher, administrator, and parent organizations, school safety personnel and other school personnel, community members, law enforcement officials, fire officials, or other emergency response agencies, and any other representatives the Board deems appropriate.

**Training Requirement**

The District will submit certification to the New York State Education Department that all District and school staff have received annual training on the emergency response plan, and that this training included components on violence prevention and mental health. New employees hired after the start of the school year will receive training within 30 days of hire, or as part of the District's existing new hire training program, whichever is sooner.

**Filing/Disclosure Requirements**

The District will file a copy of its District-wide school safety plan and any amendments with the Commissioner of Education no later than 30 days after its adoption. A copy of each building-level emergency response plan and any amendments will be filed with the appropriate local law enforcement agency and with the state police within 30 days of its adoption. Building-level emergency response plans will be kept confidential and are not subject to disclosure under the Freedom of Information Law (FOIL) or any other provision of law.

Homeland Security Presidential Directives - HSPD-5, HSPD-8  
Homeland Security Act of 2002, 6 USC § 101  
Education Law §§ 807, 2801-a  
Public Officers Law Article 6  
8 NYCRR § 155.17

Adoption Date: 3/29/2018

**SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN  
PUBLIC SCHOOL FACILITIES**

The District will provide and maintain on-site in each instructional school facility functional cardiac automated external defibrillator (AED) equipment as defined in Public Health Law Section 3000-b for use during emergencies. Each facility will have sufficient AED equipment available to ensure ready and appropriate access for use during emergencies in quantities and types as deemed by the Commissioner of Education, in consultation with the Commissioner of Health. Determination of the quantity and placement of AEDs must be made with consideration of at least the factors described in Commissioner's regulations. An instructional school facility means a building or other facility maintained by the District where instruction is provided to students in accordance with its curriculum.

Whenever an instructional District facility is used for a school sponsored or school-approved curricular or extracurricular event or activity and whenever a school sponsored athletic contest is held at any location, the public school officials and administrators responsible for the school facility or athletic contest will ensure that AED equipment is provided on-site and that there is present during such event, activity, or contest at least one staff person who is trained in accordance with Public Health Law in the operation and use of an AED. School sponsored or school-approved curricular or extracurricular events or activities mean events or activities of the District that are, respectively, associated with its instructional curriculum or otherwise offered to its students. A school sponsored athletic contest means an extraclass intramural athletic activity of instruction, practice and competition for students in grades 4 through 12 consistent with Commissioner's regulations Section 135.4.

Where a school sponsored competitive athletic event is held at a site other than a District facility, District officials will ensure that AED equipment is provided on-site by the sponsoring or host district and that at least one staff person who is trained, in accordance with Public Health Law, in the operation and use of the AED is present during the athletic event. A school sponsored competitive athletic event means an extraclass interscholastic athletic activity of instruction, practice and competition for students in grades 7 through 12 consistent with Commissioner's regulations Section 135.4.

It is the policy of our District to provide proper training requirements for District AED users, to ensure the immediate calling of 911 and/or the community equivalent ambulance dispatch entity whenever the AED is used, to ensure ready identification of the location of the AED units as set forth in the District's Public Access Defibrillation Collaborative Agreement.

The District will provide for regular maintenance and checkout procedures of the AED unit(s) which meet or exceed manufacturer's recommendations. Appropriate documentation will be maintained in accordance with law and/or regulation. Further, the District will participate in the required Quality Improvement Program as determined by the Regional Emergency Medical Services Council.

The District will post a sign or notice at the main entrance to the facility or building in which the AED unit(s) is stored, indicating the exact location where the unit(s) is stored or maintained on a regular basis.

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**SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN  
PUBLIC SCHOOL FACILITIES (Cont'd.)**

The District or any employee or other agent of the District who, in accordance with the provisions of law, voluntarily and without expectation of monetary compensation, renders emergency medical or first aid treatment using an AED to a person who is unconscious, ill, or injured, will not be liable for damages for injury or death unless caused by gross negligence.

Education Law § 917  
Public Health Law §§ 3000-a and 3000-b  
8 NYCRR §§ 135.4 and 136.4

Adoption Date: 3/29/2018

**SUBJECT: FIRE AND EMERGENCY DRILLS, BOMB THREATS, AND BUS  
EMERGENCY DRILLS****Fire and Emergency Drills**

The administration of each school building will instruct and train students on appropriate emergency responses, through fire and emergency drills, in the event of a sudden emergency.

Fire and emergency drills will be held at least twelve (12) times in each school year; eight (8) of these will be evacuation drills and four (4) must be lockdown drills. There must be at least eight drills completed by December 31 of each school year. Drills will be conducted at different times of the school day. Students will also be instructed in the procedures to be followed in the event that a fire occurs during the regular school lunch period or assembly, however, this additional instruction may be waived if a drill is held during the regular lunch period or assembly.

Summer School

At least two additional drills will be held during summer school in buildings where summer school is held, and one of these drills will be held during the first week of summer school.

After-School Programs, Events, or Performances

The building principal or designee will require those in charge of after-school programs, events, or performances attended by any individuals unfamiliar with that school building, to announce at the beginning of these programs the procedures to be followed in the event of an emergency.

**Bomb Threats**School Bomb Threats

A bomb threat, even if later determined to be a hoax, is a criminal act. No bomb threat should be treated as a hoax when it is first received. Upon receiving any bomb threat, the school has an obligation and responsibility to ensure the safety and protection of the students and other occupants of the school. This obligation takes precedence over a search for a suspect object. Prudent action is dependent upon known information about the bomb threat-location, if any; time of detonation; etc. Specific procedures as to appropriate responses as a result of a bomb threat can be located in the building-level emergency response plan, as required by relevant law and regulation.

(Continued)

**SUBJECT: FIRE AND EMERGENCY DRILLS, BOMB THREATS, AND BUS  
EMERGENCY DRILLS (Cont'd.)**Police Notification and Investigation

Appropriate law enforcement agencies must be notified by the building administrator or designee of any bomb threat as soon as possible after receiving the threat. Law enforcement officials will contact, as the situation requires, fire and/or county emergency coordinators according to the county emergency plan.

Implementation

The Superintendent or designee will develop written procedures to implement the terms of this policy. Additionally, these procedures will be incorporated in the District-wide school safety plan and the building-level emergency response plan, with provisions to provide written information to all staff and students regarding emergency procedures by October 1 of each school year, an annual drill to test the emergency response procedures under each of its building-level emergency response plans; and the annual review of the District-wide and building-level emergency response plans, along with updates as necessary, by September 1, as mandated by law or regulation.

**Bus Emergency Drills**

The administration will conduct a minimum of three emergency drills to be held on each school bus during the school year. The first drill will be conducted during the first seven days of school, the second drill between November 1 and December 31, and the third drill between March 1 and April 30. No drills will be conducted when buses are on routes.

Students who ordinarily walk to school will also be included in the drills. Students attending public and nonpublic schools who do not participate in regularly scheduled drills will also be provided drills on school buses, or as an alternative, will be provided classroom instruction covering the content of these drills.

Each drill will include practice and instruction in the location, use, and operation of the emergency door, fire extinguishers, first-aid equipment, and windows as a means of escape in the event of fire or accident. Similarly, students will be instructed on all topics mandated by relevant sections of the Education Law and Commissioner's regulations, including, but not limited to, the following:

- a) Safe boarding and exiting procedures with specific emphasis on when and how to approach, board, disembark, and move away from the bus after disembarking;
- b) Advancing at least ten feet in front of the bus before crossing the highway after disembarking; and
- c) Orderly conduct as bus passengers.

(Continued)

**SUBJECT: FIRE AND EMERGENCY DRILLS, BOMB THREATS, AND BUS  
EMERGENCY DRILLS (Cont'd.)**Instruction on Use of Seat Belts

When students are transported on school buses equipped with seat safety belts, the District will ensure that all students who are transported on any school bus owned, leased, or contracted for by the District will receive instruction on the use of seat safety belts. This instruction will be provided at least three times each year to both public and nonpublic school students who are so transported and will include, but not be limited to:

- a) Proper fastening and release of seat safety belts;
- b) Acceptable placement of seat safety belts on students;
- c) Times at which the seat safety belts should be fastened and released; and
- d) Acceptable placement of the seat safety belts when not in use.

Education Law §§ 807, 2801-a and 3623  
Penal Law §§ 240.55, 240.60 and 240.62  
8 NYCRR §§ 155.17, 156.3(f), 156.3(g), and 156.3(h)(2)



**SUBJECT: USE OF SURVEILLANCE CAMERAS IN THE DISTRICT AND ON SCHOOL BUSES**

It is the Board's responsibility to ensure the safety of the District's students, staff, facilities, and property. While the Board recognizes the importance of privacy, it has authorized the use of surveillance cameras on District property including in school buildings, school facilities, as well as on school buses, when necessary. These surveillance cameras will help to assist the Board in maintaining the overall safety and welfare of the District's students, staff, property, and visitors, as well as to deter theft, violence, and other criminal activities.

Further, surveillance cameras will only be placed in public or common areas, such as stairwells, hallways, cafeterias, parking lots, or playgrounds, and not in private areas such as locker rooms, bathrooms, or other areas in which individuals have a reasonable expectation of privacy. Audio recordings will not be utilized by the District officials, however, this prohibition may not preclude the use of audio recordings by law enforcement officials in accordance with their official duties or as otherwise authorized by law.

**Disciplinary Proceedings**

Video recordings or footage from District surveillance cameras may be used in student or employee disciplinary proceedings, as appropriate.

**Signage/Notification**

The District will place signage at entrances to the school campus or at major entrances into school buildings notifying students, staff, as well as any visitors of the District's use of surveillance cameras. Students and staff will also receive additional notification, as deemed appropriate by the Superintendent, regarding the use of its surveillance cameras through means such as publication in the District calendar, employee handbook, and/or the student handbook.

**Maintenance of Video Recordings**

Any video surveillance recording in the schools, on school buses, or on school property, on tape, CD, or digitally, will be the sole property of the District and stored in its original form and in a secure location to avoid tampering and also to ensure its confidentiality in accordance with relevant law and regulations.

In addition, to the extent that any video images create student or personnel records, the District will comply with all applicable state and federal laws related to record retention, record maintenance, and record disclosure, including the Family Educational Rights and Privacy Act ("FERPA").

**SUBJECT: EXPOSURE CONTROL PROGRAM**

The District will establish an exposure control program designed to prevent and control exposure to bloodborne pathogens. According to the New York State Department of Labor's Division of Safety and Health and Occupational Safety and Health Administration (OSHA) standards, the program will consist of:

- a) Guidelines for maintaining a safe, healthy school environment to be followed by staff and students alike;
- b) Written standard operating procedures for blood or body fluid clean-up;
- c) Appropriate staff education and training;
- d) Evaluation of training objectives;
- e) Documentation of training and any incident of exposure to blood or body fluids;
- f) A program of medical management to prevent or reduce the risk of pathogens, specifically hepatitis B and Human Immunodeficiency Virus (HIV);
- g) Written procedures for the disposal of medical waste; and
- h) Provision of protective materials and equipment for all employees who perform job-related tasks involving exposure or potential exposure to blood, body fluids, or tissues.

29 CFR § 1910.1030

Adoption Date: 3/29/2018

**SUBJECT: COMMUNICABLE DISEASES**

Whenever, upon investigation and evaluation by the Director of School Health Services or other health professionals acting upon direction or referral of the director, a student in the public schools shows symptoms of any communicable or infectious disease reportable under the public health law that imposes a significant risk of infection of others in the school, he or she will be excluded from the school and sent home immediately. The Director of School Health Services will immediately notify a local public health agency of the disease.

Following absence on account of illness or from unknown cause, the Director of School Health Services may examine each student returning to a school without a certificate from a local public Health Officer, a duly licensed physician, physician assistant, or nurse practitioner.

The Director of School Health Services, or other health professionals acting upon direction or referral of the director, may make evaluations of teachers and any other school employees, school buildings and premises as, in their discretion, they may deem necessary to protect the health of the students and staff.

Education Law § 906  
8 NYCRR §§ 136.3(h) and 136.3(i)

**SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES**

A student will not be denied the right to attend school or continue his or her education because he or she has been diagnosed with AIDS or any other human immunodeficiency virus (HIV)-related illness. In addition, an employee who has been similarly diagnosed will not be denied the right to continue his or her employment with the District based solely upon their AIDS/HIV status. The disclosure of confidential HIV-related information will be strictly limited.

Administrative procedures will be developed and implemented by the administration based on recommendations from the New York State Education Department and from consultation with appropriate professional and medical staff in the District.

The Superintendent will also establish protocols for routine sanitary procedures for dealing with the cleaning and handling of body fluids in school, with special emphasis placed on staff awareness.

Public Health Law Article 27-F

Adoption Date: 3/29/2018

**SUBJECT: TRANSPORTATION PROGRAM**

The Board recognizes and assumes the responsibility for all aspects of the transportation of children where the health and safety of students are involved, in light of its legal obligation to safeguard the welfare of bus-riding children. The purposes of the transportation program are to transport students to and from school, to transport them for extracurricular activities, to transport them on field trips, and to transport those requiring special services.

**Scheduling and Routing**

Bus routes are authorized by the Transportation Supervisor and any requests for a change must be submitted to the Transportation Supervisor.

Transportation services will be provided to meet the needs of the students of the District within specified limits and areas established by the Board.

**School Bus Schedules**

The District may either mail schedules directly to parents or request that parents pick up schedules at the school. Should the District decide to post school bus schedules online, access to the schedules will be password protected.

**Use of Buses by Community Groups**

Upon formal application to and approval by the Board, buses may be rented or leased to a municipal corporation; to any senior citizen center recognized and funded by the Office for the Aging; to any not-for-profit organization serving those with disabilities; or, to any not-for-profit organization which provides recreational youth services or neighborhood recreation centers. Rentals or leases will be made only for times when vehicles are not needed for student transport and for a consideration acceptable to the Board which will not be less than the full amount of the costs and expenses resulting from the lease or rental.

Education Law §§ 1501-b, 3602(7), 3620-3628, 3635 and 3636

NOTE: Refer also to Policy #7131 -- Education of Homeless Children and Youth

Adoption Date: 3/29/2018

**SUBJECT: USE OF SCHOOL-OWNED VEHICLES**

School-owned vehicles may not be rented or loaned to community groups or other groups. Agreements with municipalities for use of school vehicles may only be made with the approval of the Board of Education, within the limitations specified by law. The use of buses for any activity not approved by budget allocation must have prior approval of the Board, based on a written request.

School vehicles may not be used for the transportation of school staff to and from home, unless such staff member is specifically assigned to the vehicle by the Board or District administration.

Use of any school vehicle by staff members for trips within or out of the District, other than normal job-related assignments, must have the prior approval of the Superintendent of Schools, or, if on a regular basis, the Board.

Education Law Section 3635  
General Construction Law Section 1502

Adoption Date: 3/29/2018

**SUBJECT: TRANSPORTATION OF STUDENTS****Requests for Transportation to and from Nonpublic Schools**

The parent or person in parental relation of a parochial or private school child residing in the District who desires his or her child to be transported to a parochial, private, or charter school outside of the District during the next school year, must submit a written request to the Board no later than April 1 of the preceding year, or within 30 days of moving into the District. The District will publish the April 1 date in its school calendar and/or local newspaper as a reminder to parents of this deadline. Late requests will not be denied where a reasonable explanation is provided for the delay.

**Transportation to Nonpublic Schools on Holidays**

The District will share its calendar and start and dismissal times with nonpublic schools before the start of the school year. The District is not required to provide transportation to nonpublic schools on days on which the District's schools are not in session.

**Transportation for Nonpublic School Students with Disabilities who are Parentally Placed**

For students with disabilities, ages 5 through 21, who are parentally placed in nonpublic schools outside their district of residency, if special education services are to be provided to a student at a site other than the nonpublic school, the school district of location is responsible for providing the special education services, including, as applicable, arranging and providing transportation necessary for the student to receive special education services.

The district of residence remains responsible to provide transportation to parentally placed nonpublic school students from the student's home to the nonpublic school.

**Transportation of Students with Disabilities**

Transportation of students with disabilities in the District may not exceed 50 miles one way from the student's home to the appropriate special service or program, unless the Commissioner certifies that no appropriate nonresidential special service or program is available within 50 miles. In that event the Commissioner may then establish transportation arrangements.

**Student Information**

Upon written consent of the parent or person in parental relation, every school bus which is used to regularly transport students with disabilities will maintain the following information about each student with a disability being transported:

(Continued)

**SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)**

- a) Student's name;
- b) Nature of the student's disability;
- c) Name of the student's parent, guardian, or person in parental relation and one or more telephone numbers where that person can be reached in an emergency; and/or
- d) Name and telephone number of any other person designated by such parent, guardian, or person in parental relation who can be contacted in an emergency.

This information will be used solely for the purpose of contacting the student's parent, guardian, person in parental relation, or designee in the event of an emergency involving the student, will be kept in a manner which retains the privacy of the student, and will not be accessible to any person other than the driver or a teacher acting in a supervisory capacity. In the event that the driver or teacher is incapacitated, this information may be accessed by any emergency service provider.

This information will be updated as needed, but at least once each school year and will be destroyed if parental consent is revoked, the student no longer attends the school, or the disability no longer exists.

**Fire Extinguishers**

School buses will also be equipped with at least one hand fire extinguisher in the event of an emergency.

**Transportation of Non-Resident Students**

Non-resident families must provide their own transportation.

(Continued)



**SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)****Transportation to School Sponsored Events**

Where the District has provided transportation to students enrolled in the District to a school sponsored field trip, extracurricular activity, or any other similar event, it will also provide transportation back to either the point of departure or to the appropriate school in the District unless a student's parent or legal guardian has provided the District with written notice, consistent with District policy, authorizing an alternative form of return transportation for the student. In cases where intervening circumstances make transportation of a student back to the point of departure or to the appropriate school in the District impractical, and the parent has not authorized alternative return transportation, a representative of the District will remain with the student until the student's parent or legal guardian has been contacted and informed of the intervening circumstances and the student has been delivered to his or her parent.

**Transportation in Personal Vehicles**

Personal cars of teachers and staff will not be used to transport students except in the event of extenuating circumstances and authorized by the administration.

Education Law §§ 1604, 1709, 1804, 1903, 1950, 2503, 2554, 2590-e, 3242, 3602-c, 3621(15), 3623-a(2c), 3635, 4401-a, 4401(4), 4402, 4404, 4405, and 4410-6  
Vehicle and Traffic Law § 375(20)(1) and 375(21-i)

NOTE: Refer also to Policy #7131 -- Education of Homeless Children and Youth

**SUBJECT: SCHOOL BUS SAFETY PROGRAM**

The safe transportation of students to and from school is of primary concern in the administration of the school bus program. All state laws and regulations pertaining to the safe use of school buses will be observed by drivers, students, and school personnel.

**Use of Portable Electronic Devices Prohibited**

For purposes of this policy, and in accordance with applicable law, the terms below will be defined as follows:

- a) "Portable electronic device" means any mobile telephone (hand held or "hands free"), personal digital assistant (PDA), portable device with mobile data access, laptop computer, pager, two-way messaging device, electronic game, or portable computing device.
- b) "Using" means holding a portable electronic device while viewing, taking or transmitting images, playing games, or composing, sending, reading, viewing, accessing, browsing, transmitting, saving, or retrieving email, text messages, or other electronic data.
- c) "In operation" means that the bus engine is running, whether in motion or not.

The use of portable electronic devices by a school bus driver at times the vehicle is in operation on the roadway poses a potential safety risk. All school bus drivers are prohibited from using portable electronic devices while the bus is in operation.

All school bus drivers' personal portable electronic devices are to be placed in the "off" position when in the possession of the school bus driver while the bus is in operation. Portable electronic devices, including cell phones, may be used in case of emergency.

The Transportation Supervisor, in cooperation with the principals, has the responsibility of developing and publishing safety rules to be followed by drivers and passengers, including rules of student conduct. In order to ensure maximum safety to those riding school buses, it is necessary that students and drivers cooperate in this effort. There is no substitute for training to develop safe habits in pedestrian and vehicular traffic.

All buses and other vehicles owned and operated by the District will have frequent safety inspections, and will be serviced regularly. The Transportation Supervisor will maintain a comprehensive record of all maintenance performed on each vehicle.

Every bus driver is required to report promptly to the Transportation Supervisor any school bus accident, regardless of the severity, involving death, injury, or property damage.

(Continued)

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**SUBJECT: SCHOOL BUS SAFETY PROGRAM (Cont'd.)**

Education Law § 3623

Vehicle and Traffic Law §§ 509-a(7), 509-1(1-b), 1174(a), 1174(b) and 1225-c  
8 NYCRR § 156.3

NOTE: Refer also to Policies #5683 -- Fire and Emergency Drills, Bomb Threats and Bus  
Emergency Drills  
#5741 -- Drug and Alcohol Testing for School Bus Drivers and Other  
Safety-Sensitive Employees

Adoption Date: 3/29/2018

**SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS**

The Board recognizes the need to promote the health and safety of District students and staff and to protect the environment from harmful emissions found in bus and vehicle exhaust. The District will ensure that each driver of a school bus or other vehicle owned, leased, or contracted for by the District turn off the engine of the bus or vehicle while waiting for passengers to load or off load on school grounds, or while the vehicle is parked or standing on school grounds or in front of or adjacent to any school.

**Exceptions**

Unless otherwise required by state or local law, the idling of a school bus or vehicle engine may be permitted to the extent necessary to achieve the following purposes:

- a) For mechanical work; or
- b) To maintain an appropriate temperature for passenger comfort; or
- c) In emergency evacuations where necessary to operate wheelchair lifts.

**Private Vendor Transportation Contracts**

All contracts for pupil transportation services between the District and a private vendor will include a provision requiring the vendor's compliance with the provisions of reducing idling in accordance with Commissioner's regulations Section 156.3(h).

Education Law § 3637  
Vehicle and Traffic Law § 142  
8 NYCRR § 156.3(h)

Adoption Date: 3/29/2018

**SUBJECT: QUALIFICATIONS OF BUS DRIVERS**

A person will be qualified to operate a bus only if such person:

- a) Is at least 21 years of age;
- b) Has been issued a currently valid operator's or commercial driver's license which is valid for the operation of a bus in New York State;
- c) Has passed the annual bus driver physical examination administered in accordance with Regulations of the Commissioner of Education and the Commissioner of Motor Vehicles. In no case will the interval between physical examinations exceed a 13-month period;
- d) Is not disqualified to drive a motor vehicle under Vehicle and Traffic Law Sections 509-c and 509-cc and any other provisions of Article 19-A;
- e) Has on file at least three statements from three different persons who are not related to the driver or applicant pertaining to the moral character and to the reliability of such driver or applicant;
- f) Has completed, or is scheduled to complete, State Education Department safety programs as required by law;
- g) Is in compliance with federal law and regulations, as well as District policy and/or regulations, as it pertains to meeting the standards governing alcohol and controlled substance testing of bus drivers if and when applicable;
- h) Has taken and passed a physical performance test at least once every two years and/or following an absence from service of 60 or more consecutive days from his or her scheduled work duties; and
- i) Is in compliance with all other laws and regulations for operating a school bus, including licensing and training requirements.

**Special Requirements for New Bus Drivers**

Before employing a new bus driver, the Superintendent or designee will:

- a) Require the person to pass a physical examination within four weeks prior to the beginning of service;
- b) Obtain a driving record from the appropriate agency in every state in which the person resided, worked, and/or held a driver's license or learner's permit during the preceding three years;

(Continued)

**SUBJECT: QUALIFICATIONS OF BUS DRIVERS (Cont'd.)**

- c) Investigate the person's employment record during the preceding three years;
- d) Require such person to submit to the mandated fingerprinting procedures/criminal history background check;
- e) Request the Department of Motor Vehicles to initiate a driving record abstract check; and
- f) Require that newly hired bus drivers take and pass the physical performance test, as mandated by Commissioner's regulations, before they transport students.

**Occasional Drivers**

Under Commissioner's regulations, an occasional driver is defined as a certified teacher employed by a school district or Board of Cooperative Educational Services (BOCES) who is not primarily employed as a school bus driver or substitute bus driver on either a full-time or part-time basis. Occasional drivers used for other than regular routes are not required to fulfill the training required for regular school bus drivers.

Omnibus Transportation Employee Testing Act of 1991, (Public Law 102-143)

49 USC § 521(b)

49 CFR Parts 40, 382, 391, 392 and 395

Education Law § 3624

Vehicle and Traffic Law §§ 509-c, 509-cc and Article 19-A

8 NYCRR § 156.3

15 NYCRR Part 6

NOTE: Refer also to Policy #5741 -- Drug and Alcohol Testing For School Bus Drivers and Other Safety-Sensitive Employees

Adoption Date: 3/29/2018

**SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND  
OTHER SAFETY-SENSITIVE EMPLOYEES**

In accordance with federal regulations, employees in safety-sensitive positions who are required to have and use a commercial driver's license (CDL), are subject to random testing for alcohol, marijuana, cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP). The District will adhere to federal law and regulations requiring the implementation of a drug and alcohol testing program for those employees in safety-sensitive positions.

The District will either establish and manage its own program, by contract, or through a consortium for the provision of alcohol and drug testing of employees in safety-sensitive positions. Safety-sensitive employees (SSEs), including school bus drivers and other employees, who drive a vehicle which is designed to transport 16 or more passengers (including the driver), will be subject to this requirement.

Federal regulations require that school bus drivers and other SSEs be tested for alcohol and drugs at the following times:

- a) Drug testing will be conducted after an offer to hire, but before actually performing safety-sensitive functions for the first time. This pre-employment testing will also be required when employees transfer to a safety-sensitive position.
- b) SSEs are also subject to a random drug and/or alcohol test on an unannounced basis just before, during, or just after performance of safety-sensitive functions.
- c) In addition, testing will be ordered if a trained supervisor has a "reasonable suspicion" that an employee has engaged in prohibited use of drugs and/or alcohol.
- d) There will also be post-accident testing conducted after accidents on employees whose performance could have contributed to the accidents.
- e) Finally, return-to-duty and follow-up testing will be conducted when an individual who has violated the prohibited alcohol or drug conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced and at least six tests must be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return-to-duty.

All employee drug and alcohol testing will be kept confidential and will only be revealed without the driver's consent to the employer, a substance abuse professional, drug testing laboratory, medical review officer, and any other individual designated by law.

(Continued)

**SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd.)**

The following alcohol and controlled substance-related activities are prohibited by the Federal Highway Administration's drug use and alcohol misuse rules for drivers of commercial motor vehicles (CMV) and other SSEs:

- a) Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater. If testing shows an alcohol concentration of 0.02 or greater but less than 0.04, the employee must be removed from performing safety-sensitive activities for 24 hours, but no punitive action will be taken by the employer.
- b) Being on duty or operating a CMV while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.
- c) Using alcohol while performing safety-sensitive functions.
- d) New York State law prohibits using alcohol six hours or less before duty.
- e) When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
- f) Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or follow-up testing requirements.
- g) Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the SSE uses any controlled substance. This prohibition does not apply when instructed by a physician who has advised the SSE that the substance does not adversely affect the SSE's ability to safely operate a CMV.
- h) Reporting for duty, remaining on duty or performing a safety-sensitive function, if the SSE tests positive for controlled substances.

Drivers and other SSEs who are known to have engaged in prohibited behavior with regard to alcohol misuse or use of controlled substances are subject to disciplinary action and penalties in accordance with District policy and collective bargaining agreements, as well as the sanctions provided for in federal law. SSEs who have engaged in prohibited behavior will not be allowed to perform safety-sensitive functions until they are:

- a) Evaluated by a substance abuse professional (SAP).
- b) Complete any requirements for rehabilitation as set by the District and the SAP.



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**SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS AND  
OTHER SAFETY-SENSITIVE EMPLOYEES (Cont'd.)**

- c) Pass a return-to-duty test with the result below 0.02 if the conduct involved alcohol, or a controlled substance test with a verified negative result if the conduct involved controlled substance use.
- d) The SSE will also be subject to unannounced follow-up alcohol and controlled substance testing. The number and frequency of such follow-up testing will be as directed by the SAP, and consist of at least six tests in the first 12 months.

The Superintendent will ensure that each SSE receives a copy of District policy, educational materials that explain the requirements of the alcohol and drug testing regulations, and any regulations and/or procedures developed by the District with respect to meeting those requirements. The Superintendent or designee will ensure that a copy of these materials is distributed to each SSE, who will sign for receipt of all of the above documents, as well as other appropriate personnel, prior to the start of alcohol and controlled substance testing as well as at the beginning of each school year or at the time of hire for any SSEs. Representatives of applicable collective bargaining units will be notified of the availability of this information.

The Superintendent or designee will arrange for training of all supervisors who may be utilized to determine whether "reasonable suspicion" exists to test a driver for prohibited conduct involving alcohol or controlled substance use or abuse.

Any violation of this policy and/or District procedures, and applicable federal and state laws by a covered employee will be grounds for disciplinary action including, but not limited to, fines, suspension, and/or discharge in a manner consistent with District policy, collective bargaining agreements, and applicable law.

Omnibus Transportation Employee Testing Act of 1991 (Public Law 102-143) 49 USC §§ 31136 and  
31306  
49 CFR Parts 40, 172, 382, 383, 391, 392 and 395  
Vehicle and Traffic Law § 509-L

Adoption Date: 3/29/2018