

**Subject: BUDGET PLANNING AND DEVELOPMENT****Policy: 5110**

Page 1 of 3

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

- The Superintendent will have 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 School System's educational priorities.

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

- The budget will be presented in three components which are to be voted upon as one proposition:

- A program component which shall include, but need not be limited to, all program expenditures of the School 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;

(Continued)



Subject: **BUDGET PLANNING AND DEVELOPMENT**

Policy: 5110

Page 2 of 3

- A capital component which shall 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 claims; and all facilities costs of the School District, including facilities leases expenditures, the annual debt service and total debt for all facilities financed by bonds and notes of the School District, and the costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that such budget shall 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
- An administrative component which shall include, but need not be limited to, office and central administrative expenses, traveling expenses and salaries and benefits of all certified school administrators and supervisors who spend a majority of their time performing administrative or supervisory duties, any and all expenditures associated with the operation of the Office of the School Board, the Office of the Superintendent of Schools, General Administration, the School Business Office, consulting costs not directly related to direct student services and programs, planning and all other administrative activities.

- Each component must be separately delineated in accordance with Commissioner's Regulations.

- Additionally, the Board of Education shall append to the proposed budget the following documents:

- A detailed statement of the total compensation to be paid to the Superintendent of Schools, and any Assistant or Associate Superintendent of Schools in the ensuing school year, including a delineation of the salary, annualized cost of benefits and any in-kind or other form of remuneration;
- 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;
- A School District Report Card, prepared pursuant to Commissioner's Regulations, which includes measures of the academic performance of the School District, on a school by school basis, and measures of the fiscal performance of the District; and
- A Property Tax Report Card prepared in accordance with law and Commissioner's Regulations (see subheading "Property Tax Report Card").

(Continued)



Subject: BUDGET PLANNING AND DEVELOPMENT

Policy: 5110

Page 3 of 3

- The proposed budget for the ensuing school year shall be reviewed by the Board of Education 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, such funds shall not be utilized to promote either a favorable or negative opinion of the proposed budget.

Education Law Sections 1608(3)-(7), 1716(3)-(7),
2022(2-a), and 2601-a(3) and (7)
8 New York Code of Rules and Regulations (NYCRR)
Sections 170.8 and 170.9
General Municipal Law Section 36
State Education Department
Handbook No. 3 on Budget



Subject: **SCHOOL DISTRICT REPORT CARDS**

Policy: 5111

Page 1 of 2

- Each year the Board of Education shall prepare a School District Report Card, pursuant to the Regulations of the Commissioner of Education, and shall 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 making it available to parents/guardians.

- The School District Report Card shall include, at a minimum, the following information:
 - **Measures of academic performance.** The School District Report Card shall include, on a school-by-school basis, the student academic performance indicators applicable to each school as prescribed by the Commissioner for the school year. Such academic performance indicators shall include, but need not be limited to:
 - The performance of students in the schools of the District on the State performance evaluation tests in reading, writing, mathematics, science and vocational courses; and
 - The Regents examinations in English and languages other than English, mathematics, science and social studies, as designated by the Commissioner. The Report Card shall compare such measures of academic performance to statewide averages for all public schools and statewide averages for public school districts of comparable wealth and need, as developed and distributed by the Commissioner.
 - **Measures of fiscal performance.** The Report Card shall include expenditures per student on regular education and expenditures per student on special education. The Report Card shall compare such measures of fiscal performance to statewide averages for all public school districts and statewide averages for public school districts of comparable wealth and need, as developed and distributed by the Commissioner.
 - **Special Education Placements.** Each year, the Report Card shall include the number and percentage of students in special education by placement, including both private and public school placements, and a comparison of such percentages to the state-wide average in accordance with criteria as enumerated in Education Law and/or Commissioner's Regulations.
 - **Other measures/information to be included in the Report:**

(Continued)

**Subject: SCHOOL DISTRICT REPORT CARDS****Policy: 5111**

Page 2 of 2

- The Report Card shall also include graduation and college-going rates; and attendance, suspension and dropout rates.
 - Any information regarding student performance and expenditure per student required to be included in the Annual Report by the Regents to the Governor and the Legislature in accordance with Education Law.
 - Any other information specified by the Commissioner.
- Additional information may be added to the School District Report Card as determined by the Superintendent or his/her designee, and upon approval by the Board of Education, in order to provide a more comprehensive assessment of District achievements and the school population.
- All budget documents for distribution to the public shall be in plain language and organized in a manner which best promotes public comprehension of the contents.

Education Law Sections 215-a, 1608, 1716,
2554(24), 2590-e(23), 2590-g(21), and 2601-a(7)
8 New York Code of Rules and Regulations (NYCRR)
Sections 100.2(bb), 170.8 and 170.9

**Subject: PROPERTY TAX REPORT CARDS/
SIX DAY SCHOOL BUDGET NOTICE****Policy: 5112**

Page 1 of 2

Property Tax Report Card

- Each year, the Board of Education shall prepare a Property Tax Report Card, pursuant to Commissioner's Regulations, and shall 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.

- The Property Tax Report Card shall include:

- 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 School District budget for the preceding school year; and
- 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
- The percentage increases in the Consumer Price Index, from January first of the prior school year to January first of the current school year.

- A copy of the Property Tax Report Card prepared for the Annual District Meeting shall be submitted to the State Education Department 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 of Education, but no later than twenty-four (24) days prior to the statewide uniform voting day (i.e., the third Tuesday in May).

- The State Education Department shall compile such data for all school districts whose budgets are subject to a vote of the qualified voters, and shall make such compilation available electronically at least ten (10) days prior to the statewide uniform voting day.

(Continued)

**Subject: PROPERTY TAX REPORT CARDS/
SIX DAY SCHOOL BUDGET NOTICE****Policy: 5112**

Page 2 of 2

Six Day School Budget Notice

- The School District Clerk shall mail a School Budget Notice to all qualified voters of the School District after the date of the Budget hearing, but no later than six (6) days prior to the Annual Meeting and election or special District Meeting at which a school budget will occur. The School Budget Notice shall compare the percentage increase or decrease in total spending under the proposed budget over total spending under the School 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 notice shall also set forth the date, time and place of the school budget vote in the same manner as the Notice of the Annual Meeting. The School Budget Notice shall be in a form prescribed by the Commissioner of Education.

Education Law Sections 1608(7); 1716(7);
2022(2-a), and 2061-a(3)
8 New York Code of Rules and Regulations (NYCRR)
Section 170.8

**Subject: BUDGET ADOPTION****Policy: 5120**

Page 1 of 2

- The Board of Education shall review the recommended budget of the Superintendent of Schools and shall seek public input and feedback regarding the recommended budget including, but not limited to, holding a public budget hearing not less than seven (7) nor more than fourteen (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.

- The School District budget will be presented in three separately delineated components which are to be voted upon as one proposition: a program component, an administrative component, and a capital component. Additionally, the Board shall attach to the proposed budget those documents mandated pursuant to law and/or Commissioner's Regulations.

- All budget documents for distribution to the public shall be written in plain language and organized in a manner which best promotes public comprehension of the contents.

Dissemination of Budget Information

- Copies of the proposed annual operating budget for the succeeding year to be voted upon at the Annual Meeting and Election shall be available to District residents, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen (14) days immediately preceding such Annual Meeting. The availability of this budget information shall also be included in a legal notice of the Annual Meeting; and such copies of the proposed budget will also be available to District residents at the time of the Annual Meeting and Election. 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.

- 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 at a later date. In the alternative, if the initial proposed budget is defeated, the Board may adopt a contingency budget and levy taxes as necessary for implementation of the contingency budget expenditures. If the voters fail to approve the second budget submittal, or budget propositions(s), the Board shall adopt a contingency budget in accordance with law.

(Continued)



Subject: BUDGET ADOPTION

Policy: 5120

Page 2 of 2

- The School 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, shall not be submitted for a vote of the qualified District voters more than twice.
- The School District budget, once adopted, becomes the basis for establishing the tax levy on real property within the District.

Education Law Sections 1608, 1716, 1804(4), 1906(1), 2002(1),
2003(1), 2004(1), 2022, 2023, and 2601-a
8 New York Code of Rules and Regulations (NYCRR)
Sections 100.2(bb), 170.8 and 170.9

**Subject: SCHOOL DISTRICT BUDGET HEARING****Policy: 5130**

Page 1 of 2

- The Board of Education 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 (7) nor more than fourteen (14) days prior to the Annual District Meeting and Election at which the budget vote will occur. The proposed budget will be completed at least seven (7) 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 will be included in the notice of the Annual Meeting and Election as required by law.

- All School District budgets which are submitted for voter approval shall be presented in three components: a program component, an administrative component, and a capital component; and each component will be separately delineated in accordance with law and/or regulation.

- The Board of Education will also prepare and append to copies of the proposed budget a School District Report Card, pursuant to the Regulations of the Commissioner of Education, referencing measures of academic and fiscal performance. Additionally, the Board of Education shall also append to copies of the proposed budget a detailed statement of the total compensation to be paid to various administrators as enumerated in law and/or regulation, and a Property Tax Report Card prepared in accordance with law and Commissioner's Regulations.

- All budget documents for distribution to the public will be written in plain language and organized in a manner which best promotes public comprehension of the contents.

Dissemination of Budget Information

- Copies of the proposed annual operating budget for the succeeding year may be obtained by any District resident, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen (14) days immediately preceding the Annual District Meeting and Election. The availability of this budget information shall be included in the legal notice of the Annual Meeting; and copies of the proposed budget will also be available to District residents at the time of the Annual Meeting. 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.

(Continued)

**Subject: SCHOOL DISTRICT BUDGET HEARING****Policy: 5130**

Page 2 of 2

Budget Notice

- The School District Clerk shall mail a School Budget Notice to all qualified voters of the School District after the date of the Budget Hearing, but no later than six (6) days prior to the Annual Meeting and Election or Special District Meeting at which a school budget will occur. The School Budget Notice shall compare the percentage increase or decrease in total spending under the proposed budget over total spending under the School 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 Budget Notice shall include a description of how total spending and the tax levy resulting from the proposed budget would compare with a projected contingency budget, assuming that such contingency budget is adopted on the same day as the vote on the proposed budget. Such comparison shall be in total and by component (i.e., program, capital and administrative), and shall include a statement of the assumptions made in estimating the projected contingency budget.
- The Notice shall 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 one hundred thousand dollars under the existing School District budget as compared with such savings under the proposed budget.
- The Notice shall 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 shall be in a form prescribed by the Commissioner of Education.

Notice of Budget Hearing/Availability of Budget Statement

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

Election and Budget Vote

Education Law Sections 1804(4), 1906(1), 2002(1), 2017(5) and (6), 2022(1), and 2601-a(2)

Budget Development and Attachments

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

8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(bb), 170.8 and 170.9



Subject: ADMINISTRATION OF THE BUDGET

Policy: 5140

Page 1 of 1

- The Superintendent of Schools, working in conjunction with the administrative staff, is responsible to the Board for the administration of the budget.
 - He/she shall acquaint District employees with the final provisions of the program budget and guide them in planning to operate efficiently and economically within these provisions.
 - Under his/her direction the District shall maintain such records of accounting control as are required by the New York State Uniform System of Accounts for School Districts, the Board of Education, and such other procedures as are deemed necessary and shall keep the various operational units informed through periodic reports as to the status of their individual budgets.
 - Approval from the Claims Auditor is required prior to the expenditure of District Funds.



Subject: **CONTINGENCY BUDGET**

Policy: 5150

Page 1 of 2

1st Reading of Revised Policy: 10/5/11
2nd Reading of Revised Policy: 11/10/11

- The School District budget for any school year or any part of such budget, or any proposition involving the expenditure of money for such school year, shall not be submitted for a vote of the qualified voters of the District more than twice in any school year.

- 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 and levy a tax for teachers' salaries and ordinary contingent expenses as enumerated in law. 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 shall adopt a contingency budget and levy a tax for those expenditures mandated pursuant to law and/or for those services necessary to maintain the educational program.

- The contingency budget will include the sum necessary for teachers' salaries (i.e., professional educator positions certificated by the State Education Department which include teachers, administrators, teaching assistants, and professional specialists in the various areas of pupil personnel services) and ordinary contingent expenses as determined by the Board in accordance with law including, but not limited to, the purchase of library books and other instructional materials associated with the school library; and expenses incurred for interscholastic athletics, field trips and other extracurricular activities. Ordinary contingent expenses include, but are not limited to, legal expenses incurred by the District; expenditures specifically authorized by statute; and other items necessary to maintain the educational program, preserve property, and assure the health and safety of students and staff. As deemed necessary, school counsel may be consulted for review as to those items considered to be ordinary contingent expenses prior to Board adoption of the contingency budget.

- In accordance with law, the contingency budget will reflect the statutory expenditure limits imposed on the administrative component of the contingency

- Additionally, the administrative component of the contingency budget shall not comprise a greater percentage of the contingency budget exclusive of the capital component than the lesser of:

- The percentage the administrative component had comprised in the prior year budget exclusive of the capital component; or

- The percentage the administrative component had comprised in the last proposed defeated budget exclusive of the capital component.

(Continued)



Subject: CONTINGENCY BUDGET

Policy: 5150

Page 2 of 2

- Should the Board of Education adopt a contingency budget, it will officially pass a resolution reflecting such action; and that resolution shall incorporate by reference a statement specifying the projected percentage increase or decrease in total spending for the school year, and explain the reasons why the Board disregarded any portion of an increase in spending in formulating the contingency budget.
- Regulations will be developed enumerating a sample list of expenditures, which have been determined, pursuant to law, to constitute ordinary contingent expenses. However, the Board reserves the right, in accordance with its legal responsibility, to designate other items as ordinary contingent expenses as deemed necessary to maintain the educational program of the District, preserve property, and assure the health and safety of students and staff.

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



DCS Policy

Section: 5

**Non-Instructional/
Business Operations**

Subject: REVENUES

Policy: 5210

Page 1 of 1

- The School 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 Sections 1604(a) and 1723(a)



Subject: **BILLING AND COLLECTIONS**

Policy: 5211

Page 1 of 1

- The District issues invoices to various parties for several purposes such as the purchase of fuel by other municipalities', use of District facilities by outside organizations, non-resident tuition and retiree health insurance premiums.
- Upon the issuance of such invoices, a copy of this invoice shall be transmitted to the district treasurer for entry into the accounting system as an account receivable.
- In order to insure payment on a timely basis, the District Treasurer shall monitor invoices that are outstanding and shall notify the originator of the invoice that payment has not been received. The originator shall contact the party to obtain payment. In the event that a payment of material value is outstanding after ninety (90) days), the treasurer is authorized to utilize additional measures to collect the debt.

**Subject: DISTRICT INVESTMENTS****Policy: 5220**

Page 1 of 3

• Whenever the District has funds (including operating funds, reserve funds and proceeds of obligations) that exceed those necessary to meet current expenses, the Board of Education shall authorize the School Business Official 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:
 - Investments shall be made in a manner so as to safeguard the funds of the School District; and
 - Bank deposits shall be made in a manner so as to safeguard the funds of the School District.
 - Investments shall be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the School District.
 - Funds shall 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 School Business Official. These functions shall 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 School Business Official may invest funds in the following eligible investments:
 - Obligations of the State of New York.
 - Obligations of the United States Government, or any obligations for which principal and interest are fully guaranteed by the United States Government.

(Continued)



Subject: **DISTRICT INVESTMENTS**

Policy: 5220

Page 2 of 3

- 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.]
- 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.
- 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.
- 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 list of authorized investments;
 - Procedures including a signed agreement to ensure the School District's financial interest in investments;
 - Standards for written agreements consistent with legal requirements;
 - Procedures for the monitoring, control, deposit and retention of investments and collateral which shall be done at least once a month;
 - Standards for security agreements and custodial agreements consistent with legal requirements;
 - Standards for diversification of investments including diversification as to type of investments, and firms and banks with whom the School District transacts business; and



(Continued)

Subject: DISTRICT INVESTMENTS

Policy: 5220

Page 3 of 3

- Standards for qualification of investment agents which transact business with the School District including, at minimum, the Annual Report of the Trading Partner.

- This policy shall 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.

General Municipal Law Section 39
Education Law Sections 1604-a and 1723(a)
Local Finance Law Section 165



Subject: ACCEPTING GIFTS

Policy: 5230

Page 1 of 1

Board of Education

- The Board will accept gifts of either money or merchandise that, in the view of the board, add to the overall welfare of the District.
- 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 consider the acceptance of a gift until and unless it receives the offer in writing. The Board would prefer the gift to be a general offer, rather than a specific one and that the donor work first with the school administration determining the nature of the gift.
- Gifts of money shall be annually accounted for under the trust and agency account in the bank designated by the Board of Education.

Gift Giving

- The Board of Education recognizes that gift giving, especially during the holiday season, may be a common practice for many District employees. While the giving or exchanging of gifts may be acceptable among staff members, the board strongly encourages District employees and students to show appreciation through written notes or greeting cards.
- Additionally, all business contacts will be informed that gifts exceeding \$75 to District employees will be returned, or donated to charity.

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



Subject: SCHOOL TAX ASSESSMENT AND COLLECTION

Policy: 5240

Page 1 of 1

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

Real Property Tax Law Sections 1300-1342
Education Law Section 2130

**Subject: SALE AND DISPOSAL OF SCHOOL
DISTRICT PROPERTY****Policy: 5250**

Page 1 of 2

Sale of School Property

- School personal property that is no longer needed for District purposes may be sold upon recommendation of the Superintendent and the approval of the Board. Such sale should be on a bid basis or at public auction when practical, but may also be sold without competitive bidding at a public sale provided that the price received is adequate consideration in light of the item's fair market value. Any surplus items that cannot be sold may be discarded, destroyed or donated to a not-for-profit corporation. Before the disposal of District surplus items, principals will be asked if they have use for the item.
- Surplus personal property may not be given away to private individuals, and no Board member or District officer may purchase District equipment.

Sale of Real Property

- The Board may, by resolution, sell real property that is not needed by the District. No referendum shall be required unless a petition containing the signatures of at least 10 percent of the qualified voters of the District is filed with the Clerk of the Board within thirty days of the resolution requiring that the question as to the sale of the real property be submitted to the qualified voters. In that event, a vote shall be conducted at an Annual or Special District meeting and the resolution to sell real property shall become effective if approved by the vote of a majority of the qualified voters voting at said District meeting.

Disposition of obsolete 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. The District is authorized to dispose of outdated and obsolete textbooks, and textbooks that have been badly damaged or in other ways made unusable. The alternative procedures for disposal of such textbooks shall be in the following order of preference:
 - Sale of textbooks. If reasonable attempts to dispose of surplus textbooks fail to produce monetary return to the School District; then
 - Donation to charitable organizations; or
 - Disposal as trash.

(Continued)

**Subject: SALE AND DISPOSAL OF SCHOOL
DISTRICT PROPERTY****Policy: 5250**

Page 2 of 2

Proceeds of the Sale

- Proceeds of such sales are to be deposited in the appropriate general fund account, and will not be considered belonging to any particular school. Proceeds of school lunch equipment, purchased with school lunch funds, are to be deposited in the school lunch fund. In the Board's discretion, net proceeds from the sale of district real property may be used to reduce real property taxes in accordance with the provisions of Education Law Section 1709(37).

Record Keeping Requirements

- All District records relative to the property disposal are to be retained in accordance with State Department of Education records retention schedule.

Education Law Sections 1604(4) and (30) and (36),
1709(9) and (11)

General Municipal Law Sections 51 and 800 et seq.

Comptrollers Opinions 58-120, 60-662 and 82-232

Commissioner's Decision: *Matter of Baker*, 14 Ed.

Dept. Rep. 5 (1974)



Subject: EXPENDITURES OF SCHOOL DISTRICT FUNDS

Policy: 5310

Page 1 of 1

- The Board of Education authorizes the Purchasing Agent to expend school funds as appropriated by approved operational and capital budgets, and by the adoption of special resolutions. He/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 shall be properly confirmed and verified, by the Claims Auditor who shall attest to the existence of evidence of indebtedness to support the claim.
- Complete records of all expenditures shall be maintained for future analysis and reporting within the time frame required by the Records Disposition Law or regulation.

Education Law Section 1720
Arts and Cultural Affairs Law Section 57.19
8 New York Code of Rules and Regulations
(NYCRR) Section 185

NOTE: Refer also to #5413 – Purchase Procedure



Subject: USE OF THE DISTRICT CELL PHONE

Policy: 5311

Page 1 of 1

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

- Additionally, the following rules shall apply regarding the use of a District-owned cell phone:
 - The cell phone may not be used by anyone other than the School District employee.
 - Phones must be utilized during work related hours and activities.
 - Reasonable personal use shall be allowed. Employees shall pay an annual charge for personal use as determined by the Superintendent.
 - The amount of personal use shall be monitored, and employees shall reimburse the district for excessive personal use, in a manner as determined by the Superintendent.



Subject: BUDGET TRANSFERS

Policy: 5320

Page 1 of 1

- Within monetary limits as established by the Board, the School Business Official or other Superintendent's Designee is authorized to transfer funds within the budget. Whenever transfers over \$5000 are made, they are to be incorporated in the financial reports to the Board of Education at the next regular meeting..

8 New York Code of Rules and Regulations
(NYCRR) Section 170.2(l)
Education Law Section 1718

Note: Refer also to Policy #5411 – Transfer Authority for Equipment and Supplies



Subject: **CHANGE ORDERS FOR CAPITAL PROJECTS**

Policy: 5321

Page 1 of 1

- With limits as defined below, the Superintendent is authorized to approve Change Orders for capital projects subject to the following:
 - Change Orders which result in a net decrease in the contract amount may be authorized by the Superintendent.
 - Change Orders which result in a net increase in the contract amount of \$10,000 or less may be authorized by the Superintendent.
 - Change Orders which result in a net increase in the contract amount of greater than \$10,000 shall require prior approval by the Board of Education, unless such prior approval is not practicable.
- Whenever Change Orders are authorized by the Superintendent, the log of such Change Orders shall be provided to the Board of Education in the next construction report.



Subject: BORROWING OF FUNDS

Policy: 5330

Page 1 of 1

- With the approval of the Board of Education, the School District may borrow money only by means of serial bonds, statutory installment bonds, bond anticipation notes, capital notes, tax anticipation notes, revenue anticipation notes and budget notes.

Local Finance Law Article 2

**Subject: BONDING OF EMPLOYEES AND
SCHOOL BOARD OFFICERS****Policy: 5340**

Page 1 of 1

- In accordance with New York State Education Law and the Commissioner's Regulations, the Board of Education directs that the Treasurer of the Board of Education, the tax collector and the internal auditor be bonded prior to assuming their duties. Such bonds shall be in the amounts as determined and approved by the Board of Education.
- Other school personnel and members of the Board of Education authorized or required to handle School District revenues may be covered by a blanket undertaking provided by the District in such amounts as approved by the Board of Education based upon the recommendations of the Superintendent or his/her designee.

Education Law Sections 1709(20-a),
1720, 2130(5), 2526, and 2527
Public Officers Law Section 11(2)
8 New York Code of Rules and Regulations
(NYCRR) Section 170.2(d)

**Subject: PRINCIPLES OF PURCHASING****Policy: 5410**

Page 1 of 1

1st Reading of Revised Policy: 10/5/11
2nd Reading of Revised Policy: 11/10/11

- The purchasing, receiving, storing, and distribution of necessary supplies, equipment, and services for use in the educational program and for the various auxiliary services represent a significant expenditure in the school budget. These items must be procured efficiently and economically. The measure of efficient, economical purchasing is the degree to which the appropriate items are provided in the appropriate quantity to the designated place on a timely basis and the best possible price.
- The Board declares its intention to purchase competitively without prejudice and to see maximum educational value for every dollar expended.
- The acquisition of services, equipment, and supplies will be centralized in the Business Office through the purchasing agent. The purchasing agent will be responsible for developing and administering the purchasing program of the School District. All requests for expenditures, whether budgeted items or not, will be subject to the approval and review of the Business Official as a designee of the Superintendent.
- Materials should be purchased through state contract whenever such purchases are in the best interests of the School District.
- The purchasing agent shall accord priority to the purchase of products manufactured by or services rendered by qualified charitable non-profit making agencies for the blind and other severely disabled, and of prison made goods available from the Department of Correctional Services.
- Any commitment of funds beyond budget allocation shall be in accordance with Policy # 5411 – Transfer Authority for Equipment and Supplies.

General Municipal Law Sections 103, 109-a
and 800 et seq.
Correction Law Section 184

Note: Refer also to Policies # 5411 – Transfer Authority for Equipment and Supplies
5412 – Local Purchasing
5413 – Purchasing Procedures

**Subject: TRANSFER AUTHORITY FOR EQUIPMENT AND SUPPLIES****Policy: 5411**

Page 1 of 1

- When an amount is not available within the budget allocation for a purchase and the equipment or supplies are required in the current school year, the following conditions will be met:
 - The Superintendent may authorize transfers in accordance with Commissioner's Regulations within budgetary codes provided a sufficient amount is available in the total budget to cover a purchase and a transfer does not exceed \$10,000. Transfers in excess of \$10,000 of the amount budgeted in a budgetary code will require approval of a budgetary transfer by the Board of Education.
 - Budgetary transfers over \$5,000 will be reported to the Board in the District Treasurer's next monthly financial report.
 - Budget Transfers shall not be made from a non-equipment budget code to an equipment budget code.

General Municipal Law Section 103

Note: Refer also to Policy # 5320 – Budgetary Transfers



Subject: **LOCAL PURCHASING**

Policy: **5412**

Page 1 of 1

1st Reading of Revised Policy: 10/5/11
2nd Reading of Revised Policy: 11/10/11

- The Board recognizes its position as a major purchaser in this community. While it is the intention of the Board to purchase materials and supplies of quality at the lowest possible cost through widespread competition, if all other considerations are equal, the Board prefers to purchase within the District from established local merchants. This is so when the purchase contracts for materials, equipment or supplies involve an annual expenditure of \$20,000 or less or the public work contracts involve and expenditure of \$35,000 or less.

- The Board authorizes the Purchasing Agent to give primary consideration to the award of purchases to local merchants when:

- Their quotation is competitive after proof of price check is made in writing.
- Freight and/or delivery charges are a factor.
- Maintenance service, including emergency maintenance service, may be required.
- Promptness of delivery is a consideration.

General Municipal Law Sections 103 and 119(o)
8 New York Code of Rules and Regulations
(NYCRR) Section 170.2

**Subject: PURCHASING PROCEDURES****Policy: 5413**

Page 1 of 3

- 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 of Education. The purchasing process should enhance school operations and educational programs through the procurement of goods and services deemed necessary to meet District needs.

Competitive Bids and Quotations

- As required by law, the Superintendent will follow normal bidding procedures in all cases where needed quantities of like items will total the maximum level allowed by law during the fiscal year (similarly for public works-construction, repair, etc.), and in such other cases that seem to be to the financial advantage of the School District.

- A bid bond may be required if considered advisable.

- No bid for supplies shall be accepted that does not conform to specifications furnished unless specifications are waived by Board action. Contracts shall be awarded to the lowest responsible bidder who meets specifications. However, if legally permitted, the Board may choose to reject any and all bids.

- Regulations shall be developed for the competitive purchasing of goods and services.

- The Superintendent may authorize purchases within the approved budget without bidding if required by emergencies and are legally permitted.

- The Superintendent is authorized to enter into cooperative bidding for various needs of the School District.

Procurement of Goods and Services

- The Board of Education 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 must be procured in a manner so as to:

- Assure the prudent and economical use of public monies in the best interest of the taxpayer;



(Continued)

Subject: **PURCHASING PROCEDURES**

Policy: 5413

Page 2 of 3

- Facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and
- Guard against favoritism, improvidence, extravagance, fraud and corruption.
- These procedures shall contain, at a minimum, provisions which:
 - 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;
 - With certain exceptions (purchases pursuant to State Finance Law, Section 162; State Correction Law, Section 184; or those circumstances or types of procurements set forth in (f) of this section, or as otherwise determined not necessary by the Board), provide that alternative proposals or quotations for goods and services shall be secured by use of written request for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of Section 104-b of General Municipal Law;
 - Set forth when each method of procurement will be utilized;
 - Require adequate documentation of actions taken with each method of procurement;
 - Require justification and documentation of any contract awarded to other than the lowest responsible dollar offer, stating the reasons; and
 - Set forth any circumstances when, or the types of procurement for which, in the sole discretion of the Board, the solicitation of alternative proposals or quotations will not be in the best interest of the District.
- Any unintentional failure to fully comply with these provisions shall not be grounds to void action taken or give rise to a cause of action against the District or any district employee.
- The Board of Education shall solicit comments concerning the District's policies and procedures from employees involved in the procurement process. All policies and procedures regarding the procurement of goods and services shall be reviewed annually by the Board.



(Continued)

Subject: PURCHASING PROCEDURES
Policy: 5413
Page 3 of 3

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 School 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.

Contracts for Goods and Services

- No contracts for goods and services shall be made by individuals or organizations in the school that involve expenditures without first securing approval for such contract from the Purchasing Agent.
- No Board member or employee of the School District shall have an interest in any contract entered into by the Board or the School District.

Education Law Sections 305(14), 1604, 1709, 1950,
2503, 2554 and 3602
General Municipal Law Articles 5-A and 18
New York Code of Rules and Regulations (NYCRR)
Sections 170.2 and 200.2(b)(10), 200.2(c)(2), and
200.2(i)



Subject: PAYMENT PROCEDURES

Policy: 5414

Page 1 of 1

- The Superintendent will prepare warrants, or have prepared by the School Business Official, a list of all accounts payable. This list will be delivered to any Board member requesting same.
- Any warrant, if submitted to the Board for review, will have been audited, signed, and approved for payment by the Internal Claims Auditor.
- The Superintendent shall establish regulations detailing payment procedures including the duties of the Internal Claims Auditor.

Education Law Sections 3813, 1718, 1720



Subject: **EXPENSE REIMBURSEMENTS**

Policy: **5415**

Page 1 of 1

- The policy will apply to all personnel and District officials in regard to reimbursement of expenses:
 - Personnel and officials who incur expenses in carrying out their authorized duties which have prior approval by their immediate supervisor, and providing appropriate funding is available, will be reimbursed by the district upon submission of a properly completed and approved voucher and support receipts.
 - Reimbursement to Board and staff members for attendance at conferences and conventions will be made only when evidence of prior authorization is submitted with the approved voucher.
 - The District may advance money to persons authorized to attend conferences to defray estimated expenditures for registration fees, travel, meals, lodging, and tuition fees, provided that vouchers showing actual expenditures are submitted subsequently and the excess advance repaid promptly to the District. A request must be made at least three weeks prior to the meeting and approved by the Assistant Superintendent.
 - Expenses will be approved and incurred in line with budgetary allocations for the specific type of expense, and will be consistent with law.
 - When official travel with a personally owned vehicle has been authorized, mileage payment will be made at the current IRS mileage rate.
 - The Superintendent will develop regulations for the implementation of this policy.

Education Law Sections 1709(30), 1804
3023, and 3028
General Municipal Law Section 77-B
Worker's Compensation Law, Seriatim

**Subject: REIMBURSEMENT FOR MEALS/REFRESHMENTS****Policy: 5416**

Page 1 of 1

Travel Outside of District/Emergency Meetings

- School District officials and employees are entitled to reimbursement for necessary expenses incurred in the performance of their official duties. However, it is the position of the New York State Comptroller's Office that meals of public officers and employees generally should not be reimbursed or paid by the municipal entity unless the officer or employee is traveling outside his/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/Board Meetings and District Events

- However, the Board of Education 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/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 School District business. These requirements must be met for meals/refreshments provided by the school lunch or local vendors, charged to District credit cards and/or reimbursed to a School District official.

**Subject: USE OF THE DISTRICT CREDIT CARD****Policy: 5417**

Page 1 of 1

- The School District may issue a credit card or cards in its name for the use of its officers and designated employees for authorized, reimbursable, school business related expenses. Only those officers and district personnel designated by the Board of Education shall be authorized for the use of a District credit card. The maximum credit limit on each card shall be designated by the Board of Education. However, authorized personnel must submit purchase orders for those school business related expenses, such as tuition charges for attendance at conference, travel expenses, and lodging, where costs may be fairly and accurately estimated prior to the actual incurring of expenses.
- Expenses incurred on each credit card shall be paid in such a manner as to avoid interest charges. The credit card(s) shall be secured in a safe manner by the designated personnel.
- Authorized personnel are to submit original, itemized receipts for purchases made using the District credit card.
- Any individual who makes an unauthorized purchase with a School District credit card shall be subject to appropriate disciplinary action including, but not limited to, reimbursement to the School District for purchases.



Subject: BIDDING REQUIREMENTS

Policy: 5420

Page 1 of 1

1st Reading of Revised Policy: 10/5/11
2nd Reading of Revised Policy: 11/10/11

- Competitive bids or quotations shall be solicited in connection with purchasing whenever possible, practical or feasible. Contracts will be awarded to the lowest responsible bidder complying with specifications and with other stipulated bidding conditions.
- Purchasing contracts for materials, equipment or supplies involving an annual expenditure of over \$20,000 and public work contracts involving over \$35,000 will be awarded on the basis of public advertising* and competitive bidding. The School Business Official or his/her designee is authorized to open bids and record the same pursuant to law.
- Contracts which require public advertising and competitive bidding will be awarded by resolution of the Board. Recommendations for the award of all contracts will be submitted to the Board through the Superintendent.
- The Board reserves the right to make purchases on State contract and, if bids or quotations have been solicited, to reject such bids or quotations if such items can be obtained on the same or equivalent terms, conditions and specifications and at a lower price on State contract.

* Cortland and Syracuse daily newspapers and/or other publications under Board authorization.

General Municipal Law Article 5-A
Education Law Section 305(14)



Subject: PROCUREMENT OF GOODS AND SERVICES

Policy: 5421

Page 1 of 2

- The Board of Education 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 must be procured in a manner so as to:
 - Assure the prudent and economical use of public moneys in the best interest of the taxpayer;
 - Facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and
 - Guard against favoritism, improvidence, extravagance, fraud and corruption.
- These procedures shall contain, at a minimum, provisions which:
 - 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;
 - With certain exceptions (purchases pursuant to General Municipal Law, Section 186; State Finance Law, Sections 175-a and 175-b; State Correction Law, Section 184; or those circumstances or types of procurements set forth in (f) of this section), provide that alternative proposals or quotations for goods and services shall be secured by use of written request for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of Section 104-b of General Municipal Law;
 - Set forth when each method of procurement will be utilized;
 - Require adequate documentation of actions taken with each method of procurement;
 - Require justification and documentation of any contract awarded to other than the lowest responsible dollar offer, stating the reasons; and
 - 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.



(Continued)

Subject: PROCUREMENT OF GOODS AND SERVICES

Policy: 5421

Page 2 of 2

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

- The Board of Education shall solicit comments concerning the District's policies and procedures from those employees involved in the procurement process. All policies and procedures regarding the procurement of goods and services shall be reviewed annually by the Board.

General Municipal Law, Sections 103(1)(5) and 104-b



Subject: ACCOUNTING OF FUNDS

Policy: 5510

Page 1 of 1

- Accounting and reporting procedures shall 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 shall be maintained in accordance with statutory requirements.
- Provision shall be made for the adequate storage, security, and disposition of all financial and inventory records.

Education Law Section 2116-a

**Subject: EXTRA CLASSROOM ACTIVITIES FUND****Policy: 5520**

Page 1 of 1

- An extra classroom activity fund shall be established for activities conducted by students whose financial support is raised other than by taxation or through charges of the Board of Education. All funds in the classroom activities fund shall be kept according to standards of good financial management. Proper books will be kept and all monies deposited in appropriate accounts as set up by the Board of Education. These accounts shall be subject to audit.
- All transactions involving extra classroom funds shall be on a cash basis and no accounts shall remain unpaid at the end of the school year. The building principal, with the approval of the Superintendent of Schools, shall set up procedures for receipt to and payment from the extra classroom activities fund in their respective buildings.

8 New York Code of Rules and Regulations
(NYCRR) Part 172

**Subject: PETTY CASH FUNDS AND CASH IN SCHOOL BUILDINGS****Policy: 5530**

Page 1 of 1

- The Board of Education shall establish petty cash funds as follows:
 - District Office – not to exceed \$100 – custodian: Superintendent
 - Cafeteria – not to exceed \$100 – custodian: Cook Manager
 - District Office – not to exceed \$100 – custodian: School Business Official
 - School Building – not to exceed \$50 – custodian: Building Principal
 - Transportation Dept. – not to exceed \$100 – custodian – Transportation Supervisor
 - Receipts for all petty cash expenditures must be kept by the custodian of the account along with the cash. At any given time the amount of cash plus the amount accounted for by receipts must total the original amount established.
 - No petty cash purchase should exceed fifteen dollars (\$15) by a given individual on a given day. Larger purchases should be processed on purchase orders (P.O.'s) via regular budget channels.
 - At such time as the petty cash fund is depleted to twenty dollars (\$20) or less, the Business Office will replenish the fund by the full amount represented by the sum of receipts turned in for cash.
- The superintendent shall develop appropriate regulations for implementation of this policy.
- Not more than two hundred fifty dollars (\$250), whether District or extra classroom funds, shall be held in the vault in the Main Office of the school building. Under no circumstances shall cash be left in classroom areas or desks. The District will not be responsible for funds left unprotected.
- All funds, whether District or extra classroom funds, shall be deposited prior to the close of school each week. Only authorized personnel designated by the building administrator shall be allowed in the Main Office vault.

Education Law Sections 1604(26) and 1709(29)
8 New York Code of Rules and Regulations
(NYCRR) Section 170.4

Note: Refer also to Policy # 5411 – Transfer Authority for Equipment and Supplies

**Subject: MAINTENANCE OF FISCAL EFFORT (TITLE 1 PROGRAM)****Policy: 5550**

Page 1 of 1

- 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 ninety percent (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) shall 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 shall not consider the following expenditures in determining an LEA's compliance with the maintenance of effort requirements:
 - Any expenditures for community services, capital outlay, and debt service;

 - 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 of Education assigns the School Business Official the responsibility of reviewing, as part of the budgeting process, combined fiscal effort so that expenditures of state and local funds with respect to the provision of free public education per student and in the aggregate for any fiscal year are not budgeted at less than ninety percent (90%) of the combined fiscal effort per student or the aggregate of expenditures for the preceding fiscal year.

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



Subject: USE OF FEDERAL FUNDS FOR POLITICAL EXPENDITURE

Policy: 5560

Page 1 of 1

- The Board of Education 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.
- In recognition of this stricture, the Board of Education assigns the Purchasing Agent the responsibility of monitoring expenditures of federal funds so that said funds are not used for partisan political purposes by any person or organization involved in the administration of any federally-assisted programs.

Compliance Supplement for Single Audit
of State and Local Governments (revised
September 1990) supplementing OMB
Circular A-128

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



Subject: **FINANCIAL ACCOUNTABILITY**

Policy: 5570

Page 1 of 2

- School districts must have internal controls in place to ensure that the goals and objectives of the District are accomplished; laws, regulations, policies, and good business practices are complied with; operations are efficient and effective; assets are safeguarded; and accurate, timely and reliable data are maintained.

- The Base School District's governance and control environment will include the following:
 - 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.
 - The Board requires corrective action for issues reported in the CPA's management letter, audit reports, the Single Audit, and consultant reports.
 - The Board has established the required policies and procedures concerning District operations.
 - The Board routinely receives and discusses the necessary fiscal reports including the:
 - Treasurer's cash reports,
 - Budget status reports,
 - Revenue status reports,
 - Monthly extra-classroom activity fund reports, and
 - Fund balance projections (usually starting in January).
 - The District has a long-term (three to five years) financial plan for both capital projects and operating expenses.
 - 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. The Board has an audit committee to assist in carrying out its fiscal oversight responsibilities.
 - The District's information systems are economical, efficient, current, and up-to-date.

(Continued)



Subject: FINANCIAL ACCOUNTABILITY

Policy: 5570

Page 2 of 2

- All computer files are secured with passwords or other controls, backed up on a regular basis, and stored at an off site location.
- The District periodically verifies that its controls are working efficiently.
- The District requires all staff to take vacations during which time another staff member performs the duties of the staff on vacation.

8 New York Code of Rules and Regulations (NYCRR)
Section 170.12

**Subject: ALLEGATIONS OF FRAUD****Policy: 5571**

Page 1 of 2

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 conduct 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 is to disclose such 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 enumerated 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 Independent (External) Auditor, or the School Attorney, or the Board of Education. 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 such conduct promptly and thoroughly. To the extent possible, within legal constraints, all reports will be treated as confidentially and privately as possible. 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 the law. The application of such disciplinary measures by the

(Continued)



Subject: ALLEGATIONS OF FRAUD

Policy: 5571

Page 2 of 2

District does not preclude the filing of civil and/or criminal charges as may be warranted. Rather, 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).

Prohibition of Retaliation

- The Board prohibits any retaliatory behavior directed against those individuals who, in good faith, report allegations of suspected financial improprieties/fraud and/or wrongful conduct as well as witnesses and/or any other individuals who participate in the investigation of an allegation of financial impropriety/fraud and/or wrongful conduct. Follow-up inquiries shall be made to ensure that no reprisals or retaliatory behavior has occurred to those involved in the investigation. Any act of retaliation is prohibited and 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/fraud may also face appropriate disciplinary action.



Subject: AUDIT COMMITTEE

Policy: 5572

Page 1 of 1

- No later than January 1, 2006, an Audit Committee shall be established by Board resolution as a Committee of the Board, a Board advisory committee or as a committee of the whole. Such advisory committee may include, or be composed entirely of persons other than Board members if, in the opinion of the Board, such membership shall provide accounting and auditing expertise.
- The Audit Committee shall consist of at least three members who shall serve without compensation, but shall be reimbursed for any actual and necessary expenditures incurred in relation to attendance at meetings. Members shall not be required to be a resident of the District.
- The responsibilities of the Audit Committee shall be as enumerated in law.
- Any member of the Board who is not a member of the Audit Committee may be allowed to attend if authorized by a Board resolution.



Subject: **INTERNAL AUDIT FUNCTION**

Policy: 5573

Page 1 of 1

- The District has established an Internal Audit Function that includes:
 - Development of a risk assessment of District operations including, but not limited to, a review of financial policies, procedures and practices;
 - An annual review and update of such risk assessment;
 - Annual testing and evaluation of one or more of the District's internal controls, taking into account risk, control weaknesses, size, and complexity of operations;
 - Preparation of reports, at least annually or more frequently as the Board may direct, which analyze significant risk assessment findings, recommend changes for strengthening controls and reducing identified risks, and specify timeframes for implementation of such recommendations.

● The District is permitted to utilize existing District personnel to fulfill the Internal Audit Function, but such persons shall not have any responsibility for other business operations of the District while performing Internal Audit Functions. The District shall also be permitted to use inter-municipal cooperative agreements, shared services to the extent authorized by Education Law Section 1950 or independent contractors to fulfill the Internal Audit Function as long as the personnel or entities performing this Function comply with any Regulations issued by the Commissioner of Education and meet professional auditing standards for independence between the auditor and the District.

● Personnel or entities serving as the Internal Auditor and performing the Internal Audit Function shall report directly to the Board of Education. The Audit Committee shall assist in the oversight of the Internal Audit Function on behalf of the Board.

Education Law Sections 1950, 2116-b and 2116-c
8 New York Code of Rules and Regulations (NYCRR)
Section 170.12(d)

NOTE: Refer also to Policy #1339 - Duties of the Internal Auditor



Subject: INSURANCE

Policy: 5610

Page 1 of 1

- The objective of the Board of Education 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 shall carry insurance to protect the District's real and personal property against loss or damage. This property shall include 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.
- The Superintendent and Business Manager shall review the District's insurance program annually and make recommendations to the Board if more suitable coverage is required.

Public Officers Law Section 18
General Municipal Law Sections 6-n and 52
Education Law Sections 1709(8) and (26) and (34-b),
3023, 3028 and 3811



Subject: INVENTORIES

Policy: 5620

Page 1 of 1

1st Reading of Revised Policy: 10/5/11
2nd Reading of Revised Policy: 11/10/11

- The Superintendent or his/her designee shall be responsible for maintaining a continuous and accurate inventory of equipment owned by the district in accordance with "The Uniform System of Accounts for School Districts."
- All supplies and equipment purchased and received by the School District shall be checked, logged, and stored through an established procedure.
- The capitalization level for fixed assets may be changed by the Board of Education at the Reorganization Meeting every year, but shall never be less than \$1,000.

Uniform System of Accounts for
School Districts (Fiscal Section)

**Subject: FACILITIES: INSPECTION, OPERATION
AND MAINTENANCE****Policy: 5630**

Page 1 of 4

Operation and Maintenance

- The Superintendent is charged with the responsibility for administering plant operations in the most efficient and economical manner possible, while placing high priority on health and safety of students and conservation of natural resources.
- The Board, through the Superintendent and his/her staff, has the responsibility of protecting the District investment in plant and facilities through a systematic maintenance program.
- It is expected that the program shall include periodic preventive maintenance activities, long-range maintenance schedules and emergency repair procedures. It is further expected that all maintenance work will be carried out in a manner that will cause the least interference with the educational program.

Construction and Remodeling of School Facilities

- Plans and specifications for the erection, enlargement, repair or remodeling of facilities of the School District shall be submitted to the Commissioner when the contemplated construction costs of such work are \$10,000.00 or more, and for all projects affecting the health and safety of students.
- Plans and specifications submitted to the Commissioner shall 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 shall also certify that the plans and specifications conform to the standards set forth in the State Uniform Fire Prevention and Building Code (9 NYCRR Parts 600 through 1250) and the State Energy Conservation Construction Code (9 NYCRR Parts 7810 through 7816).
- For remodeling or construction projects costing \$5,000 or more, the District shall assure compliance with the requirements of the State Uniform Fire Prevention and Building Code (9 NYCRR 600 through 1250) and Part 155 of the Commissioner's Regulations, and shall retain the services of an architect or engineer licensed to practice in New York State.
- For remodeling or construction projects costing less than \$5,000, the District shall assure compliance with the requirements of the State Uniform Fire Prevention and Building Code (9 NYCRR Parts 600 through 1250) and Part 155 of the Commissioner's Regulations.



(Continued)

**Subject: FACILITIES: INSPECTION, OPERATION
AND MAINTENANCE**

Policy: 5630

Page 2 of 4

Inspections

- The administration of the School System shall cooperate with officials conducting health, fire, asbestos, bus, and boiler inspections. The administration shall keep the Board of Education informed of the results of such inspections in a timely fashion.

Comprehensive Public School Building Safety Program (Rescue)

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

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

- A five (5) year capital facilities plan which will include a priority listing of current and proposed construction and renovation projects and major repairs and replacement of building systems and their costs.
- A District-wide building inventory, which will include information pertaining to each building including, but not limited to:
 - Type of building, age of building, size of building;
 - Rated capacity, current enrollment;
 - List of energy sources and major systems (lighting, plumbing, electrical, heating); and
 - Summary of triennial Asbestos Inspection reports.
- An annual visual inspection of each occupied building and assignment of a safety rating score. The inspection committee must include a state certified code enforcement official, the District's facility director or designee, and a member of the District's Health and Safety Committee.

(Continued)

**Subject: FACILITIES: INSPECTION, OPERATION
AND MAINTENANCE****Policy: 5630**

Page 3 of 4

- A building condition survey shall be conducted for all occupied school buildings once every five (5) years by a team that includes at least one (1) licensed architect or engineer.
- A District-wide monitoring system which includes:
 - Establishing a Health and Safety Committee;
 - Development of detailed plans and a review process of all inspections;
 - 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.
- Procedures to ensure the safety of the building occupants while a construction/renovation project is taking place. These procedures will include:
 - Notification to parents, staff and the community at least two (2) 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, such notice shall be provided as far in advance of the start of construction as is practicable;
 - A plan to ensure that all contractors comply with all health and safety issues and regulations, and wear photo ID badges;
 - 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
 - An emergency plan which will address potential concerns with the capital project including, but not limited to, evacuation procedures, fire drills, and structural failures.

(Continued)

**Subject: FACILITIES: INSPECTION, OPERATION
AND MAINTENANCE****Policy: 5630**

Page 4 of 4

School Facility Report Cards

- Commencing January 1, 2001 and each year thereafter, the School District shall prepare a School Facility Report Card for each occupied school building.
- The School Facility Report Card for each building shall be reviewed annually by the Board of Education. The Board shall report in a public meeting on the status of each item set forth in Commissioner's Regulations for each facility located in the District.

Fire Inspection: 8 New York Code of Rules and Regulations (NYCRR) Section 155.4
Education Law Section 807-a
Health Inspection: Education Law Section 906
Asbestos Inspection: Education Law, Article 9-A
40 Code of Federal Regulations (CFR)
Part 763, Subpart E
Plans and Specifications:
Education Law Sections 408, 408-a and 409
8 New York Code of Rules and Regulations (NYCRR)
Sections 155.1 and 155.2
Structural Safety Inspections:
Education Law Sections 409-d, 409-e, 3602, and
3641(4)
8 New York Code of Rules and Regulations (NYCRR)
Sections 155.1, 155.3, 155.41, and 155.6



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

Policy: 5631

Page 1 of 1

- The Board of Education recognizes the need to protect human health and the environment from damage resulting from the improper handling of hazardous wastes.
- The management of hazardous waste from its point of generation to the ultimate disposal is regulated through specific Federal and State laws.
- The Board directs the Superintendent to adopt rules to insure District implementation of applicable Federal and State laws pertaining to the identification, transportation, treatment, storage, and disposal of hazardous wastes.
- The Superintendent/designee shall maintain a current record of the social security numbers of every employee who handles toxic substances.

Environmental Protection Agency
40 Code of Federal Regulations (CFR) 261 & 262
6 New York Code of Rules and Regulations
(NYCRR) Part 371

**Subject: SCHOOL SAFETY PLANS****Policy: 5632**

Page 1 of 2

- The District has developed, and will update by July 1st of each succeeding year, as necessary, a comprehensive District-wide school safety plan and building-level school safety plans, as enumerated in Education Law and Commissioner's Regulations, and in a form as prescribed by the Commissioner of Education. These plans will be designed to prevent or minimize the effects of serious violent incidents and emergencies and to facilitate the coordination of schools and the School District with local and county resources in the event of such incidents or emergencies.

- Each plan shall be reviewed by the appropriate school safety team on at least an annual basis, updated as needed and recommended to the Board of Education for approval. However, District-wide and building-level school safety plans shall be adopted by the School Board only after at least one public hearing that provides for the participation of school personnel, parents, students, and any other interested parties. Further, the Board shall make the District-wide and building-level school safety plans available for public comment at least thirty (30) days prior to its adoption, provided that only a summary of each building-level emergency response plan (i.e., building-level school safety plan) shall be made available for public comment.

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 School District, that addresses prevention and intervention strategies, 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 shall be developed by the District-wide school safety team appointed by the Board of Education. The District-wide team shall include, but not be limited to, representatives of the School Board, student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

Building-Level School Safety Plans

- *Building-level school safety plan* means a building-specific school emergency response plan that addresses prevention and intervention strategies, emergency response and management at the building level and has the contents as prescribed in Education Law and Commissioner's Regulations.

(Continued)

**Subject: SCHOOL SAFETY PLANS****Policy: 5632**

Page 2 of 2

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

Filing/Disclosure Requirements

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

Education Law Section 2801-a
Public Officers Law Article 6
8 New York Code of Rules and Regulations
(NYCRR) Section 155.17



Subject: **SMOKING/TOBACCO USE**

Policy: 5640

Page 1 of 2

- Tobacco use shall not be permitted and no person shall use tobacco on school grounds at any time. For purposes of this policy, "school grounds" means any building, structure, and surrounding outdoor grounds contained within the District's 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.

- For purposes of this policy, tobacco is defined to include any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, and any other smoking product, and spit tobacco (smokeless, dip, chew and/or snuff) in any form.

Posting/Notification of Policy

- In compliance with the New York State Clean Indoor Air Act, the District will prominently post its Smoking/Tobacco 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 shall 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.

- As stated in the *District's Code of Conduct*, no student may possess any tobacco products anywhere on school grounds. The penalties for these infractions are set forth in Appendix D to the *Code of Conduct*.

Prohibition of Tobacco Promotional Items/Tobacco Advertising

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

- On school grounds;
- In school vehicles;
- At school-sponsored events;
- In school publications;
- On clothing, shoes, accessories, gear, and school supplies in accordance with the District's Code of Conduct and applicable collective bargaining agreements.

(Continued)



Subject: SMOKING/TOBACCO USE

Policy: 5640

Page 2 of 2

- This prohibition of tobacco promotional items shall be implemented in accordance with the *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.

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

NOTE: Refer also to Policies #3280 -- Community Use of School Facilities
#3410 -- Code of Conduct on School Property
#7310 -- School Conduct and Discipline
#7320 -- Alcohol, Tobacco, Drugs and Other Substances (Students)
#8212 -- Prevention Instruction
District Code of Conduct on School Property

**Subject: ENERGY/WATER CONSERVATION AND
RECYCLING OF SOLID WASTE****Policy: 5650**

Page 1 of 2

- The Board of Education recognizes the importance of energy and water conservation and is committed to the analysis, development, and initiation of conservation measures throughout the District for the purpose of reducing energy consumption by its facilities and to provide education on the conservation of energy.
- The implementation of this policy is the joint responsibility of the Board of Education Members, administrators, teachers, students and support personnel and its success is based on cooperation at all levels.
- The principal will be accountable for energy management on his/her campus with energy audits being conducted and conservation program outlines being updated. Judicious use of the various energy systems of each campus will be the joint responsibility of the principals and head custodian to ensure that an efficient energy posture is maintained on a daily basis.
- To ensure the overall success of the energy management program, the following specific area of emphasis will be adopted:
 - All District personnel will be expected to contribute to energy efficiency in our district. Every person will be expected to be an "energy saver" as well as an "energy consumer".

Recycling

- The Superintendent will develop a program for the source separation and segregation of recyclable or reusable materials in the District. This District-wide recycling plan shall include:
 - 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;
 - A concerted effort to purchase recycled items and biodegradable rather than non-biodegradable products;
 - Separation of waste into appropriate categories for the purpose of recycling;

(Continued)



**Subject: ENERGY/WATER CONSERVATION AND
RECYCLING OF SOLID WASTE**

Policy: 5650

Page 2 of 2

- A cooperative effort with community recycling programs.

Environmental Conservation Law
Sections 27-2101-27-2115
General Municipal Law Section 120-aa
19 New York State Code of Rules and
Regulations (NYCRR) Sections 1220-1226

**Subject: SCHOOL FOOD SERVICE
(LUNCH AND BREAKFAST) PROGRAM****Policy: 5660**

Page 1 of 1

- The Board has entered into an agreement with the New York State Education Department to participate in the National School Lunch and Breakfast Programs and 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 his/her designee shall 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 Superintendent or his/her designee. Appeals regarding eligibility should be submitted to the Superintendent.
- Free or reduced price "Type A" school meals may be allowed for qualifying students attending DeRuyter Central schools upon written application of the student's parent or guardian. Applications will be provided by the School District.
- Procedures for the administration of the free and reduced price meal program of this School District will be the same as those prescribed in current state and federal laws and regulations.

Child Nutrition Program

- The Board authorizes the administration to develop guidelines concerning disciplinary measures for the child nutrition programs to conform with and be incorporated into the School District's overall written policy on School Conduct and Discipline, which is designed to promote responsible student behavior. All parents are to be informed of the specific regulations and subsequent penalties concerning the child nutrition program by the district.

Restriction of Sweets in School

- 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.



Child Nutrition Act 1966

Subject: RECORDS MANAGEMENT**Policy: 5670**

Page 1 of 1

- A records management officer shall be designated by the Superintendent, subject to the approval of the Board of Education. Such records management officer shall coordinate the development of and oversee a program for the orderly and efficient management of records, including the legal disposition or destruction of obsolete records, and 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/designee may comprise the Advisory Board.
- The Superintendent shall develop appropriate regulations and procedures.

Retention and Disposition of Records

- The Superintendent shall retain records for such a period and dispose of them in the manner described in Records Retention and Disposition Schedule ED-1, established pursuant to Part 185, Title VIII of the Official Compilation of Codes, Rules and Regulations of the State of New York and Article 57-A of the Arts and Cultural Affairs Law.

8 New York Code of Rules and Regulations
(NYCRR) Section 185
Public Officers Law Section 65-b
Local Government Records Act of 1987



Subject: SAFETY AND SECURITY

Policy: 5680

Page 1 of 2

- The Board of Education of the DeRuyter Central School District hereby declares that it is the policy of this School District to provide a safe and secure environment to all those persons, students, staff and visitors who lawfully enter upon District property or who travel in District vehicles for the purposes of the District.

- It shall be the responsibility of the Superintendent to establish and carry out written regulations that will:

- Identify those staff members who will be responsible for the effective administration of the regulations;
- Provide staff time and other necessary resources for the effective administration of the regulations;
- Establish periodic written review of the activities of the staff to insure compliance with applicable laws and regulations;
- Provide an on-going mechanism for the effective review of safety and security concerns of the staff, students and affected public;
- Provide for reports to the Board of Education regarding the significant aspects of safety and security of the District.

Labor Law Section 27-a

Student Safety

- All staff who are made aware of physical and/or verbal threats to students must immediately report these threats against students to the next level of supervisory authority for prompt action. The immediate supervisor must then inform the Superintendent/designee, including any action taken, after learning of such threats to students.

- The District shall disseminate this policy to all employees in order to ensure staff awareness.

Hazard Communication Standard

- All personnel shall be provided with applicable training to comply with the New York State "Right-to-Know" Law and the Hazard Communication Standard.

(Continued)



Subject: SAFETY AND SECURITY

Policy: 5680

Page 2 of 2

- The Superintendent/designee shall maintain a current record of the social security numbers of every employee who handles or uses toxic substances and which substances were handled or used by the employee.
- The Board directs the Superintendent to develop rules and regulations to ensure District implementation of this policy which shall include awareness information, employee training and record keeping

New York State Labor Law Section 27-a
12 New York Code of Rules and Regulations
(NYCRR) Part 820 Article 28
Occupational Safety and Health
Administration (OSHA)
29 Code of Federal Regulations (CFR) 1910.1200

NOTE: Refer also to Policy # 5632 – School Safety Plans



Subject: "RIGHT TO KNOW" FOR STUDENTS AND PARENTS

Policy: 5681

Page 1 of 1

- The DeRuyter Central School District Board of Education will attempt to provide available information to parents in the School District whenever a substance which has hazardous or toxic chemicals as part of its makeup, as specified in the Materials Safety Data Sheet, may directly or indirectly expose students to such substance or its residual properties. Safeguards and definitions as provided by New York State Labor Laws regarding this area will pertain, as well.
- Requests to review the materials on file shall be made to the School Business Official. The Administration shall determine the method of communication in providing the appropriation notification to parents.



Subject: **EMERGENCY MANAGEMENT PLAN**

Policy: 5682

Page 1 of 1

● To be prepared for an emergency or crisis in the District and to insure a prompt, thoughtful response, the Superintendent will prepare guidelines for the development of a District Emergency Management Plan. The plan shall make provision for:

- Shelter,
- Evacuation,
- Early dismissal,
- Annual written notification to students and staff,
- An annual drill, and
- Coordination with local emergency preparedness coordinators.

● An Emergency Planning Committee may be established to supervise the plan, and an Emergency Management Plan Coordinator may be appointed with responsibility for overall coordination and decision-making should an emergency occur.

● The Board of Education may create and sustain a control center in anticipation of an emergency. Further, a survey shall indicate the location of potential emergency sites on School District property as well as within the community itself.

**Subject: CRISIS RESPONSE (POST INCIDENT RESPONSE)****Policy: 5683**

Page 1 of 1

- When a crisis arises no school system is immune to the negative physical or mental effect on its students, staff and the local community. Immediate, effective and responsible management and communication can address the crisis and maintain a District's integrity and credibility. Therefore, the District shall develop and maintain a unified position by:
 - Identifying a crisis response team to develop a plan and maintain a strong, ongoing communications program in each school. This is the foundation for long range success.
 - Identifying a media spokesperson who will be briefed on all details. This spokesperson shall be the Superintendent or his/her designee. Only this spokesperson shall talk to and maintain a timely flow of information to the media.

- The Superintendent/designee shall be responsible for informing staff of the crisis plan that is to be developed by both administration and the crisis response team.

NOTE: Refer also to Policy # 5632 – School Safety Plans



Subject: USE OF SCHOOL-OWNED MATERIALS AND EQUIPMENT

Policy: 5684

Page 1 of 1

- Except when used in connection with or when rented under provisions of Education Law Section 414, school-owned materials or equipment may be used by members of the community or by District employees and/or students for school related purposes only. Private and/or personal use of school-owned materials and equipment is strictly prohibited.
- The Board will permit school materials and equipment to be loaned to staff members when such use is directly or peripherally related to their employment and loaned to students when the material and equipment is to be used in connection with their studies or extracurricular activities. Community members will be allowed to use school-owned materials and equipment only for educational purposes that relate to school operations.
- Administrative regulations will be developed to assure the lender's responsibility for, and return of, all such materials and equipment.

Education Law Section 414

**Subject: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)
IN PUBLIC SCHOOL FACILITIES****Policy: 5685**

Page 1 of 2

● The School District shall 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 such facility shall have sufficient automated external defibrillator 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 AED's must be made with consideration of at least the factors enumerated in Commissioner's Regulations. *An instructional school facility means a building or other facility maintained by the School District where instruction is provided to students pursuant to its curriculum.*

● Whenever an *instruction School District facility* is used for a school-sponsored or school-approved curricular or extra-curricular event or activity and whenever a *school-sponsored athletic contest* is held at any location, the public school officials and administrators responsible for such school facility or athletic contest shall 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 are, respectively, associated with its instructional curriculum or otherwise offered to its students. A school-sponsored athletic contest means an extra-class 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 School District facility, School District officials shall assure 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 such athletic event. *A school-sponsored competitive athletic event means an extra-class interscholastic athletic activity of instruction, practice and competition for students in grades through 12 consistent with Commissioner's Regulations Section 135.4.*

● School District Facilities and District staff responsible for carrying out the duties enumerated in Education Law Section 917 are deemed a "public access defibrillator provider" as defined pursuant to Public Health Law Section 3000-b and subject to the Public Health Law requirements and limitations.

● Therefore, it is the policy of our School 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 enumerated in the District's Public Access Defibrillation Collaborative Agreement.

(Continued)

**Subject: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)
IN PUBLIC SCHOOL FACILITIES****Policy: 5685**

Page 2 of 2

- 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 the law and/or regulation. Further, the District will participate in the required Quality Improvement Program as determined by the Regional Emergency Medical Services Council

- Pursuant to Public Health Law Sections 3000-a and 3000-b, the School District (as a public access defibrillation provider), or any employee or other agent of the School 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, shall not be liable for damages for injury or death caused by gross negligence.

Education Law Section 917
Public Health Law Sections 3000-1 and 3000-b
8 New York Code of Rules & Regulations
(NYCRR) Section 135.4



Subject: **INFECTION CONTROL PROGRAM**

Policy: 5690

Page 1 of 1

• The District shall establish an infection control program designed to prevent and control exposure to infectious disease. According to the New York State Department of Labor's Division of Safety and Health and OSHA standards, the program shall consist of:

- Guidelines for maintaining a safe, healthy school environment to be followed by staff and students alike.
- Written standard operating procedures for blood/body fluid clean-up.
- Appropriate staff education/training on use of universal precautions.
- Evaluation of training objectives.
- Documentation of training and any incident of exposure to blood/body fluids.
- A program of medical management to prevent or reduce the risk of pathogens, specifically hepatitis B and HIV.
- Written procedures for the disposal of medical waste.
- 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.

Occupational Safety and Health Administration
(OSHA) Instruction CPL 2-2.4413
29 Code of Federal Regulations (CFR) 1910.10:30



Subject: **COMMUNICABLE DISEASES**

Policy: 5691

Page 1 of 6

Definitions:

- Communicable Disease - A disease caused by an infectious agent (bacterial, viral, parasitic, other) which can be spread from one individual to others.
- Agent - Pathogenic bacteria, viruses, parasites or toxins which cause disease.
- Host - Individual either infected with pathogenic agent or susceptible to infection.
- Environment - All factors external to the agent and host which must be present to facilitate spread of agent.
- School Health Service Personnel - School Physician, School Nurse Practitioner, School Nurse and other professional persons employed to render health care and services.

Delegation of Authority:

- The Superintendent of Schools is authorized to develop appropriate procedures to implement this policy in accordance with the New York State Education Law, Public Health Law, and Sanitary Code.

- Primary responsibility for implementation of this policy lies with the Building Principal and School Nurse, with advice from the School Nurse Practitioner and/or School Physician as necessary. All School Health Service Personnel are charged with the responsibility to inform and advise Administration about current scientific knowledge concerning communicable disease control.

Basic Assumptions:

- The spread of communicable disease is halted by any one of the following:
 - Decreasing the pathogenicity of the agent;
 - Decreasing the susceptibility of the host;
 - Changing the environment which makes the spread of disease possible.
- The focus of communicable disease control is prevention through:
 - Immunization;
 - Cleanliness and Sanitation;
 - Health Education;
 - Case finding by School Personnel;

(Continued)



Subject: **COMMUNICABLE DISEASES**

Policy: 5691

Page 2 of 6

- Isolation, as appropriate, of person with communicable disease from others in the school setting;
 - Encouragement of appropriate medical management.

Specific Process: Isolation of Person With Communicable Disease

Students

● Any student who shows symptoms of any contagious or infectious disease which is reportable under the Public Health Law and the State Sanitary Code shall be immediately excluded from school until one of the following requirements for re-admittance is fulfilled:

- Submission of a certificate from the student's physician attesting to recovery;
- Submission of a permit for re-admittance to school, issued by the local health officer;
- Submission of authorization for readmission issued by the School District medical examiner.

● If it is determined by the School Health Service Personnel that a student's physical condition endangers the health or safety of the individual or others, that individual may be suspended from school under the authority of, and in accordance with, procedures established by Education Law S3214. This determination will be in accordance with informed medical opinion as to the infectiousness of the agent, the mode of transmission, the seriousness of the disease, and the treatment regimen. The goal is to prevent the spread of communicable disease and to facilitate the ill individual's return to health.

● If a student with a communicable disease is not required to be excluded from school, an individual care plan will be developed by the School Health Service Personnel, in conjunction with other appropriate building personnel, to include methods to prevent the spread of infection to others and to reduce the risk of exacerbation of the student's disease.

● Decisions regarding the type of educational program and care setting for a student with a communicable disease shall be based on:

- The age, behavior, neurological development, and physical condition of the child;
- The expected interaction of the child with others in the school setting;
- The risks and benefits to both the ill student and to others in that setting; and
- Other relevant criteria.



(Continued)

Subject: COMMUNICABLE DISEASES**Policy: 5691**

Page 3 of 6

- If the student is excluded from school as a result of the communicable disease, the school administration shall make every reasonable effort to provide said student with an adequate alternative education.

- If a student with a communicable disease is suspected to be a child with a disability, such as to require special education by reason of his/her health impairment, the student shall be referred to the School District Committee on Special Education ("CSE"). The CSE shall review the case and determine if the student is a child with a disability.

Employees

- When the Superintendent has reasonable cause to believe that an employee has a communicable disease, the Superintendent shall:

- Report the full name and address of the employee to the local health officer;
- Request the Board of Education to require the employee to submit to an examination by the School Physician; and
- Require the employee to grant written authorization for the release of medical reports; and for his/her personal physician to discuss the matter with the School Physician.

- If it is determined that the employee had a disease which is designated as communicable by the State Sanitary Code, the Superintendent of Schools shall refer the matter to the School Physician who shall isolate the employee pending official action by the local health officer.

- If the disease is highly communicable, but not designated as such by the State Sanitary Code, or if the School Physician determines that the individual is endangering himself/herself by continuing to work, the employee is encouraged and may be required to remain at home and seek appropriate medical management.

- An employee with a communicable disease shall be granted paid sick leave in accordance with the applicable collective bargaining agreement.

(Continued)



Subject: **COMMUNICABLE DISEASES**

Policy: 5691

Page 4 of 6

- If an employee with a communicable disease is able to be in school and there is little risk to others (as determined by the School Physician), the administration will attempt to accommodate the work environment to assist the individual. A plan will be developed as necessary to protect the ill individual and to prevent the spread of infection to others in the school setting. Said plan may include reassignment of the employee to a position where he/she works in isolation or limited contact with others.

- If the School Physician determines that 1) the employee has a currently contagious disease or infection and 2) the presence of the employee on the job is and will continue to constitute a direct threat to the health, safety or welfare of that employee or other individuals by reason of his/her currently communicable disease or that the employee is unable to perform the duties of the job by reason of his/her currently communicable disease, such employee shall be removed from the regular workplace and his/her employment may be terminated or suspended in accordance with applicable statutes and regulations. Any employee contagious or not, who is unable to perform his/her customary duties or those of any alternative assignment, shall be terminated or placed on disability retirement. The Superintendent of Schools shall see that procedural protections are compiled within any decision to terminate or retire an employee.

Encouragement of Appropriate Medication Management

- In addition to the above procedures, any individual with a suspected communicable disease will be referred to his/her family physician. As appropriate, School Health Personnel will:

- Advise the seeking of professional care or advice from the physician, pharmacist, clinic or other;
- Aid the individual to comply with the treatment regimen in cooperation with the primary health care provided;
- Encourage follow-up; and
- Act as a resource to the family to facilitate the individual's return to optimum health. School attendance will be either encouraged or discouraged in the best interest of the ill individual.

(Continued)

**Subject: COMMUNICABLE DISEASES****Policy: 5691**

Page 5 of 6

Employee Obligation

- No susceptible employee shall be required to work with or to have personal contact with an individual with a communicable disease unless safeguards have been made to avoid the spread of the disease within the school setting.

- In the event that alternate instruction is planned which requires personal contact with an infected student, a school employee may decline such assignment without penalty.

Confidentiality

- The individual's privacy shall be protected by school personnel. Except as otherwise required by law, the identity of any individual with a communicable disease shall not be revealed. All records shall be confidential.
 - Except if otherwise authorized by the infected employee, student or person in parental relation, the only persons who will be informed of an infected individual's condition are those who:
 - Require such knowledge to assure proper care of the ill individual; or
 - Should be informed to detect situations where the potential for transmission may increase; or
 - Are individuals who, in the judgment of the family and School Health Care Personnel,
 - should have such knowledge.

Cleanliness and Sanitation

- Pursuant to the Public Health Law, Regulations of the Commissioner of Education, and recommendation of the CDC (Centers for Disease Control), the School Administration shall establish, and all school personnel shall comply with, routine procedures for handling body fluids and wastes and storing, handling, and disposing of hypodermic syringes and needles. Procedures will be developed by the Superintendent of Schools.

- Hand-washing is fundamental in the prevention of the spread of infection. All personnel and students are required to thoroughly wash their hands with soap and water before handling food, after toileting, and after handling body fluids and discharges.

(Continued)

**Subject: COMMUNICABLE DISEASES****Policy: 5691**

Page 6 of 6

- Under the authority of the Food Service Director, all Food Service Personnel are required to comply with the New York State Sanitary Code to best avoid the spread of food borne infection.

- Under the authority of the Director of Facilities and Transportation, all school buildings will be cleaned and maintained so as to best prevent the spread of infection.

Health Education

- School Health Service Personnel shall keep informed of current scientific information to enable them to better prevent the spread of communicable disease and will share this knowledge with other school personnel as appropriate.

- School Health Service Personnel shall give information to parents as appropriate to aid in the prevention, treatment, or interruption of the spread of communicable disease.

- Students from Kindergarten through Grade 12 will receive instruction about the causes, prevention, and treatment of communicable diseases to enable them to remain as free from illness as possible.

**Subject: HIV/AIDS*****Policy: 5692**

Page 1 of 1

- HIV is a virus which causes the collapse of the body's natural immunity against diseases. As such, the Board of Education must be concerned with the impact which HIV infection has upon the health and rights of students and staff afflicted with the disease, and upon the health and the rights of other members of the School District community.
- AIDS is the late-step HIV infection characterized by neurological changes, opportunistic infections and/or malignancies. According to current medical information, the virus that causes AIDS is difficult to transmit and is not communicable through casual contact. The Board of Education understands, however, that the state of medical knowledge with respect to HIV/AIDS, and its impact, is evolving. It is prudent, therefore, that the School District have established guidelines in place to enable all within the School District community to respond in a rational and appropriate manner to AIDS-related situations.
- At the present time, there is no cure or immunization for HIV infection. Therefore, appropriate education as a means to prevent the spread of the virus is critical.
- Based upon current medical information, it is the policy of this Board of Education that students or employees who have Acquired Immunodeficiency Syndrome (AIDS), or who have had a positive test reaction for HIV infection, and who do not pose a threat to themselves or others, are entitled to be in attendance or actively employed by the School District.
- HIV Infection is legally considered a disability and therefore confidentiality afforded the infected person(s) is strict. It is the policy of the Board of Education that the right to privacy of an individual afflicted with HIV/AIDS will be protected in compliance with the mandatory confidentiality procedures under Article 27-F of the Public Health Law. Only those person or organizations specified in the Public Health Law shall be given access to HIV/AIDS-related information regarding individuals employed by or attending school in the School District.
- Because no one will know if a student or employee has HIV infection, we have to assume that every person is infected. It is, therefore, the full intent of the District that all employees and students will be educated on infection control/universal precaution procedures to prevent transmission of the virus, in order to protect their own health and that of others.

*Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome

**Subject: TRANSPORTATION OF STUDENTS****Policy: 5710**

Page 1 of 5

- Responsibility for the administration of the transportation program rests with the Superintendent of Schools or his/her designee. The Superintendent shall adhere to all laws, rules and regulations of the Commissioner of Education, the Department of Motor Vehicles, and the Transportation Department, as well as policies of the Board of Education.
- Student transportation vehicles may be used for any of the following purposes:

Transportation of students to and from school.

- Transportation of students involved in extra curricular activities sponsored by the Board of Education.
- Transportation of pupils or teachers for any purpose that is clearly within the scope of the school program sponsored by the Board of Education (example: Field Trips).
- Transportation of resident children to and from private and parochial schools they attend, according to distances as otherwise specified in this policy, up to a distance of fifteen (15) miles from home to school measured by the nearest available public road.
- The District will establish one or more central pick-up points on school property. Students attending private or parochial schools, who are not eligible for transportation due to the fifteen (15) mile limitation, may receive transportation to the school they attend from a central pick-up point up to a distance of fifteen (15) miles from the pick-up point to the school they legally attend. The District is not responsible for providing transportation between home and the central pick-up point.
- Students with a disability who have been classified by the District's Committee on Special Education shall be eligible for transportation up to fifty (50) miles from their home to the appropriate special service program or school they attend, unless exceeded by the Commissioner of Education.

Student Information

- Any mode of transportation used on a regular basis to transport students with a disability on a regularly scheduled route shall, upon written consent of the parent or person in parental relation, have maintained on such mode of transportation the following information about each student being transported:

(Continued)



Subject: **TRANSPORTATION OF STUDENTS**

Policy: 5710

Page 2 of 5

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

- Such information shall be used solely for the purpose of contacting such student's parent, guardian, person in a position of loco parentis, or designee in the event of an emergency involving the student, shall be kept in a manner which retains the privacy of the student, and shall 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, such information may be accessed by any emergency service provider for such purpose.

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

- Herein the term "disability" shall mean a physical or mental impairment that substantially limits one or more of the major life activities of the student, whether of a temporary or permanent nature.

Fire Extinguishers

- School buses manufactured on or after January 1, 1990 fueled with other than diesel fuel and used to transport three (3) or more students who use wheelchairs or other assistive mobility devices or with a total capacity of more than eight (8) passengers and used to transport such students shall be equipped with an automatic engine fire extinguishing system.

- School buses manufactured on or after September 1, 2007 fueled with diesel fuel and used to transport three (3) or more students who use wheelchairs or other assistive mobility devices or with a total capacity of more than eight (8) passengers used to transport such students shall be equipped with an automatic engine fire extinguishing system.

- The purchase of automatic engine fire extinguishing systems for school buses used to transport such students shall be deemed a proper School District expense.



(Continued)

Subject: TRANSPORTATION OF STUDENTS

Policy: 5710

Page 3 of 5

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 shall provide transportation back to either the point of departure or to the appropriate school in the District unless the parent or legal guardian of a student participating in such event has provided the District with written notice, consistent with District policy, authorizing an alternative form of return transportation for such student or unless intervening circumstances make such transportation impractical. 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, a representative of the School District shall remain with the student until such student's parent or legal guardian has been contacted and informed of the intervening circumstances which make such transportation impractical; and the student has been delivered to his/her parent or legal guardian.

Use of Buses for Non-District Purposes

- The District shall not lease, rent or lend school vehicles to private individuals, groups or organizations. School vehicles may be leased to other School Districts or to municipalities for use in connection with municipal programs for youth or senior citizens. The Superintendent of Schools or his/her designee is authorized to develop regulations governing such special use of school vehicles, provided that such uses shall be at no cost to the District and shall not interfere with the transportation of students in school programs.

Distances

- Students will be eligible for school bus transportation as follows:
 - All elementary students are eligible.
 - Middle school students who live one (1) mile or more from the school they attend.
 - Jr. High and High School students who live one and one-quarter (1.25) miles or more from the school they attend.

*Any change to transportation distance and eligibility requires voter approval.

- Distances stated above shall be measured by the nearest main entrance to each building. Measurement shall begin from a point where access to the student's residence joins the road. If there is more than one access point to the residence, the access nearest to the school property shall be used as a determination for measurement. Measurement shall end at a point where a vehicle enters a building drive entrance, such entrance to be the one nearest to the students' residence. Distances to non-public school shall be measured in the same manner as for public schools.



(Continued)

Subject: TRANSPORTATION OF STUDENTS

Policy: 5710

Page 4 of 5

Discretionary Transportation

• Discretionary transportation may be provided to students who are not eligible for transportation under distance limitations established by the Board of Education, upon the following terms and conditions:

- Students who reside along or in near proximity to established bus routes may apply, in writing, for discretionary transportation along said bus route to such school they legally attend. Pick-up points along said route will be determined by the District.
- Written applications for such transportation shall be submitted annually and received by the Transportation Director no earlier than July 1 of the school year in which transportation is desired. Transportation services under this section will begin approximately October 1 annually.
- Students will be provided with discretionary transportation only if there are available seats on the bus, if the bus does not need to alter its route, and only if such transportation can be provided without additional cost to the School District.
- If there are more requests for discretionary transportation than there are available seats on any bus, such transportation shall be granted on the basis of the following order of priority:
 - First to students in the lowest grade levels;
 - Priority for students in the same grade level shall be determined on the basis of the date of application. Ties with respect to the date of application will be resolved on the basis of distance from home to school.
- In the event other students become eligible for transportation along said bus route during the school year, students receiving discretionary transportation will be "bumped" from the bus in the reverse order established by paragraph "d" above.
- The School District may discontinue providing discretionary transportation in total or for an individual student at any time and may change bus routes at its sole discretion. No entitlement to transportation is created by virtue of this regulation.

• School vehicles shall load and unload students at collection points designated by the Superintendent or his/her designee.



(Continued)

Subject: TRANSPORTATION OF STUDENTS

Policy: 5710

Page 5 of 5

- School bus routes shall be determined by the Superintendent or his/her designee.

Education Law Sections 1604, 1709, 1804,
1903, 1950, 2503, 2554, 2590-e, 3602(7),
3620 – 3628, 3635 - 3636, 4401(4), 4404 and 4405
Vehicle and Traffic Law Section 375(20) and (21-i)

NOTE: Refer also to Policies #5720 -- Use of Buses by Community Groups
#7131 -- Education of Homeless Children and Youth



Subject: USE OF BUSES BY COMMUNITY GROUPS

Policy: 5720

Page 1 of 1

- Upon formal application to and approval by the Board of Education buses may be rented 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 the physically or mentally disabled; or, to any not-for-profit organization which provides recreational youth services or neighborhood recreation centers. Such rentals can be made only for times when vehicles are not needed for student transport and must be made for a consideration acceptable to the Board. The District shall be named as additional insured on all such policies.

Education Law Section 1502

NOTE: Refer also to Policy #5710 -- Transportation of Students

**Subject: SCHOOL BUS SAFETY PROGRAM****Policy: 5730**

Page 1 of 1

- 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 shall be observed by drivers, students and school personnel.
- To assure the safety and security of students boarding or exiting school buses on school property, it shall be unlawful for a driver of a vehicle to pass a stopped school bus when the red bus signal is in operation.
- 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. The District Code of Conduct applies to conduct committed by students while on the school bus.
- All buses and other vehicles owned and operated by the School District will have the Department of Transportation required 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 any school bus accident involving death, injury, or property damage. All accidents, regardless of damage involved, must be reported at once to the Transportation Supervisor.

Education Law Section 3623
8 New York Code of Rules and Regulations
(NYCRR) Section 156.3
Vehicle and Traffic Law Sections 509-a(7),
509-1(1-b), and 1174(a and b)

NOTE: Refer also to Policies #5741 -- Drug and Alcohol Testing for School Bus Drivers and Other Safety-Sensitive Employees
#8211 -- Fire Drills, Bomb Threats and Bus Emergency Drills

**Subject: QUALIFICATIONS OF BUS DRIVERS****Policy: 5740**

Page 1 of 2

- A person shall be qualified to operate a bus only if such person:
 - Is at least twenty-one years of age;
 - Has been issued a currently valid driver's license or permit which is valid for the operation of a bus in New York State;
 - Has passed the annual bus driver physical examination administered pursuant to Regulations of the Commissioner of Education and the Commissioner of Motor Vehicles. In no case shall the interval between physical examinations exceed a 12-month period;
 - Is not disqualified to drive a motor vehicle under Sections 509-c and 509-cc and any other provisions of Article 19-A of the Vehicle and Traffic Law;
 - Has on file at least three statements from three different persons who are not related to the driver/applicant pertaining to the moral character and to the reliability of such driver/applicant;
 - Has completed, or is scheduled to complete, State Education Department safety programs as required by law;
 - 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.
 - Has taken and passed a physical performance test at least once every two (2) years and/or following an absence from service of sixty (60) or more consecutive days from his/her scheduled work duties;
 - 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 his/her designee shall:
 - Require such person to pass a physical examination within four (4) weeks prior to the beginning of service;
 - 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**

Policy: 5740

Page 2 of 2

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

Sections 509-c, 509-cc, and Article 19-A of the
Vehicle and Traffic Law
Education Law Section 3624
15 New York Code of Rules and Regulations
(NYCRR) Part 6
8 New York Code of Rules and Regulations
(NYCRR)
Section 156.3
Omnibus Transportation Employee Testing Act of
1991
(P.L. 102-143)
49 United States Code (U.S.C.) Section 521(b)
49 Code of Federal Regulations (C.F.R.)
Parts 40, 382, 391, 392, and 395

NOTE: Refer also to Policy #5761 -- Drug and Alcohol Testing For School Bus Drivers and Other Safety-Sensitive Employees.



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

Policy: 5741

Page 1 of 3

- In accordance with federal regulations, employees in safety-sensitive positions as defined in regulations, including school bus drivers who are required to have and use a commercial drivers license (CDL), are now subject to random testing for alcohol, marijuana, cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP). The District shall adhere to federal law and regulations requiring the implementation of a drug and alcohol testing program for such employees in safety-sensitive positions.

- The District shall 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 (SSE), including school bus drivers who drive a vehicle which is designed to transport 16 or more passengers (including the driver), shall be subject to this requirement.

- Federal regulations require that the District test school bus drivers and other SSEs for alcohol and drugs at the following times:
 - Drug testing will be conducted after an offer to hire, but before actually performing safety-sensitive functions for the first time. Such pre-employment testing will also be required when employees transfer to a safety-sensitive position.
 - Safety-sensitive employees 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.
 - 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.
 - There will also be post accident testing conducted after accidents on employees whose performance could have contributed to the accidents.
 - Finally, return-to-duty and follow-up testing will be conducted when an individual who has violated the prohibited alcohol and/or drug conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced and at least 6 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 shall 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**

Policy: 5741

Page 2 of 3

- 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 and other SSEs:
 - Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
 - Being on duty or operating a commercial motor vehicle (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.
 - Using alcohol while performing safety-sensitive functions.
 - Using alcohol 4 hours or less before duty.
 - 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.
 - Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion or follow-up testing requirements.
 - 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.
 - 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 pursuant to District policy and collective bargaining agreements, as well as the sanctions provided for in federal law. SSEs who have engaged in such prohibited behavior shall not be allowed to perform safety-sensitive functions until they are:
 - Evaluated by a substance abuse professional (SAP).
 - Complete any requirements for rehabilitation as set by the District and the SAP.

(Continued)



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

Policy: 5741

Page 3 of 3

- Pass a return to 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.
- THE SSE shall also be subject to unannounced follow-up alcohol and controlled substance testing. The number and frequency of such follow-up testing shall be as directed by the SAP, and consist of at least 6 tests in the first 12 months.

- The Superintendent of Schools shall 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 his/her designee shall ensure that a copy of these materials is distributed to each SSE, who shall 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 safety-sensitive employees. Representatives of applicable collective bargaining units shall be notified of the availability of this information.

- The Superintendent or his/her designee shall 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/abuse.

- Any violation of this policy and/or District procedures, and applicable federal and state laws by a covered employee shall 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.

- Regulations shall be established as necessary to implement this policy.

Omnibus Transportation Employee Testing Act
of 1991 (P.L.102-143)
49 United States Code (USC) Section 521(b)
49 Code of Federal Regulations (CFR) Parts
40, 382, 391, 392 and 395