

HAMPTON BAYS UNION FREE SCHOOL DISTRICT
86 East Argonne Road
Hampton Bays, New York 11946

Board of Education

Kevin Springer, President
Richard Joslin, Vice President
Dot Capuano, Trustee
Michael Dunn, Trustee
Liz Scully, Trustee
Lars Clemensen, Superintendent of Schools
Anna Marie Rojas, District Clerk

OFFICIAL AGENDA –June 12, 2018
Hampton Bays High School Auditorium

6:00 PM – AUDIT COMMITTEE MEETING

It is expected that the Board of Education will enter Executive Session following the Audit Committee Meeting and prior to the scheduled public meeting to discuss the status of on-going litigation.

7:00 PM -- BUSINESS MEETING

1. OPENING PROCEDURES

- A) **Call to Order**
- B) **Pledge of Allegiance**
- C) **Announcement of Emergency Exits -- Please note the marked emergency exits.**
- D) **Approval of Order of Agenda**

2. CLERK’S REPORT

- A) **Approval of Minutes**
BE IT RESOLVED that the Board of Education accepts minutes of the Business Meeting held Tuesday, May 8, 2018.

Note: draft minutes will be available on the District’s website approximately two weeks following business meetings.

- B) **Public Comment**
Speakers will be recognized who wish to address the Board on agenda items only.

3. PRESENTATIONS AND REPORTS

- A) **Superintendent’s Report** *Lars Clemensen*
- B) **Students of the Month – May and June**
 - William Armijos Cordero, May* *Marc Meyer*
 - Logan Haynes, June*
 - James Salas-Fernandez, May* *Dennis Schug*
 - Lily Simpson-Heavey, June*
 - Morgan Phillips, April* *Christopher Richardt*
 - Melanie Lourenco, May*
 - Yasmin Rojas, June*

C) **Science Research College Credit** *Dr. Stephanie Forsberg*
Sydney Caldwell
Caroline Oakland
Meghan Long

D) **NYS Seal of Biliteracy** *Diane Fox*
Andrews, Sasha *Guzman Valencia, Carlos* *Pettas, Stefani*
Brenes-Sandoval, Daniel *Hansen, Hannah* *Reyes, Jennifer*
Calderon, Andrew *Hernandez, Denisse* *Rivera Pineda, Kimberly*
Caldwell, Sydney *Levine, Colette* *Rodriguez, Ingrid*
Candelaria, Emma *Long, Meghan* *Shortall, Eileen*
Feliciano, Neida *Martinez, Trisha* *Tyler, Mackenzie*
Gonzalez Molina, Ruben *Martinez Moraga, Alejandra* *Vazquez, Ray*
Guevara, Glenda *Oakland, Caroline* *Zbikowski, Matthew*

E) **Presentation of District Retirees** *Dennis Schug*
Barbara Bickford
Kathleen Colihan
Joan Crowley
Pamela Renna
Grace McGuire
Pete Meehan *Christopher Richardt*
Maria Schmidt *Lars Clemensen*
Dena Tezel *Marc Meyer*

-----Break-----

4. **BUSINESS, FINANCE, AND OPERATIONS**

A) **Assistant Superintendent for Finance and Operations Report** *Larry Luce*

B) **Approval of Contracts**

RESOLVED, that the Board of Education, upon the recommendation of the Assistant Superintendent for Finance and Operations, approves the following contracts for the school year indicated, such contracts shall be incorporated by reference within the minutes of this meeting:

- 1. Sag Harbor UFSD, health services, 2017-18 school year*
- 2. Bridgehampton UFSD, health services, 2017-18 school year*
- 3. Center Moriches UFSD, educational services, 2018-19 school year*
- 4. Center Moriches UFSD, educational services, 2018-19 school year*
- 5. East Quogue UFSD, educational services, 2018-19 school year*
- 6. All-Suffolk Auto School, Drivers Education, 2018 summer*
- 7. All-Suffolk Auto School, Drivers Education, 2018-19 school year*
- 8. AssetWorks LLC, asset management services, 2018-19 school year*
- 9. Omni Services Agreement, deferred compensation administrator, 2018-19 school year*
- 10. R.S. Abrams & Co., LLP, auditing services, 2018-19 school year*
- 11. ESBOCES, facility use, 2018-19 school year*
- 12. ESBOCES, cooperative education services, 2018-19 school year*
- 13. SCOPE Education Services, after-school child care program, 2018-19 school year*

C) **Financial Reports**

RESOLVED, that the Board of Education, upon the recommendation of the, Assistant

Superintendent for Finance and Operations, accepts the following Financial Reports:

1. *Appropriation Status Report – General, May 2018*
2. *Appropriation Status Report – Cafeteria, May 2018*
3. *Appropriations Report – Capital, May 2018*
4. *Appropriations Report – Special Education, May 2018*
5. *Budget Transfer General/Capital Report, May 2018*
6. *Warrant Reports, May 2018*
7. *Cash Disbursements, May 2018*
8. *Revenue Budget Status Report – General, May 2018*
9. *Revenue Budget Status Report – Cafeteria, May 2018*
10. *Treasurer’s Monthly Report, April 2018*
11. *Trial Balance General Fund, May 2018*
12. *Trial Balance School Lunch Fund, May 2018*
13. *Trial Balance Capital Fund, May 2018*
14. *Trial Balance Trust and Agency Fund, May 2018*
15. *Trial Balance Special Aid Fund, May 2018*
16. *Trial Balance Extracurricular Fund, May 2018*
17. *Cash Flow Report, April 2018*
18. *Internal Claims Audit Report, May 2018*
19. *Student Enrollment Report, May 2018*

D) Budget Transfers

BE IT RESOLVED, that upon the recommendation of the Assistant Superintendent for Finance and Operations, the Board of Education approves the budget transfers, as per the attached documentation:

1. *\$20,000.00 to adjust for upgraded internet services*
2. *\$150,000.00 to adjust within transportation codes for fuel purchased*
3. *\$149,762.20 to adjust for horizontal movement, maternity, and teacher movement*
4. *\$217,917.00 to adjust for \$1.5M to BAN payment, to continue prepayment*
5. *\$54,790.38 to adjust for changes in Technology*
6. *\$11,536.83 to adjust within budget codes for small overages*
7. *\$40,395.83 to adjust within Plant Operations for overtime/overages*
8. *\$40,000 to adjust for K-6 implementation of literacy initiative*
9. *\$45,369.84 to adjust for Alternative School costs*

E) Acceptance of Donation

BE IT RESOLVED, that upon the recommendation of the Assistant Superintendent for Finance and Operations, the board of Education gratefully accepts a donation of frames from Carole F. Kelley, for the high school art department with an approximate worth of \$335.00.

F) Approval of Tax Anticipation Note

RESOLVED BY THE BOARD OF EDUCATION OF HAMPTON BAYS UNION FREE SCHOOL DISTRICT, IN THE COUNTY OF SUFFOLK, NEW YORK, AS FOLLOWS:

Section 1. Tax Anticipation Notes (herein called “Notes”) of Hampton Bays Union Free School District, in the County of Suffolk, New York (herein called “District”), in the principal amount of not to exceed \$13,000,000, and any notes in renewal thereof, are hereby authorized to be issued pursuant to the provisions of Sections 24.00 and 39.00 of the

Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law").

Section 2. The following additional matters are hereby determined and declared:

(a) The Notes shall be issued in anticipation of the collection of real estate taxes to be levied for school purposes for the fiscal year commencing July 1, 2018 and ending June 30, 2019, and the proceeds of the Notes shall be used only for the purposes for which said taxes are levied.

(b) The Notes shall mature within the period of one year from the date of their issuance.

(c) The Notes are not issued in renewal of other notes.

(d) The total amount of such taxes remains uncollected at the date of adoption of this resolution.

Section 3. The Notes hereby authorized shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the District, and the faith and credit of the District are hereby pledged to the punctual payment of the principal of and interest on the Notes and unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the District and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00 and 61.00 of the Law, the power to sell and issue the Notes authorized pursuant hereto, or any renewals thereof, and to determine the terms, form and contents, including the manner of execution, of such Notes, and to execute tax certifications relative thereto, is hereby delegated to the President of the Board of Education, the chief fiscal officer of the District.

Section 5. The Notes shall be executed in the name of the District by the manual signature of the President of the Board of Education, the Vice President of the Board of Education, the District Treasurer, the District Clerk, or such other officer of the District as shall be designated by the chief fiscal officer of the District, and shall have the corporate seal of the District impressed or imprinted thereon which corporate seal may be attested by the manual signature of the District Clerk.

Section 6. This resolution shall take effect immediately.

G) Driver's Ed Resolution for 2018-19 School Year

Resolved that the Board of Education, pursuant to the new contract rates for in car driver's education sets the following rates for students taking the elective course Driver's Education at Hampton Bays High School as follows:

The additional cost will be \$475 per student for district residents, enrolled students, and students who can prove home ownership but not residency in Hampton Bays (aka. summer homeowners). The additional cost will be \$550 per student for those who are not residents or homeowners and do not meet the criteria above (aka. summer vacationers)

The elective course Driver's Education at Hampton Bays High School must have at least 16 enrolled and pre-paid students for the class to run.

If the elective course Driver's Education at Hampton Bays High School has more than 24 enrolled and paid students for any section during the year, the Board of Education may offer a rebate to parents who are residents or homeowners in the school district with a student enrolled in the course at that time.

5. STUDENT SERVICES

A) Approval of CSE/CPSE Services

RESOLVED, that the Board of Education, upon the recommendation of the Superintendent of Schools, arranges for the placement of students with disabilities as presented to the Board of Education.

6. PERSONNEL

A) Acceptance of Resignations

RESOLVED, that the Board of Education, upon the recommendation of the Superintendent of Schools, accepts the resignation of the following individuals:

- 1. Diana Vamvakitis, Teacher Aide, effective June 30, 2018*
- 2. Christina Chiarulli, School Psychologist, effective August 1, 2018*
- 3. Susan VonBartheld, Teacher Aide, effective June 4, 2018*
- 4. Ashley Ahnert, Teacher Aide, effective June 25, 2018*

B) Approval of Leave of Absence

RESOLVED, that the Board of Education, upon the recommendation of the Superintendent of Schools, approves a leave of absence for the following individual:

- 1. Michelle Marrone, Teacher, FMLA, October 22, 2018-January 1, 2019*
- 2. Vincent DeMartino, Custodian, FMLA, June 11, 2018-September 4, 2018*
- 3. Geraldine Gaudiello, Teacher Aide, CSEA (IX)(D)(5) May 18, 2018-August 30, 2018*

C) Approval of Teaching Appointments

RESOLVED, that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the following individuals for a teaching appointment, according to the terms as follows:

- | | |
|-----------------------------|--|
| <i>1. Ryan Duca</i> | <i>Secondary Science Teacher/Earth Science</i> |
| <i>Effective:</i> | <i>August 30, 2018</i> |
| <i>Probationary Period:</i> | <i>August 30, 2018 through August 29, 2022</i> |
| <i>Salary:</i> | <i>MA, Step 3</i> |
| <i>Reason:</i> | <i>Resignation of Daniel Garvey</i> |
- | | |
|-----------------------------|--|
| <i>2. Nicole Vincent</i> | <i>Special Education Teacher</i> |
| <i>Effective:</i> | <i>August 30, 2018</i> |
| <i>Probationary Period:</i> | <i>August 30, 2018 through August 29, 2022</i> |
| <i>Salary:</i> | <i>MA, Step 3</i> |
| <i>Reason:</i> | <i>Retirement of Peter Meehan</i> |
- | | |
|-------------------------|----------------------------------|
| <i>3. Gisella Prado</i> | <i>Secondary English Teacher</i> |
| <i>Effective:</i> | <i>August 30, 2018</i> |

Probationary Period: August 30, 2018 through August 29, 2022
Salary: BA Step 1
Reason: Retirement of Kathleen Colihan

4. *Marianne Pendlebury* Elementary Teacher
Effective: August 30, 2018
Probationary Period: August 30, 2016 through August 29, 2019
Salary: No change in salary
Reason: Retirement of Joan Crowley

5. *Victoria Manzullo* Special Education Teacher
Effective: August 30, 2018
Probationary Period: August 30, 2018 through August 29, 2022
Salary: MA Step 1
Reason: Transfer of Marianne Pendlebury

D) Approval of Co-Curricular Appointments 17-18

RESOLVED, that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the following appointments for the 2017-2018 school year:

<u>Name</u>	<u>Position</u>
1. <i>Christie Carmichael</i>	<i>Balanced Literacy Training</i>
2. <i>Caitlin Hansen</i>	<i>Balanced Literacy Training</i>
3. <i>Nicola Matzner</i>	<i>Balanced Literacy Training</i>
4. <i>Debra McDowell</i>	<i>Balanced Literacy Training</i>

E) Approval of Co-Curricular Appointments 18-19

RESOLVED, that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the following co-curricular appointments for the 2018-19 school year:

<u>Name</u>	<u>Position</u>
1. <i>Nicole Squires</i>	<i>After-School Athletic Supervision</i>
2. <i>Alyssa Daniels</i>	<i>After-School Athletic Supervision</i>

F) Approval of Summer School Staff

RESOLVED, that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the following summer school staff:

<u>Name</u>	<u>Position</u>
1. <i>Emily Grosse</i>	<i>Teacher</i>
2. <i>Shannon Hickey</i>	<i>Teacher</i>
3. <i>Judith Leopard</i>	<i>Teacher</i>
4. <i>Jennifer Loesch</i>	<i>Teacher</i>
5. <i>Vicki Manzullo</i>	<i>Teacher</i>
6. <i>Nicola Matzner</i>	<i>Teacher</i>
7. <i>Deborah McDowell</i>	<i>Teacher</i>
8. <i>Carla Pensa</i>	<i>Teacher</i>
9. <i>Dawn Reimer</i>	<i>Teacher</i>
10. <i>Elizabeth Scott</i>	<i>Teacher</i>
11. <i>Patricia Biscardi</i>	<i>Teacher</i>
12. <i>Kelley Davide</i>	<i>Teacher</i>

13. Jonathan Dellasperanza	Teacher
14. Kristie Loper	Teacher
15. Robin Mancuso	Teacher
16. Kaitlyn Marquez	Teacher
17. Lauren Mikelinich	Teacher
18. Joan Moran	Teacher
19. Anthony Schmidt	Teacher
20. Linda Schmidt	Teacher
21. Christopher Warren	Teacher
22. Melba Martinez	TESOL/Science
23. Toni Dossiano	Science
24. Sav Naclerio	Special Education
25. Marianne Pendlebury	Librarian
26. Christopher Romero	Social Studies
27. Emilia Dakis	ELA
28. Traci Dippel	ELA
29. Carolyn McAulay	Social Studies
30. Brittany Richter	Social Studies
31. Garrett Schnetter	HS Mathematics
32. Samantha Renalds	Mathematics
33. John Roche	Gr. 5/6 Mathematics
34. Rebecca Kober	ES Life Skill Academy TA
35. Lisa Marte	MS Life Skills Academy TA
36. Margaret Peterson	HS Life Skills Academy TA
37. Christine Anselmo	Psychologist
38. Kathy Algieri	Substitute Teacher
39. Caitlin Hansen	Substitute Teacher
40. Erin McDermott	Substitute Teacher
41. Victoria Renna	Substitute Teacher
42. Martyna Sokol	Substitute Teacher
43. Heath Kaplan	Substitute Teacher
44. Stacey Naglieri	Substitute Psychologist
45. Lisa Agoglia	Teacher Aide
46. Michele Bedoya	Teacher Aide
47. Peggi Booth	Teacher Aide
48. Carly Bossung	Teacher Aide
49. Carol Calderaro	Teacher Aide
50. Syndey Cerase	Teacher Aide
51. Mena Chockalingam	Teacher Aide
52. Norah Doyle	Teacher Aide
53. Monica Hanes	Teacher Aide
54. Dawn Kampf	Teacher Aide
55. Lena Koutsoyiannis	Teacher Aide
56. Meaghan Metzger	Teacher Aide
57. Carolyn Muller	Teacher Aide
58. Patricia McCrave	Teacher Aide
59. Krista Savino	Teacher Aide
60. Daniela Demasco	Teacher Aide
61. Patricia Stuart	Teacher Aide
62. Margaret Urcuiolio	Teacher Aide
63. Bethany Venditto	Teacher Aide

- | | |
|---------------------|-------------------------|
| 64. Maria McFarland | Teacher Aide |
| 65. Jennifer Snell | Substitute Teacher Aide |
| 66. Paula bullock | Aide |

G) Approval of Substitute Teaching Positions

RESOLVED, that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the following substitute teachers for the 2017-2018 school year at the approved rate as per the HBTA contract:

<u>Name</u>	<u>Position</u>
1. Krista Savino	Non-Certified
2. Jill McCormack	Non-Certified
3. Jennifer Snell	Non-Certified
4. Carly Bossung	Non-Certified
5. Annalise Romagnoli	Non-Certified

H) Approval of Support Positions

RESOLVED, that the Board of Education, upon the recommendation of the Superintendent of Schools, approves the following support staff for the 2017-2018 school year:

<u>Name</u>	<u>Position</u>
1. Virginia Salerno	Custodian
2. Krista Savino	Teacher Aide
3. Jill McCormack	Teacher Aide
4. Jennifer Snell	Teacher Aide
5. Carly Bossung	Teacher Aide
6. Annalise Romagnoli	Teacher Aide

I) Approval for Per Diem Payment

RESOLVED, the Board of Education upon the recommendation of the Superintendent of Schools, authorizes the payment of Elizabeth Lanni for per diem work related to the literacy curriculum at a rate 1/200th of the latest signed Salary Agreement for work completed on 2/2, 3/1, 3/23, 5/20-5/24, 2018.

7. BOARD OF EDUCATION

A) Acceptance of the 2017-18 Annual Meeting Results

RESOLVED THAT upon the recommendation of the Superintendent of Schools, the Board of Education hereby accepts the results of the 2018-19 School Budget and Board of Education vacancy vote, held on Tuesday, May 15, 2018, and as provided by the School District Clerk and thus incorporated into the minutes of this meeting.

B) Approval of Notice of Annual District Meeting of the Hampton Bays UFSD on behalf of the Hampton Bays Public Library

BE IT RESOLVED, that the Board of Education approves the attached Notice of Annual District Meeting to be published June 28th, July 12th, July 26th and August 9, 2017 in the Southampton Press Western Edition (Appendix #1).

C) Appointment of Workers for Election and Special District Meeting for the Purpose of a Budget Vote on Behalf of the Hampton Bays Public Library

BE IT RESOLVED, that the Board of Education of the Hampton Bays UFSD approves the appointment of the Chairperson, Acting Clerk, Assistant Clerks, Inspector and Assistant

Inspectors for the Library Budget vote to be held Tuesday, August 14, 2018 as annexed hereto (Appendix #2).

D) Approval of Overnight Field Trips 2018-2019 School Year

RESOLVED, that the Board of Education, upon the recommendation of the Superintendent of Schools, hereby approves the following overnight field trips:

1. *September 24-25, 2018, SUNY College Campus Visits*
2. *February 8-11, 2019, High School Band, Orlando, Florida*

E) Approval of First Reading of Board of Education Policies

BE IT RESOLVED, that the Board of Education hereby approves the first reading of the following policies:

1. 2160 *Employee and Officer Code of Ethics*
2. 2330 *Executive Sessions*
3. 4321.12 *Use of Time Out Rooms, Physical Restraints, Aversives*
4. 4321.13 *Pre-School Special Education (renumber 4321.12 to 4321.13)*
5. 4321.14 *Special Education Personnel (renumber 4321.13 to 4321.14)*
6. 4600 *Counseling and Guidance Programs*
7. 4770 *Graduation Requirements*
8. 4772 *Graduation Ceremonies*
9. 4773 *Diploma and Credential Options for Students with Disabilities*
10. 5225 *Student Personal Expression*
11. 5420 *Student Health Services*
12. 6240 *Investments*
13. 6700 *Purchasing*
14. 6705 *Purchasing Under Federal Grants*
15. 9700 *Staff Development*

F) Approval of Supplemental Memorandum of Agreement

RESOLVED, that the Board of Education, upon the recommendation of the Superintendent of Schools, authorizes the execution of the Supplemental Memorandum of Agreement to the 2017-2021 HBTA Contract, dated June 6, 2018, as signed by the Superintendent of Schools and the Hampton Bays Teachers Association and allocates the monies therefore, as per the attached documentation.

G) Approval of Board of Education Meetings for the 2018-2019 School Year

BE IT RESOLVED that the Board of Education establishes its regular monthly meetings, time, and place for the 2018-2019 school year as follows and will take place in the High School Auditorium, unless otherwise noted:

- Time: 7:00pm*
- Dates: July 10, 2018**
*August 21, 2018**
September 18, 2018
October 9, 2018
November 13, 2018
December 11, 2018
January 8, 2019
February 12, 2019

March 12, 2019

*April 16, 2019**

May 14, 2019

June 11, 2019

**Note off-schedule meeting dates.*

8. PUBLIC COMMENT

Persons may address the Board of Education on any matters of interest or concern. The Board President will recognize all speakers. Time limits may be imposed based upon agenda needs.

9. ADJOURNMENT

SCHOOL DISTRICT OFFICER AND EMPLOYEE CODE OF ETHICS

The Board of Education is committed to avoiding any situation in which the existence of conflicting interests of any officer or employee may call into question the integrity of the management or operation of the school district. The Board recognizes that sound, ethical standards of conduct serve to increase the effectiveness of district officers and staff as educators and public employees in the community. Adherence to a code of ethics promotes public confidence in the schools and furthers the attainment of district goals.

The Board also recognizes its obligation to adopt a code of ethics setting forth the standards of conduct required of all district officers and employees under the provisions of the General Municipal Law. Therefore, every officer and employee of the district, whether paid or unpaid, shall adhere to the following code of **ethics. conduct**

Statutory Conflicts of Interest

It is a conflict of interest for a Board member, officer or employee to benefit personally from contracts made in their official capacity.

- **“Contract” is defined broadly to include any claim or demand against the district or account or agreement with the district, whether expressed or implied which exceeds the sum of \$750.00 in any fiscal year.**
- **An “interest” is defined as a direct or indirect benefit that runs to the employee as a result of a contract with the district.**

No Board member, officer or employee shall have an “interest” (i.e., receive a direct or indirect benefit as the result of a contract with the district) in:

1. **a firm, partnership or association in which he/she is a member or employee;**
2. **a corporation in which s/he is an officer, director or employee;**
3. **a corporation in which s/he, directly or indirectly, owns or controls 5% or more of stock;**
4. **a contract between the district and his/her spouse, minor child or dependents, except for an employment contract between the school district, a spouse, minor child or dependent of a Board member authorized by §800(3) of the General Municipal Law or §3016 of the Education Law.**

Other Conflicts of Interest

1. **Gifts:** An officer or employee shall not directly or indirectly solicit any gift or accept or receive any gift having a value of \$75 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part.

2. Confidential information: An officer or employee shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. **This includes matters discussed in executive session. However, the Board, acting as a whole, may decide to disclose such information where disclosure is not prohibited under the law.**
3. Representation before the Board or District: An officer or employee shall not receive or enter into any agreement, expressed or implied, for compensation for services to be rendered in relation to any matter concerning the Hampton Bays school district.
4. Disclosure of interest in matters before the Board: An officer or employee of the district, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board on any matter before the Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such matter. The term "interest" means a pecuniary or material benefit accruing to an officer or employee.
5. Investments in conflict with official duties: An officer or employee shall not invest or hold any investment directly in any financial, business, commercial or other private transaction that creates a conflict with his or her official duties. **Exceptions to conflict of interest law can be found in Section 802 of the General Municipal Law.**
6. Private employment: An officer or employee shall not accept other employment or engage in any business transaction or make any investments directly or indirectly which create a conflict with his or her official duties.
7. Future employment: An officer or employee shall not, after the termination of service or employment with the district, appear before the Board in relation to any action, proceeding, or application in which he or she personally participated during the period of his or her service or employment or that was under his or her active consideration.

Distribution of Code of Ethics

The Superintendent of Schools shall cause a copy of this Code of Ethics to be distributed to every member of the Board, every officer and employee of the school district. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment. In addition, the Superintendent shall ensure that a copy of Article 18 of the General Municipal Law shall be kept posted in each public building under the district's jurisdiction in a place conspicuous to the district's officers and employees.

Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of the Board's code of ethics and its

accompanying regulation may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Ref: General Municipal Law §§806-808

Note: Policy added, incorporating parts of prior policy 8290

Original Adoption Date: May 12, 2009
Update 1, First Reading: June 12, 2018
Update 1, Second Reading: July 10, 2018 anticipated
Update 1, Adoption Date: July 10, 2018 anticipated

EXECUTIVE SESSIONS

The Board of Education may hold executive sessions at which only the members of the Board or persons invited by the Board shall be present. However, the executive session is only available for the purpose of discussion, and except as the law allows, formal action must be taken in an open session.

Executive sessions can be requested by any member of the Board or the Superintendent of Schools.

A Board member must make a motion during an open meeting to convene in executive session. Upon a majority vote of its members, the Board may convene in executive session at a place which the Board President or said members may designate within the district to discuss the subjects enumerated below. Matters which may be considered in executive session are:

1. matters which will imperil the public safety if disclosed;
2. any matter which may disclose the identity of a law enforcement agent or informer;
3. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
4. discussions regarding proposed, pending or current litigation;
5. collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law);
6. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
7. the preparation, grading or administration of examinations; and
8. the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

The vote to go into executive session shall be detailed enough to allow the public to understand the topic the Board will be discussing, without disclosing specifics. Discussion in executive session shall be limited to the topic(s) identified in the motion.

A Board may not take action in executive session except to vote on disciplinary charges against a tenured teacher.

Individual Board members, acting on their own, shall not disclose matters discussed in executive session. However, the Board, acting as a whole, may decide to disclose such information where disclosure is not prohibited under the law.

Minutes shall be taken at executive sessions of any action that is taken by a formal vote and should consist of a record or summary of the final determination of such action and the date and vote thereon, provided, however, that such summary shall not include any matter which is not required to be made public by the Freedom of Information Law. Minutes taken shall be available to the public within one week from the date of the executive session.

Cross-ref: 2160, Code of Ethics

Ref: Education Law §1708 (3)
Public Officers Law §§100 et seq.
Formal Opinion of Counsel No. 239, 16 EDR 457 (1976)
Application of the Board of Education, 57 EDR Dec. No. 17,147 (2017)
Application of Nett and Raby, 45 EDR 259 (2005)

Note: Policy added incorporating prior policy, 8342.2

Original Adoption date: July 7, 2009
Update 1, First Reading: June 12, 2018
Update 1, Second Reading: July 10, 2018 anticipated
Update 1, Adoption: July 10, 2018 anticipated

USE OF TIME OUT ROOMS, PHYSICAL RESTRAINTS AND AVERSIVES

The Board of Education recognizes that students with disabilities sometimes exhibit inappropriate behaviors that impede learning. As a result, students with disabilities may require unique approaches to discipline so that they can continue to benefit from their educational program. The Board further acknowledges that the use of aversive behavioral intervention, as defined in §19.5 of the Commissioner's regulations, is prohibited unless the district has followed the procedures outlined below to allow for their use in a child-specific case.

The use of a time out room, physical restraint or aversive intervention will be in conformance with a child's individual education program (IEP). Staff will adhere to federal and state statute and regulation in the administration of these measures.

Time Out Room

A time out room is an area for a student to safely deescalate, regain control and prepare to meet expectations to return to his/her educational program. The room will only be used in conjunction with a behavioral intervention plan, as part the student's IEP, or when it is necessary to remove a student from a potentially dangerous situation in unanticipated situations that pose an immediate concern for the physical safety of a student or others. The room will provide a supervised area in order to facilitate self-control. The location, size and access to the time out room will be in conformance with applicable laws and regulations. The Assistant Superintendent for Student Services will be responsible for the development and implementation of regulations covering the use of a time out room, as well as monitoring compliance with those regulations.

The School Psychologist will inform parents prior to the initiation of a behavioral intervention plan that will incorporate the use of a time out room. Upon request, the parent will be shown the space that will be utilized and the parent will be provided a copy of this policy.

Physical Restraint: Emergency Interventions

Staff will not use physical restraint as a substitute for systematic intervention to modify inappropriate behavior. Staff who may be called upon to physically restrain a student will be trained on safe and effective ways to do so. Physical restraint may be used in an emergency where no other approach would be effective in controlling the student's behavior.

During emergencies, immediate intervention by staff involving the use of reasonable physical force may be necessary, either to protect people or property from injury or damage, or to restrain or remove a student whose behavior is interfering with the orderly functioning of the school, if that student has refused to comply with a request to refrain from further disruptive acts.

The district shall document the use of emergency interventions for each student. This shall include the student's name and date of birth, the setting and location of the incident, the staff members involved, other persons involved, a description of the incident and the intervention used, the duration of the incident, a statement as to whether the student has a current behavioral intervention plan, and details of any injuries sustained by either the student or others as a result

of the incident. Documentation of emergency interventions shall be reviewed by school supervisory personnel and, as necessary, the school nurse or other medical personnel. The student's parents/guardians shall be notified of each incident of emergency intervention.

Aversive Behavioral Intervention

Aversive behavioral intervention, as defined in §19.5 of the Commissioner's regulations, shall not be the sole or primary approach to modifying inappropriate behavior, and is generally prohibited, unless a child-specific exception was granted by the Commissioner of Education in the 2008-2009 school year, and each subsequent year thereafter, and incorporated into the student's IEP. This approach will be limited to self-injurious or aggressive behaviors identified on the child's IEP.

The IEP shall identify the specific targeted behavior, the aversive intervention to be used and, if applicable, the device to be utilized. The parent must provide informed written consent for the use of the aversive intervention.

The district will establish a Human Rights Committee to monitor the use of aversive behavior interventions. The committee will be comprised of individuals not employed by the school district and its membership will be in conformance with Commissioner's regulations.

Training

Training for staff on the policies and procedures related to the use of time out rooms, physical restraint, aversives, and related behavior management practices, will be provided annually or as needed.

The Assistant Superintendent for Student Services will be responsible for implementation and oversight of this policy.

Ref: 8 NYCRR §§19.5; 200.15; 200.22

First Reading:	June 12, 2018
Second Reading:	July 10, 2018 anticipated
Adoption date:	July 10, 2018 anticipated

USE OF TIME OUT ROOMS REGULATION

A time out room is a supervised area for a student to safely deescalate, regain control and prepare to meet expectations to return to his/her educational program. Time out rooms may only be used when needed for unanticipated situations that pose an immediate concern for the physical safety of a student or others, or in conjunction with a behavioral intervention plan in a student's Individualized Education Program (IEP). The district's use of time out rooms shall conform to applicable state regulations.

1. **Physical requirements.** Time out rooms shall allow for continuous visual and auditory monitoring of the student. The room shall be large enough to allow a student to move freely and lay down comfortably. Wall and floor coverings shall be designed to prevent student injury where possible, and there shall be adequate lighting and ventilation. The temperature of the room shall be within the normal comfort range, and consistent with the rest of the building. The room shall be clean and free of objects and fixtures that could be potentially dangerous to a student, and shall meet all local fire and safety codes.
2. **Monitoring, Observation and Supervision.** School staff shall continuously monitor the student in a time out room. The staff must be able to see and hear the student at all times.
3. **Prohibition on Locks.** Time out rooms or spaces shall be unlocked, and the door must be able to be opened from the inside.
4. **IEP Requirements.** A student's IEP shall specify when a behavioral intervention plan includes the use of a time out room for a student with a disability, including the maximum amount of time a student will need to be in a time out room as a behavioral consequence, as determined on an individual basis, in consideration of the student's age and individual needs. The behavioral intervention plan shall be designed to teach and reinforce alternative appropriate behaviors.
5. **Precipitating Factors.** The factors that may lead to a student being temporarily placed in a time out room will depend on the particular student. Generally, time out rooms are to be used when a student needs to deescalate, regain control and prepare to meet expectations to return to his or her education program. A student in need of a time out room may be unable to control his/her actions, overwhelmed, overstimulated, exhibiting violent actions, or posing a danger to self or others.
6. **Time Limitations.** The amount of time a student may spend in a time out room will vary with the student's age, individual needs, behavioral intervention plan, and the specific circumstances. Students shall spend only as much time in the time out room as is necessary for them to deescalate, regain control, return to their educational programs, or no longer pose a concern for the physical safety of themselves or others. Students shall not be in a time out room for more than the maximum amount of time specified in their behavioral intervention plans. For emergency use, where a time out room is not specified in a student's behavioral intervention plan, but where such emergency use is not inconsistent with the student's IEP, the maximum time to be spent in a time out room

shall be no longer than one (1) class period. If a student is not ready to return to the educational program after that period of time, he/she shall be provided with further interventions consistent with his/her behavioral intervention plan or IEP, or actions reasonably calculated to assist the student.

7. **Staff Training.** All staff authorized to place a student in a time out room shall receive training on the procedures for placing a student in a time out room, including situations warranting use of a time out room, IEP requirements, continuous monitoring, time limitations, and data collection. Only trained staff authorized by the school principal may place a student in a time out room. Staff not authorized to place a student in a time out room shall receive training on what to do and who to contact if a student is exhibiting behaviors indicating the need for use of the time out room.
8. **Data Collection to Monitor Effectiveness.** The district shall document the use of time out rooms, and monitor the effectiveness of the use of time out rooms to decrease the behaviors that led to the use of the rooms. Such documentation will include a record for each student placed in a time out room. Each record shall show, for each use of the time out room, the date, time, duration of stay, precipitating factors, staff members involved, and the student's behaviors/condition before, during and after use of the time out room. Copies of these records shall be sent to the student's teachers, CSE chairperson, Director of Special Education, and Building Principal. Appropriate staff shall meet regularly as needed to review the effectiveness of the time out room for each student placed in one. Building Principals shall periodically report on the use and effectiveness of time out rooms to the Director of Special Education and Superintendent, who shall report to the Board annually.
9. **Parent/Guardian Rights and Information.** The district shall inform parents/guardians prior to the initiation of a behavioral intervention for their child which will incorporate the use of a time out room. Parents/guardians shall be given the opportunity to see the physical space used as a time out room. Parents/guardians shall be given a copy of this policy and regulation on time out rooms. The district shall notify parents/guardians each time a student is placed in the time out room.

Adoption date: July 10, 2018 anticipated

PRESCHOOL SPECIAL EDUCATION

The Board of Education recognizes the value of special education and its responsibility in ensuring that all resident preschool children with disabilities have the opportunity to participate in special programs and services from which they may benefit. The Board authorizes the Superintendent of Schools to establish administrative practices and procedures which shall include:

1. locating and identifying all preschool children with disabilities pursuant to the relevant provisions of the Education Law. The register of children eligible to attend a preschool program is to be maintained and revised annually by the Committee on Preschool Special Education (CPSE);
2. ensuring that the parent(s)/guardian(s) of preschool age children with disabilities have received and understand the request for consent for evaluation of their child;
3. developing an individualized education program (IEP) for each preschool age child with a disability;
4. appointing and training appropriately qualified personnel including the members of a CPSE;
5. maintaining lists of impartial hearing officers and of State Education Department-approved special education programs within the county and adjoining counties in which the district is located; and
6. reporting to the State Education Department the number of children with disabilities that are being served, as well as those not served.

The Board of Education hereby establishes the CPSE as required under the Education Law. Its responsibilities will include the evaluation and recommendation for placement in appropriate approved programs and the provision of appropriate special education programs and services for each preschool child with a disability. The CPSE shall review, at least annually, the status of each preschool child with a disability.

It is ultimately the responsibility of the Board to arrange for the appropriate approved preschool program and services for the district children. Should the Board disagree with the CPSE's recommendations, it shall send the recommendation back to the CPSE so that they may schedule a timely meeting to review the Board's concerns and to revise the IEP as deemed appropriate.

Placement may be appealed by a parent/guardian to an impartial hearing officer, appointed by the Board. Mediation shall be offered to such parents/guardians to resolve complaints regarding the education of preschool children with disabilities at the same time notice of the availability of an impartial hearing is provided.

The CPSE shall make an annual report on the status of each preschool child with a disability and report on the adequacy of preschool special education programs and services to the Board.

The Board directs the Superintendent to ensure that the district considers that adequate and appropriate space is made available for such programs and services.

The Board directs the Superintendent to develop and maintain a plan which incorporates information concerning the provision of services for preschool children with disabilities, pursuant to the Regulations of the Commissioner of Education.

Cross-ref: 4321.3, Independent Educational Evaluations

Ref: Individuals with Disabilities Education Act, 20 U.S.C. §§1400 et seq.
34 CFR §§300.12; 300.503
Education Law §4410
8 NYCRR Part 200
Renumbered from 4312.12 to 4312.13, July 2018

Original Adoption date: July 7, 2009
Update 1, Adoption date: September 11, 2012
Update 2, First Reading: June 12, 2018
Update 2, Second Reading: July 10, 2018 anticipated
Update 2, Adoption date: July 10, 2018 anticipated

SPECIAL EDUCATION PERSONNEL

The Board acknowledges its responsibility to recruit, hire, train and retain highly qualified personnel, as defined in the federal Individuals with Disabilities Education Act (IDEA) and its accompanying regulations and in Article 89 of New York State Education law and its accompanying regulations, to provide special education programs and services. In addition, the Board is committed to appointing appropriately qualified personnel to the Committee (and subcommittee) on Special Education (CSE) and Committee (and subcommittee) on Preschool Special Education (CPSE).

The Board will fulfill its obligation with regard to special education personnel by taking measurable steps including, but not limited to the following:

1. Actively recruit personnel who possess prior experience working with students with disabilities.
2. Solicit resumes from graduates of institutions of higher education that offer programs in special education.
3. Seek candidates for teaching positions who are dually certified, to the extent possible.
4. Ensure that every member of the professional staff participates in annual professional performance reviews and professional development plans.
5. Provide appropriate on-going training and professional development to CSE and CPSE members, and other special education program and service providers to ensure their continuing awareness of their obligations and responsibilities under the law.

The Superintendent is responsible for ensuring that the professional staff is appropriately certified, licensed and trained and that they meet the “highly qualified” standard established in federal and state law. In the event that highly qualified individuals are not available, despite the best efforts of the administration, the Board recognizes its responsibilities to meet the alternative standards established by the State Education Department. The Superintendent, in consultation with the Assistant to the Superintendent for Student Services, shall prepare an annual report to the Board which provides information about the certifications and qualifications of the special education professional personnel, as well as a summary of the professional development opportunities offered.

Cross-ref: 4321, Programs for Students with Disabilities
9240, Recruiting and Hiring
9700, Staff Development

Ref: Individual with Disabilities Education Act, 20 USC §§ 1412(a)(14), 1413(a)(3)
34 CFR §§ 300.156, 300.207
Education Law §4410
8 NYCRR § 200.2(b)(3,12)
Renumbered from 4312.13 to 4312.14, July 2018

Original Adoption Date: September 11, 2012
Update 1, First Reading: June 12, 2018
Update 1, Second Reading: July 10, 2018 anticipated
Update 1, Adoption date: July 10, 2018 anticipated

COUNSELING AND GUIDANCE PROGRAMS

Guidance programs for district students K-6 shall include the following:

1. preparing students to participate effectively in their current and future educational programs;
2. helping students with attendance, academic, behavioral or adjustment problems;
3. educating students to avoid sexual abuse and other forms of child abuse; and
4. encouraging parental involvement in their children's education.

Programs for district students in grades 7-12 shall include the following:

1. an annual review of each student's educational progress and career plans;
2. advisory services for curriculum options, educational and career plans, attendance, academic, behavioral and adjustment problems;
3. counseling services for curriculum options, educational and career plans, attendance, academic, behavioral and adjustment problems;
4. career instruction at each grade level, 7-12; and
5. encouragement of parental involvement.

The district shall provide a guidance program to support students and staff in the pursuit of academic achievement. In general, the Board expects counseling and guidance staff to:

1. Foster a welcoming environment and encourage positive connections with students.
2. Maintain appropriate professional boundaries with students.
3. Work with students and their families to resolve concerns whenever possible and appropriate.
4. Educate students as appropriate of the responsibilities staff have for reporting incidents.
5. Use their professional judgement, in consultation with administrators and/or the school attorney where appropriate, while observing legal mandatory reporting obligations.

School Counseling/Guidance Program

The district's counseling/guidance program shall, for all students in grades K-12, ensure access to a certified school counselor, prepare students to participate effectively in their current and future educational programs, and address college and career readiness and academic and social/emotional standards. The program shall include the following:

1. For students in grades K-5, the program shall be designed by a certified school counselor in coordination with the teaching staff and appropriate pupil personnel service providers to prepare students to participate effectively in their educational programs, providing college and career information, assisting students with challenges to academic success, such as attendance or behavioral concerns, and making referrals to appropriate professionals for more targeted supports;
2. For students in grades 6-12, certified school counselors shall provide annual individual progress review plans, reflecting each student's educational progress and career plans,

- and, for students with disabilities, consistent with their individualized education programs;
3. Core curriculum instruction by certified school counselors to address student college and career readiness, academic skills, and social/emotional development;
 4. Direct student services, including but not limited to responsive services, crisis response, group and individual counseling, appraisal, assessment and advisement to enable students to benefit from the curriculum, assisting students to develop and implement postsecondary education and career plans, assisting students who exhibit attendance, academic, behavioral or adjustment concerns, and encouraging parental involvement; and
 5. Indirect student services such as consultation, collaboration, leadership, advocacy, and teaming, and referrals to appropriately licensed or certified professionals.

School Counseling/Guidance Plans

A certified school counselor shall develop or direct the development of both district-wide and building-level comprehensive developmental school counseling/guidance plans. Such plans shall be updated annually, and shall be made available for review at the district offices and posted on the district website.

The plans shall include objectives and activities for the counseling/guidance programs, planning for the program's development and maintenance, school counseling curriculum, professional development planning, methods to evaluate the program based on data analysis of program results, and an assessment of resources necessary to support positive student outcomes.

Each plan shall also address the preparation of an annual report on the guidance program outcomes and shall include an analysis of all components of the guidance program required by state regulations and summarized above. This report shall be presented annually to the Board.

School Counseling/Guidance Program Advisory Council

The district shall also establish a counseling/guidance advisory council to annually review the district's school counseling/guidance program plans, and advise on the implementation of the district's counseling/guidance program. The council shall include stakeholders such as parents, Board members, building and/or district administrators, community-based service providers, teachers, school counselors, school social workers and/or school psychologists. The council shall meet at least twice a year and shall submit an annual report to the Board.

Ref: 8 NYCRR §100.2(j)

Original Adoption date: July 7, 2009
 Update 1, First Reading: June 12, 2018
 Update 1, Second Reading: July 10, 2018 anticipated
 Update 1, Adoption Date: July 10, 2018 anticipated

GRADUATION REQUIREMENTS

The Board of Education will determine the graduation requirements of the district in accordance with the Regulations of the Commissioner of Education. The Superintendent of Schools shall develop regulations setting forth the diploma requirements. Such regulations shall be approved by the Board and shall be provided to students and parents each year once a student reaches the eighth grade.

~~The regulations shall, as permitted by the regulations of the Commissioner of Education and decided by the Board, extend the low pass option for students wishing to obtain a local diploma.~~

Participation in the graduation exercises will be predicated on satisfactory completion of all graduation requirements, **except as permitted by policy 4772.**

Cross-ref: 4772, Graduation Ceremonies
 4773, Diploma and Credential Options for Students with Disabilities

Ref: 8 NYCRR §§100.5; 100.6

Original Adoption date: July 7, 2009
 Update 1, First Reading: June 12, 2018
 Update 1, Second Reading: July 10, 2018 anticipated
 Update 1, Adoption Date: July 10, 2018 anticipated

GRADUATION CEREMONIES

The graduation or commencement ceremony is a time to celebrate the honors and achievements of the graduating class. The Board of Education will establish the date for graduation ceremonies, while the administration will determine the place and program details, including attire and speakers. Academic and other awards and scholarships may be presented along with diplomas.

Participation in the graduation ceremony and related activities will be predicated on satisfactory completion of all graduation requirements, or as otherwise described in this policy. Exceptions may be made under extraordinary circumstances with the permission of the Superintendent of Schools. A student who has earned either a Career Development and Occupational Studies Commencement Credential (CDOS) or Skills and Achievement Commencement Credential (SACC) by the time his/her ninth-grade cohort reaches graduation may, but is not required to, participate in that graduation ceremony and related activities.

If a student participates in the graduation ceremony by earning a CDOS or SACC and subsequently meets the requirements for a Regents or local high school diploma, he/she may participate in the graduation ceremony of that graduating class as well.

A student with a disability who participates in graduation ceremonies by earning only a CDOS or SACC is entitled to continue his/her educational program until the end of school year in which the student turns 21 years old, or until he/she earns a Regents or local high school diploma.

The Superintendent shall develop regulations to implement this policy, to be adopted by the Board. The district shall provide annual written notice to all students and their parents/guardians of the requirements of this policy and associated regulations.

Cross-ref: 4321, Programs for Students with Disabilities Under the IDEA and New York's Education Law Article 89
4321.9, Declassification of Students with Disabilities
4773, Diploma and Credential Options for Students with Disabilities

Ref: Education Law §3204(4-b)
8 NYCRR §§100.5; 100.6

First Reading: June 12, 2018
Second Reading: July 10, 2018 anticipated
Adoption date: July 10, 2018 anticipated

GRADUATION CEREMONIES REGULATION

A student who has earned either a Career Development and Occupational Studies Commencement Credential (CDOS) or a Skills and Achievement Commencement Credential (SACC), but not a high school diploma, shall be allowed to participate in the graduation ceremony and related activities of the student's graduating class.

The district shall retain a record of each student's ninth grade cohort. Each year, the High School Building Principal [*or insert appropriate title*] shall determine whether each student who entered ninth grade with the current year's graduating class is eligible to participate in that year's graduation ceremony, pursuant to state law, Board policy and this regulation.

During the school year in which the ninth grade cohort enters twelfth grade, the High School Building Principal shall submit to the Superintendent of Schools and the Assistant Superintendent for Student Services the name(s) of all students who are on track and expected to earn either a CDOS or SACC, but not a Regents or local high school diploma, by the time of graduation.

For each student so identified, the Superintendent or designee shall ascertain whether the student wishes to participate in the graduation ceremonies and related activities of that year's graduating class by discussing the matter with the student and/or parent/guardian either in person, in writing, by telephone, or via email.

For any student who meets such requirements and wishes to participate in the graduation ceremony and related activities, the Superintendent shall ensure, prior to graduation, that the High School Building Principal, the student, and his/her parent(s)/guardian(s) are notified that the student may participate in that year's graduation ceremony and related activities, and shall ensure his/her participation is facilitated.

The district shall provide annual written notice to all students and their parents/guardians of the requirements of this regulation and associated policy.

Adoption date: July 10, 2018 anticipated

DIPLOMA AND CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES

The Board of Education is committed to supporting all students so they are college- and career-ready upon graduation. The Committee on Special Education (CSE), which includes parents/guardians, will work with students with disabilities to attain the appropriate diploma or credential based on their Individualized Education Plan (IEP).

Regents Diploma or Regents Diploma with Advanced Designation

Students with disabilities are encouraged to work toward the completion of requirements for a Regents diploma or Regents diploma with an advanced designation, as established by New York State and the Board.

Local Diploma

Students with disabilities may work toward completion of the requirements of a local diploma. The local diploma may be earned by meeting the standards set forth in state regulations.

Career Development and Occupational Studies Commencement Credential

Students with disabilities, who are not students with severe disabilities under Commissioner's Regulations, may be issued a New York State Career Development and Occupational Studies Commencement Credential (CDOS), pursuant to the requirements of those regulations. The student may pursue a CDOS either in addition to or instead of a high school diploma. The district shall ensure that such students have been provided with appropriate opportunities to earn a high school diploma.

Skills and Achievement Commencement Credential

A student who meets the state definition of a student with severe disabilities, who has taken the State assessment for students with severe disabilities, may be issued a skills and achievement commencement credential pursuant to the requirements of Commissioner's Regulations 8 NYCRR §100.6.

Continued Right to Educational Services

If a student receiving a Career Development and Occupational Studies Commencement Credential or a Skills and Achievement Commencement Credential is less than twenty-one years of age, the credential shall be accompanied by a written assurance of the student's continued right to attend public school until the end of the school year in which the student reaches the age of twenty-one or until the student has earned a high school diploma, whichever is earlier.

Graduation Ceremonies

Students with disabilities may participate in graduation ceremonies as permitted under state law and described in policy 4772, Graduation Ceremonies.

Cross-ref: 4321, Programs for Students with Disabilities
4770, Graduation Requirements
4772, Graduation Ceremonies

Ref: 8 NYCRR §§100.1; 100.5; 100.6; 100.9

Original Adoption date: August 12, 2014
Update 1, First Reading: June 12, 2018
Update 1, Second Reading: July 10, 2018 anticipated
Update 1, Adoption date: July 10, 2018 anticipated

STUDENT PERSONAL EXPRESSION

The Board of Education recognizes the importance and value of student personal expression and recognizes that students do not shed their first amendment right of free expression at the schoolhouse gate. As in broader American society, the Board also understands that there is a balancing of an individual's rights under the First Amendment with the rights of the community. Student personal expression in this context refers to student verbal and written communication using any medium (paper, e-mail; website postings, etc.) including, but not limited to, poetry, prose, art, video and music composition that is intended to be shared with the broader school community, **or other actions taken to express viewpoints such as demonstrating or protesting.**

Although students retain their right to free expression in school, that right is not unfettered. School officials may regulate expression as to time, place and manner. Students' speech **expression** which causes a substantial disruption or which materially interferes with school activities or rights of others or might reasonably lead the school administration to forecast substantial disruption of or material interference with school activities, is not constitutionally protected speech.

Distribution of Materials

When students wish to personally express themselves in the broader school community **by distributing materials**, they must seek prior approval from the building principal or his/her designee. The building principal or his/her designee will render his/her decision within two school days of receiving the request. The building principal shall give due consideration to the constitutionally protected right of freedom of expression, the maintenance of the normal operation of school and its activities, the protection of persons and property and the need to assist students in learning appropriate ways to exercise their rights. Unless such student expression takes place within the confines of a school-sponsored event/activity (see policy 5220 for guidance on School-Sponsored Student Expression), authorization will be granted if:

- The material is distributed as directed by the Principal or designee in such a manner as to not materially or substantially interfere with the rights of others or substantially disrupt the normal operation of the school;
- The material is not considered to be obscene, lewd, indecent, libelous, an invasion of the privacy of other individuals, or an expression that attacks a person's character, family, **actual or perceived** race, **color**, religion, **religious practice, age, weight**, sex, ethnic **group, national** origin, physical appearance, sexual orientation, **gender (including gender identity or gender expression)**, or disabling condition.
- The material is free from advertisements or promotion of cigarettes, liquor, illegal or illicit drugs, or drug paraphernalia or other products or services harmful to minors and/or not permitted to minors by law, **or advocating breaking laws and school policies and/or regulations.**

Procedural Due Process

If a student(s) seeks to distribute material within school buildings or at school events, he/she must present such material for prior review by the Building Principal who must make a

decision regarding distribution within three (3) school days of receipt of the request and the provide the reason for the denial in writing. The aggrieved student(s) may within three (3) school days appeal in writing to the Superintendent of Schools. The Superintendent of Schools must issue a written decision within three (3) school days after receiving the appeal.

Off-Campus Student Expression

Generally school administrative authority regarding student expression does not extend beyond school grounds or school-sponsored functions. However, with **the advent of new today's** technologies, the line between off and on campus expression can be blurred. Students are advised that if off campus personal expression substantially disrupts or materially interferes with school activities or might reasonably lead the school administration to forecast substantial disruption of or material interference with school activities or interrupts another individual's access to school, such as when the speech is threatening in nature, they may be subject to discipline under the Code of Conduct.

Student Demonstrations and Protests

Students maintain their constitutional right while they are in school, or at school sponsored events, to peacefully assemble. However, the district may take reasonable actions to maintain a safe and functioning learning environment, to ensure that the school environment is not materially disrupted. Accordingly, school officials maintain the authority to limit student demonstrations which result in materially disrupting the operation of the schools' educational process. In addition, the school may deem student absences from school or class to demonstrate or protest to be unexcused under the district's Attendance policy (#5100), and those absences may result in consequences under that policy. The district may also plan and host its own events to address issues of student and school concern.

Violation of Policy

Students who violate this policy will be subject to the appropriate disciplinary action, which may include short or long-term suspension, in accordance with the Code of Conduct.

Cross-ref: 0115, Harassment, Hazing and Bullying
4526, Computer Use in Instruction
5100, Student Attendance
5220, School-Sponsored Student Expression
5300, Code of Conduct

Ref: *Morse v. Frederick*, 551 U.S. 393 (2007)
Bethel School District v. Fraser, 478 U.S. 675 (1986)
Tinker v. Des Moines Independent Community School Dist., 393 U.S. 503, (1969)
Eisner v. Stamford Board of Educ., 314 F Supp 832, mod' d 440 F2nd 803 (1971)

Original Adoption Date: July 5, 2016
Update 1, First Reading: June 12, 2018
Update 1, Second Reading: July 10, 2018 anticipated
Update 1, Adoption date: July 10, 2018 anticipated

STUDENT HEALTH SERVICES

The Board of Education recognizes that good student health is vital to successful learning and acknowledges its responsibility, along with that of parent(s) or guardian(s), to protect and foster a safe and healthful environment for the students.

The school shall work closely with students' families to provide detection and preventive health services. In accordance with law, the school will provide vision, hearing, dental inspection and scoliosis screening. Problems shall be referred to the parent(s) or guardian(s) who shall be encouraged to have their family physician/dentist provide appropriate care.

In order to enroll in school a student must submit a health certificate within 30 calendar days after entering school, and upon entering **prekindergarten or kindergarten and first, third, fifth, seventh, ninth, and eleventh grades. ~~second, fourth, seventh and tenth grades.~~** The examination, which must conform to state requirements, must have been conducted no more than 12 months before the first day of the school year in question. If a student is unable to furnish the health certificate, the school will provide a physical examination by a licensed provider. A request for exemption from the physical examination, or the requirement to provide a health certificate, must be made in writing to the school principal or designee, who may require documents supporting the request. The only basis for exemption is a claim that the physical examination is in conflict with the parent or guardian's genuine and sincere religious belief.

In order to enroll in school, students must also furnish documentation of required immunizations against certain communicable diseases, as set forth in state law and regulations, unless exempted from immunizations for medical or religious reasons as permitted by state law and regulation.

Homeless students shall be admitted to school even if they do not have the required health or immunization records, but may be temporarily excluded if they show actual symptoms of a communicable disease that poses a significant risk of transmission to others (see "Communicable Diseases" below). The McKinney-Vento liaison shall assist homeless students covered by that law in accessing health services described in this policy and accompanying regulation.

The Board recognizes that the State of New York may authorize and require the collection of data from health certificates in furtherance of tracking and understanding health care issues that affect children. The Board supports these efforts and expects administrators to cooperate and to observe the appropriate laws and regulations in carrying out those responsibilities, including those that relate to student privacy.

In addition, students will be asked to provide a dental health certificate when they enroll in school and in accordance with the same schedule as the health certificate.

A permanent student health record shall be part of a student's cumulative school record and should follow the student from grade to grade and school to school along with his/her academic record. This record folder shall be maintained by the school nurse.

Emergency Care

Schools shall also provide emergency care for students in accidental or unexpected medical situations. Each school in the district will include in its emergency plan a protocol for responding to health care emergencies, including anaphylaxis, and head injury. Parents/guardians will be notified of any emergency medical situation as soon as is practicable. Parents/guardians will receive notification of non-emergent medical situations that have been reported to the nurse in a timely manner.

The district will stock epinephrine auto-injectors. Pursuant to Public Health Law §3000-c, the district will establish a collaborative agreement with an emergency health care provider to institute written protocols and procedures for the use of non-patient specific epinephrine auto-injectors. The district shall ensure that designated staff are properly trained.

The district permits emergency administration of opioid antagonists, such as naloxone, by **trained volunteer responders and** the school nurse, to prevent opioid overdose, as specified in policy 8121, Opioid Overdose Prevention.

Communicable Diseases

It is the responsibility of the Board to provide all students with a safe and healthy school environment. To meet this responsibility, it is sometimes necessary to exclude students with contagious and infectious diseases from attendance in school. Students will be excluded during periods of contagion in accordance with State Public Health Law. Students will be excluded during periods of contagion of communicable diseases as identified in the regulation to this policy, 5420-R, for time periods determined by the head school nurse in consultation with the Assistant Superintendent for Student Services.

During an outbreak of these communicable diseases, if the Commissioner of Health or his/her designee so orders, the district will exclude students from school who have an exemption from immunization or who are in the process of obtaining immunization.

It is the responsibility of the Superintendent of Schools, working through District health personnel, to enforce this policy and to contact the New York State Department of Health and the County Board of Health immediately when a reportable case of a communicable disease is identified in the student or staff population. It is expected that parents and staff members shall immediately notify the school nurse and building administrator when he/she becomes aware that a student or staff member may have a communicable disease.

Administering Medication to Students

Neither the Board nor District staff members shall be responsible for the diagnosis or treatment of student illness. The administration of prescribed medication to a student during school hours shall be permitted only when failure to take such medicine would jeopardize the health of the student, or the student would not be able to attend school if the medicine were not

made available to him/her during school hours, or where it is done pursuant to law requiring accommodation to a student's special medical needs (e.g., Section 504 of the Rehabilitation Act of 1973). "Medication" will include all medicines prescribed by an authorized medical provider, as well as over-the-counter medications.

Before any medication may be administered to or by any student during school hours, the Board requires:

1. the written request of the parent(s) or guardian(s), which shall give permission for such administration and relieve the Board and its employees of liability for administration of medication; and
2. the written order of the prescribing authorized medical provider, which will include the purpose of the medication, the dosage, the time at which or the special circumstances under which medication shall be administered, the period for which medication is prescribed, and the possible side effects of the medication.
3. That in order for a student to carry and use a rescue inhaler, an epinephrine auto-injector, insulin, or glucagon and associated testing supplies, written permission must be provided both by the parent and the prescribing authorized medical provider in accordance with state law and regulation.

Both documents shall be kept on file in the office of the school nurse. All medications must be in either the properly labeled original pharmacy container, or in a duplicate container professionally labeled by the pharmacist.

Students are allowed to carry and apply parentally-provided sunscreen without a prescription from a medical provider, assuming that the sunscreen is FDA-approved and that the sunscreen is not treating a medical condition. Parents need to provide the district with written permission for students to use sunscreen. **Permission slips and medical orders shall be kept on file in the office of the school nurse.**

Life-Threatening Allergies and Anaphylaxis Management

The Board recognizes its role and responsibility in supporting a healthy learning environment for all students, including those who have, or develop, life-threatening allergies. The district will work cooperatively with the student, their parent/guardian and healthcare provider to allow the child to participate as fully and as safely as possible in school activities. When a student has a known life-threatening allergy reported on their health form or if the district has been informed by the parent of the presence of a life-threatening allergy, the district will assemble a team, which may include the parent, the school nurse, the child's teacher, the building principal and other appropriate personnel, which will be charged with developing an individual health care plan and/or emergency action plan. The plan will be maintained by the school nurse. The plan will guide prevention and response. If the student is eligible for accommodations based upon the IDEA, Section 504 or the Americans with Disabilities Act, the appropriate procedures will be followed regarding identification, evaluation and implementation of accommodations.

Training

Training to support the fulfillment of staff responsibilities in regard to student health services will be provided as part of the district's ongoing professional development plan and in conformity with Commissioner's regulations.

Regulations

The Superintendent shall develop comprehensive regulations governing student health services. Those regulations shall include the provision of all health services required by law, procedures for the maintenance of health records, and procedures for the administering of medication to students. The Superintendent shall also develop protocols, in consultation with the district medical director and other appropriate district staff, for the management of injury, with particular attention to concussion.

Cross-ref: 4321, Programs for Students with Disabilities
5020.3, Students with Disabilities and Section 504
5280, Interscholastic Athletics
5550, Student Privacy
8121.1, Opioid Overdose Prevention
8130, School Safety Plans and Teams
9700, Staff Professional Development

Ref: Education Law §§
310 (appeal of child denied school entrance for failure to comply with immunization requirements);
901 et seq. (medical, dental and health services, BMI reporting);
916 (student self-administration of rescue inhalers);
916-a (student self-administration of epinephrine);
916-b (students with diabetes);
919 (provide and maintain nebulizers);
921 (epinephrine auto-injectors; training of unlicensed personnel);
922 (naloxone);
6527 (emergency treatment: anaphylaxis; naloxone);
6909 (emergency treatment: anaphylaxis; naloxone)
Public Health Law §§
613 (annual survey);
2164 (immunization requirements);
3000-c (collaborative agreements with emergency health care providers);
3309 (naloxone)
8 NYCRR §§
64.7 (anaphylaxis; naloxone);
135.4 (Physical Education);
136 (school health services program; concussion, anaphylaxis, medication, naloxone)
10 NYCRR §§
66-1 (immunization requirements);

80.138 (naloxone)

Guidelines for Medication Management in Schools, NYSED, September 2015,
www.p12.nysed.gov/sss/documents/MedicationManagement-final2015.pdf
Immunization Guidelines: Vaccine Preventable Communicable Disease Control,
 NYSED, August 2000
Making the Difference: Caring for Students with Life-Threatening Allergies, NYSDOH,
 NYSED, New York Statewide School Health Service Center, June 2008
Concussion Management Guidelines and Procedures, www.nysphsaa.org
New Policy for Stocking Albuterol Metered Dose Inhalers (MDIs), NYSED, August
 2011,
www.p12.nysed.gov/sss/schoolhealth/schoolhealthservices/Albuterol2011memo.pdf.

Original Adoption Date:	October 16, 2007
Update 1, Adoption Date:	August 13, 2013
Update 2, Adoption Date:	August 12, 2014
Update 3, Adoption Date:	September 8, 2015
Update 4, Adoption Date:	July 5, 2016
Update 5, First Reading:	June 12, 2018
Update 5, Second Reading:	July 10, 2018 anticipated
Update 5, Adoption Date:	July 10, 2018 anticipated

STUDENT HEALTH SERVICES REGULATION

This regulation provides specific details about major areas of the district's student health services, such as immunization, medications, medical exams, medical care, emergency records, and return to school after injury/illness. For purposes of this regulation, the McKinney-Vento liaison shall assist homeless students covered by that law in accessing school health services.

A. **Immunization Against Communicable Diseases**

Under state Public Health Law 2164, in order to be enrolled in or attend district schools, children must be fully immunized against certain communicable diseases. Those diseases are: poliomyelitis, mumps, measles, diphtheria, rubella, varicella (chicken pox), Haemophilus influenzae type b (Hib), pertussis, tetanus, pneumococcal disease, meningococcal disease, and hepatitis B.

"Fully immunized" means that the child has either (1) received the required vaccinations for these diseases as set forth in state regulations; (2) for measles, mumps, rubella, hepatitis B, poliomyelitis, or varicella only, shown immunity with a positive blood test for those disease antibodies; or (3) for varicella only, has had the disease, verified by a physician, nurse practitioner, or physician's assistant.

Children who are not fully immunized may only be admitted to school if they (1) are in the process of receiving immunization or obtaining blood tests; or (2) have been granted a medical or religious exemption.

Medical exemptions may be issued if immunization is detrimental to a child's health. Medical exemptions must either be (1) the medical exemption form issued by the New York State Department of Health or the New York City Department of Health and Mental Hygiene, or (2) a statement signed by a physician licensed to practice medicine in New York State indicating the specific immunization, the medical contraindication, and the length of time the exemption is for. Medical exemptions must be reissued annually to remain valid. The Building Principal may require supporting documents for medical exemptions.

Religious exemptions may be granted by the district upon either (1) a signed and completed Request for Religious Exemption to Immunization created by the NYSED, or (2) a written and signed statement from a parent/guardian stating an objection to immunization because of genuine and sincere religious beliefs which prohibit immunization. The Building Principal may require supporting documents for religious exemptions.

All students must present appropriate documentation of their immunization status, as set forth in the Regulations of the Commissioner of Health 10 NYCRR Subpart 66-1. **Homeless students shall be admitted to school even if they do not have the required immunization records, but may be temporarily excluded if they show actual symptoms of a communicable disease that poses a significant risk of transmission to others.**

The Building Principal may permit students without adequate documentation to attend school up to 14 calendar days while the parent/guardian furnishes the necessary documents. This time period may be extended to 30 days for students transferring from another state or country, as long as they show a good faith effort to obtain the necessary documentation.

District schools may access the New York State Immunization Information System (NYSIIS) or the New York City Citywide Immunization Registry (CIR) to verify the immunization history of students entering or registered in that school.

When a child is excluded from school for immunization reasons, the Building Principal shall notify the parent/guardian of their responsibility to have the child immunized, and the public resources available for doing so. The Principal shall also notify the local health authority of the child's name and address and the immunization(s) the child lacks, and shall cooperate with that authority to provide a time and place for the required immunization(s) to be administered.

The district will maintain a list of all students who have been exempted from immunization for medical or religious reasons, or who are in the process of receiving immunization, and shall exclude such students from school when so ordered by the Commissioner of Health, in the event of an outbreak in school of the vaccine-preventable diseases listed in Public Health Law 2164 and the first paragraph of this section.

When a student transfers out of the District, the parent/guardian, upon request, will be provided with an immunization transfer record showing the student's current immunization status which will be signed by the school nursing personnel or the school physician. A transcript or photocopy of the immunization portion of the cumulative health record will be provided to the new educational institution upon request.

B. Administering Medication to Students in School

The administration of prescribed medication, including over-the-counter medication, to a student during school hours is permitted only when the medication is necessary to allow the student to attend school or failure to administer the medication would seriously affect the student's health.

Medication will be administered as follows:

- ~~1. all medications will be administered by the school nurse, or in the absence of the school nurse, the principal or designated administrator, unless the student is self directed;~~
- ~~2. medications shall be securely stored in the office and kept in their original labeled container, which specifies the type of medication, the amount to be given and the times of administration; and~~
- ~~3. the school nurse shall maintain a record of the name of the student to whom medication may be administered, the prescribing physician, the dosage and timing of medication, and a notation of each instance of administration;~~

It is the responsibility of the parent(s) or guardian(s) to provide:

1. a written order from a NYS licensed healthcare provider (e.g. physician, nurse practitioner, or physician assistant) containing the following information: student's name, the date and name of the medicine, dosage and time to be administered, and list of possible side effects;
2. the medication in a properly labeled original pharmacy container; and
A written note from the parent/guardian giving appropriate licensed school personnel permission to administer the medication to their child during school or for trained unlicensed personnel to assist their child in taking their own medication.
3. All medications shall be brought to school by the parent(s) or guardian(s) and shall be picked up by the parent(s) or guardian(s) at the end of the school year or the end of the period of medication, whichever is earlier. If not picked up within five days of the period of medication, the medication shall be discarded.

Self-directed students

A request from a student's parent or guardian and the prescribing physician to permit a student to carry and self administer his/her own medication shall be considered by the School Nurse and/or School Physician on an individual basis, based on the student's cognitive and emotional development. A student is authorized to carry and use the following medications: rescue inhaler, epinephrine auto injector, insulin, glucagon (and associated diabetes testing supplies) after a decision has been made based upon the following criteria:

1. severity of the health problem (particularly asthmatic or allergic reactions)
2. prescribing physician's order directing that the student be allowed to carry his/her medication and self administer
3. parent statement giving permission and requesting compliance with the prescriber's order
4. evidence that the student has been instructed in the procedure of self administration and can assume responsibility for carrying properly labeled medication in the original container on his/her person or keeping it in school
5. School Nurse or School Physician assessment that the student is self directed to carry and self administer his/her medication properly, including the student's ability to consistently:
 - a. identify the correct medication;
 - b. identify the purpose of the medication;
 - c. determine that the correct dosage is being administered;
 - d. identify the time the medication is needed during the school day;
 - e. describe what will happen if medication is not taken; and
 - f. refuse to take medication if the student has any concerns about its appropriateness.
6. parent contact to clarify parental responsibility regarding monitoring the child on an ongoing/daily basis to insure that the child is carrying and taking the medication as ordered. These contacts shall be documented.

An unlicensed person who is appropriately qualified and trained, as determined by the School Nurse or School Physician, may assist a student assessed to be self directed in the administration of his/her medication.

If a student is authorized to carry and use medication as described above, the parent/guardian is permitted to give extra medication and supplies that the district will maintain in accordance with the written directions submitted by the authorized medical provider. Such extra medication and supplies shall be readily accessible to the student.

Parent(s) or guardian(s) must present the following information:

1. a written order from a NYS licensed health care provider (e.g. physician, nurse practitioner or physician assistant) containing the following: student's name, the date and name of the medicine, dosage and time to be administered, and list of possible side effects; and
2. A written note from the parent/guardian giving appropriate licensed school personnel permission to administer the medication to their child during school or for trained unlicensed personnel to assist their child in taking their own medication.

Students who may carry and use certain medications

Students are permitted to self-administer medication under certain circumstances, in accordance with state law and regulation. A student is authorized to carry and use the following medications: rescue inhaler, epinephrine auto-injector, insulin, glucagon (and associated diabetes testing supplies), if the following conditions are met:

1. An authorized medical provider must provide written permission that includes an attestation that the student's diagnosis requires the medication; the student has demonstrated that he/she can self-administer the prescribed medication effectively; the name of the medication, the dose, the times when it is to be taken, the circumstances which may warrant use and the length of time during which the student may use it.
2. Written parental permission.

If a student is authorized to carry and use medication as described above, the parent/guardian is permitted to give extra medication and supplies that the district will maintain in accordance with the written directions submitted by the authorized medical provider. Such extra medication and supplies shall be readily accessible to the student.

All documents pertaining to student medication will be kept on file in the nurse's office. The school nurse shall develop procedures for the administration of medication, requiring:

1. all medications will be administered by a licensed person unless the child is a "supervised student" (able to self-administer with assistance and supervision) or an "independent student" (able to self-administer and self-carry);
2. medications, other than as noted above, shall be securely stored in the office and kept in their original labeled container, which specifies the type of medication, the amount to be given and the times of administration;

3. the school nurse shall maintain a record of the name of the student to whom medication may be administered, the prescribing physician, the dosage and timing of medication, and a notation of each instance of administration; and
4. all medications shall be brought to school by the parent(s) or guardian(s) and shall be picked up by the parent(s) or guardian(s) at the end of the school year or the end of the period of medication, whichever is earlier. If not picked up within five days of the period of medication, the medication shall be discarded.

An adult must bring the medication to school in the original container. The administering staff member should clearly label the medication with the time to be given and dosage.

Sunscreen

Students are permitted to carry and apply sunscreen without a medical provider's order under the following conditions:

1. the sunscreen is used to avoid overexposure to the sun and not for medical treatment of an injury or illness, if sunscreen is required to treat a medical condition, the procedures for administering medication (above) apply;
2. the sunscreen is FDA approved for over the counter use;
3. the student's parents or guardians provide written permission annually for the student to carry and use the sunscreen.

The school nurse will keep all records pertaining to student medication on file and develop procedures pertaining to this policy.

Administering medication on field trips and at after-school activities

~~Taking medication on field trips and at after-school activities is permitted if a student is self directed in administering their own medication and the parent has filed the required documents. On field trips, teachers or other school staff may carry the medication so that the self directed student can take it at the proper time.~~

~~———— If a student is going on a field trip but is not self directed, then the district may:~~

Taking medication on field trips and at after-school activities is permitted if a student is an "independent student" described above in administering their own medication. On field trips or at other after-school activities, teachers or other school staff may carry the medication (if the student does not need it on hand for rapid administration) so that the independent student can take it at the proper time. If a student is a "supervised student" described above, unlicensed school personnel who have been trained by a licensed school health professional may assist the student in taking his/her medication. The student's parent/guardian, if attending the trip, may also perform these activities, but may not be required to do so.

If a student is “nurse dependent” (i.e., requires a licensed health professional to administer their medication), then the student must have their medication administered by a licensed health professional, or the district may:

1. permit the parent/guardian to attend the activity and administer the medication.
2. permit the parent/guardian to personally request another adult who is not employed by the school to voluntarily administer the medication on the field trip and inform the school District in writing of such request. The principal may approve or disapprove such a request.
3. consult the student’s health care provider and, if he/she permits, request that the medication time to be adjusted or the dose eliminated. The health care provider must provide a written note in the case of a change in medication.

When a parent or designee is not available, a teacher may administer the medication with the training direction and training by the school nurse. If no other alternative can be found, a school nurse or licensed person must administer the medication.

Administering epi-pen in emergency situations.

The administration of epinephrine by epi-pen has become an accepted and extremely beneficial practice in protecting individuals subject to serious allergic reactions (e.g., individual has an anaphylactic reaction to an insect sting or the ingestion of food allergens).

Pursuant to Commissioner’s Regulations, registered professional nurses may carry and administer agents used in non-patient specific emergency treatment of anaphylaxis.

Additionally, the district will stock epinephrine auto-injectors to be used on any student or staff member having symptoms of anaphylaxis, whether or not there is a previous history of severe allergic reaction. The nurse shall oversee use of the auto-injectors, ensuring that designated staff are appropriately trained. However, any school personnel may be directed in a specific instance to use an auto-injector by the nurse or medical director.

In addition, pursuant to SED guidelines, school nurses may provide training to unlicensed school staff in administering epi-pens, prescribed by a licensed prescriber, to a child who has been diagnosed with the potential for a severe reaction, in the event of the onset of a serious allergic reaction when a nurse is not available.

Administering Narcan (naloxone) in emergency situations.

The district permits the administration of opioid antagonists, such as naloxone, to prevent opioid overdose, pursuant to policy 8121, Opioid Overdose Prevention. District staff shall follow all regulations regarding the storage, accessibility, administration, recordkeeping, and reporting of naloxone use. Narcan shall be stored in a secure but accessible location(s) consistent with the emergency response plan, which includes immediate transport of the AED to

the scene of the emergency. Narcan shall be accessible during school hours and during on-site school sponsored activities, in accordance with policy 8121, Opioid Overdose Prevention.

C. Student Medical Exams

In accordance with Section 903 and 904 of the state Education Law, each student must have a complete physical examination and present to the school nurse a health certificate signed by a duly licensed physician, physicians assistant or nurse/practitioner upon entrance to school, and at grades upon entering pre-kindergarten or kindergarten, and first, third, fifth, seventh, ninth, and eleventh grades ~~two, four, seven and ten. examination must not have been given more than 12 months prior to the commencement of the school year in which the examination is required and must describe the condition of the student when the examination was made.~~ Findings are to be kept on record at the school on forms that can be obtained from the school nurse. In addition, the school will request a dental health certificate according to the same schedule.

If the required health certificate is not furnished at the required times, the school nurse shall notify the student's parent(s)/guardian(s) or person in parental relation, in writing, that if the required health certificate is not furnished within 30 days of such notice, with their consent a complete physical examination will be made of the student by the District physician. If the parent/guardian or person in parental relation will not give consent to the examination, other than based upon sincere and genuine religious beliefs, the Suffolk County Department of Health will be notified and a report will be made to Child Protective Services.

An examination of any student may be required at any time by the District, in its discretion, to promote the educational interests of the child.

All students participating in interscholastic athletics must be examined and approved for participation by the District physician, or examined by a private physician, subject to review and approval for participation by the District physician.

In the event that the student's medical history reveals that they have a known life-threatening allergy, the school nurse, in conjunction with the family, student, child's teacher, and other appropriate staff, will develop and implement an individual health care plan which will guide prevention and response.

The district will work with students in the self-management of their life-threatening allergy, or other chronic health conditions, by:

1. Adequately training staff involved in the care of the child.
2. Assuring the availability of the necessary equipment and/or medications.
3. Providing appropriately licensed and trained persons on school premises, as required by law.
4. Providing ongoing staff and student education.

D. Illness or Injury in School

If a student becomes ill or injured in school:

1. ~~The nurse will determine if the student should remain in the nurse's office or return to class.~~
2. ~~The nurse will call the parent, guardian or substitute parent if he/she feels the student should go home. In general, a parent or guardian will pick up the student from school.~~
3. ~~If no parent, guardian or substitute parent picks up the student at school, or if no parent/guardian or substitute parent will be home, the student will remain in the nurse's office until such time as a parent, guardian or substitute parent becomes available to assume responsibility for the child.~~

1. The nurse will determine if the student should receive further medical attention, remain in the dispensary or return to class.
2. The nurse will call the parent, guardian or designated emergency contact if he/she feels the student should go home. In general, a parent or guardian will pick up the student from school.
3. The nurse will contact the Building Principal if he/she feels the child should be transported by bus to the home.
4. If there is to be a change in bus routing in order to carry the student to his/her home, that decision will be made by the administrator and the transportation supervisor.
5. If the route is to be changed, the transportation supervisor shall inform the bus driver.
6. If no parent, guardian or designated emergency contact picks up the student at school, or if no parent/guardian or designated emergency contact will be home, the student will remain in the nurse's office until such time as a parent, guardian or designated emergency contact becomes available to assume responsibility for the child.
7. The nurse will maintain appropriate records of all student visits.

E. Medical Emergency Record

All students shall have on file a medical emergency record which shall state the name and telephone numbers of the following:

1. ~~the student's parent(s)/ guardian(s) at home and work;~~
 2. ~~emergency contacts;~~
 3. ~~the family physician;~~
 4. ~~the family dentist~~
 5. ~~list of medications the child takes on a regular basis~~
 6. ~~any allergies or health conditions.~~
1. the student's parent(s) or guardian(s) at home and work;
 2. the student's next of kin;
 3. a neighbor;
 4. the student's licensed health care provider;

5. any allergies or serious health conditions.

The medical emergency record shall be updated annually, or when there is a change in information.

Students diagnosed with diabetes shall have a written diabetes management plan maintained as part of the student's cumulative health record. The management plan shall be developed in accordance with state regulation and district procedures. Students diagnosed with asthma or other respiratory disease requiring a rescue inhaler, students diagnosed with life-threatening allergy or diabetes may have an emergency action plan maintained as part of the student's cumulative medical record. The emergency action plan will be developed in accordance with state regulation and district procedures.

F. Student Return to School after Illness/Injury

In general, students should be symptom-free before returning to school and resuming normal activities. In some instances, students may be asked to provide a note from their licensed health care provider before they return to school or participate in the full range of school activities. The final decision to permit participation rests with the school physician. The Superintendent, in consultation with the school physician, nurse and other appropriate staff, will develop protocols to address a student's return to activities when there has been a serious illness or injury.

Original Adoption Date:	August 14, 2012
Update 1, Adoption Date:	August 13, 2013
Update 2, Adoption Date:	August 12, 2014
Update 3, Adoption Date:	September 8, 2015
Update 4, Adoption Date:	July 5, 2016
Update 5, First Reading:	June 12, 2018
Update 5, Second Reading:	July 10, 2018 anticipated
Update 5, Adoption Date:	July 10, 2018 anticipated

INVESTMENTS

The objectives of the district's investment policy are to safeguard district funds and to minimize risk, to ensure that investments mature when cash is required to finance operations and to ensure a competitive rate of return. In accordance with this policy, the Treasurer or his/her designee is authorized to invest and/or deposit all funds, including proceeds of obligations and reserve funds, in time-deposit accounts, certificates of deposit, short-term government securities, repurchase agreements or other investment instruments permitted by law, subject to the investment regulations approved by the Board of Education.

To the extent feasible, investments and deposits shall be made in and through local or regional financial institutions. Concentration of investments in a single financial institution should be avoided. Diversification of investments and deposits is encouraged. Investments may be made either directly from an authorized trading partner, or by participation in a cooperative investment agreement with other authorized municipal corporations pursuant to General Municipal Law Article 5-G and in accordance with General Municipal Law Article 3-A.

This policy will be annually reviewed by the Board at the reorganization meeting and may be amended from time to time in accordance with the provisions of section 39 of the General Municipal Law.

Ref: Education Law §§ 1604-a; I 723-a; 3651; 3652

Local Finance Law §165.00

General Municipal Law §§6-c-6-e; 6-j-6-n; 10; II; 39; Article 3-A; Article 5-G

Original Adoption Date:	December 20, 2005
Update 1, First Reading:	June 12, 2018
Update 1, Second Reading:	July 10, 2018 anticipated
Update 1, Adoption Date:	July 10, 2018 anticipated

INVESTMENTS REGULATION

Authorized Investments

- A. The Treasurer is authorized to invest all available district funds, including proceeds of obligations and *Reserve* Funds, in the following types of investment instruments:
1. Savings Accounts or Money Market Accounts of designated banks;
 2. Certificates of Deposit issued by a bank or trust company located in and authorized to do business in New York State;
 3. Demand Deposit Accounts in a bank or trust company located in and authorized to do business in New York State; Obligations of New York State; Obligations of the United States Government (U.S. Treasury Bills and Notes);
 4. Repurchase Agreements involving the purchase and sale of direct obligations of the United States;
- B. All funds except Reserve Funds may be *invested* in Revenue Anticipation Notes or Tax Anticipation Notes of other school districts and municipalities, with the approval of the State Comptroller.

Direct or Cooperative Investments

Investments may be made either directly from an authorized trading partner, or by participation in a cooperative investment agreement.

- A. Cooperative investment agreements may be made with certain municipal corporations: any New York State county (outside New York City), city, town, village, BOCES, fire district, or school district, pursuant to General Municipal Law Article 5-G.
- B. Cooperative investment agreements, pursuant to General Municipal Law Article 3-A, must address: the governing board of the cooperative, lead participant, proportional interest, the cooperative's investment policy, contributions and distributions, apportionment of administrative expenses and costs, methodology to determine participants' interest, determination of market value at least monthly, portfolio interest rate testing at least monthly, irrevocable letter of credit, professional services, contribution confirmations, monthly statements, notification of distribution deferrals or unanticipated losses or material adverse events, annual independent audit, annual information statements, annual investment reports, and governing board rating disclosure.

Conditions

All direct investments made pursuant to this investment policy will comply with the following conditions:

A. Collateral

1. Savings accounts, money market accounts, time deposit accounts and certificates of deposit will be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of New York State, the United States, New York State school districts and federal agencies whose principal and interest are guaranteed by the United States. The market value of collateral will at all times exceed the principal amount of the certificate of deposit. Collateral will be monitored no less frequently than on a weekly basis.
2. Collateral will not be required with respect to the direct purchase of obligations of New York State, the United States and federal agencies, the principal and interest of which are guaranteed by the United States Government.
3. Through written contract with the financial institution, the District may authorize the collateralization of district assets through the use of a Municipal Line of Credit.

B. Delivery of Securities

1. Payment of funds may only be made upon receipt of collateral or other acceptable form of security, or upon the delivery of government obligations whether such obligations are purchased outright, or pursuant to a repurchase agreement. Written confirmation of delivery shall be obtained from the custodial bank.
2. Every Repurchase Agreement will make payment to the seller contingent upon the seller's delivery of obligations of the United States to the Custodial Bank designated by the school district, which shall not be the repurchase, or in the case of a book-entry transaction, when the obligations of the United States are credited to the Custodian's Federal Reserve account. The seller will not be entitled to substitute securities. Repurchase agreements shall be for periods of 30 days or less. The Custodial Bank shall confirm all transactions in writing to insure that the school district's ownership of the securities is properly reflected in the records of the Custodial Bank.

C. Written Contracts

1. Written contracts are required for certificates of deposit and custodial undertakings and Repurchase Agreements. With respect to the purchase of direct obligations of U.S., New York State, or other governmental entities in which monies may be invested, the interests of the school district will be adequately protected by conditioning payment on the physical delivery of purchased securities to the school district or custodian, or in the case of book-entry transactions, on the crediting of purchased securities to the Custodian's Federal Reserve System account. All purchases will be confirmed promptly in writing to the school district.
2. The following written contracts are required:
 - a. Written agreements will be required for the purchase of all certificates of deposit.
 - b. A written contract will be required with the Custodial Bank(s).

- c. Written contracts shall be required for all Repurchase Agreements. Only credit-worthy banks and primary reporting dealers shall be qualified to enter into a Repurchase Agreement with the school district.

The written contract will stipulate that only obligations of the United States may be purchased and that the school district shall make payment upon delivery of the securities or the appropriate book-entry of the purchased securities. No specific repurchase agreement will be entered into unless a master repurchase agreement has been executed between the school district and the trading partners. While the term of the master repurchase agreement may be for a reasonable length of time, a specific repurchase agreement will not exceed thirty days.

D. Designation of Custodial Bank

1. The Board will designate a commercial bank or trust company authorized to do business in the State of New York to act as Custodial Bank of the school district's investments. However, securities may not be purchased through a Repurchase Agreement with the Custodial Bank.
2. When purchasing eligible securities, the seller will be required to transfer the securities to the District's custodial bank.

E. Selection of Financial Institutions

1. The Treasurer will periodically monitor, to the extent practical but not less than annually, the financial strength, credit-worthiness, experience size and any other criteria of importance to the district, of all institutions and trading partners through which the district's investments are made.
2. Investments in time deposits and certificates of deposit are to be made only with commercial banks or trust companies, as permitted by law.

F. Operations, Audit, and Reporting

1. The Treasurer or designee will authorize the purchase and sale of all securities and execute contracts for investments and deposits on behalf of the school district. Oral directions concerning the purchase or sale of securities will be confirmed in writing. The school district will pay for purchased securities upon the simultaneous delivery or book-entry thereof.
2. The school district will encourage the purchase and sale of securities through a competitive process involving telephone solicitation for at least three quotations.
3. The independent auditors will audit the investment proceeds of the school district for compliance with the provisions of this Investment Regulation.
4. Monthly investment reports will be furnished to the Board of Education.

Original Effective Date: December 20, 2005

Update 1, Effective Date: July 10, 2018

PURCHASING

The Board of Education views purchasing as serving the educational program by providing necessary supplies, equipment and related services. Purchasing will be centralized in the business office under the general supervision of the Purchasing Agent, as designated by the Board.

It is the goal of the Board to purchase competitively, without prejudice or favoritism, and to seek the maximum educational value for every dollar expended. Competitive bids or quotations shall be solicited in connection with purchases pursuant to law. The General Municipal Law requires that purchase contracts for materials, equipment and supplies involving an estimated annual expenditure exceeding \$20,000 and public work contracts involving an expenditure of more than \$35,000 will be awarded only after responsible bids have been received in response to a public advertisement soliciting formal bids. Purchases of the same commodity cannot be artificially divided for the purpose of avoiding the threshold. Similar procurements to be made in a fiscal year will be grouped together for the purpose of determining whether a particular item must be bid.

The district's purchasing activity will strive to meet the following objectives:

1. to effectively supply all administrative units in the school system with needed materials, supplies, and contracted services;
2. to obtain materials, supplies and contracted services at the lowest prices possible consistent with the quality and standards needed as determined by the Purchasing Agent in conformance with state law and regulation and in cooperation with the requisitioning authority. The educational and physical welfare of the students is the foremost consideration in making any purchase;
3. to ensure that all purchases fall within the framework of budgetary limitations and that they are consistent with the educational goals and programs of the district;
4. to maintain an appropriate and comprehensive accounting and reporting system to record and document all purchasing transactions; and
5. to ensure, through the use of proper internal controls, that loss and/or diversion of district property is prevented.

Opportunities shall be provided to all responsible suppliers to do business with the school district. Suppliers whose place of business is situated within the district may be given preferential consideration only when bids or quotations on an item or service are identical as to price, quality and other factors.

Where permitted by law, purchases **will** **may** be made through available cooperative BOCES bids, or by "piggybacking" onto contracts of the United States or agencies thereof or the federal General Services Administration (GSA), the New York State Office of General Services (OGS), departments or agencies of New York State, any New York State county, or any state or any county or political subdivision or district therein, whenever such purchases are in the best interests of the district or will result in cost savings to the district. In addition, the district will

make purchases from correctional institutions and severely disabled persons through charitable or non-profit-making agencies, as provided by law.

It is the district's responsibility to review each "piggybacking" contract corresponding to a proposed purchase, upon the advice of counsel as necessary, to determine whether the original contract does not conflict with state law or regulation, and meets the following requirements:

1. The contract must have been let by the United States, or any agency thereof, any state, or any other political subdivision or district therein;
2. The contract must have been made available for use by other governmental entities; including New York State local governments;
3. The contract must have been let to the lowest responsible bidder or on the basis of best value, in a manner consistent with General Municipal Law §103. Those main elements are: (a) public solicitation of bids or offers; (b) secure or confidential bids or offers; (c) use of a common standard for bidders or offers to compete fairly; and (d) awarded to the lowest responsible bidder, or responsible offeror of best value, which optimizes quality, cost and efficiency.

In accordance with law, the district shall give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats. The term "alternative format" shall mean any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a disabled student enrolled in the district (or program of a BOCES), including but not limited to Braille, large print, open and closed captioned, audio, or an electronic file in a format compatible with alternative format conversion software that is appropriate to meet the needs of the individual student.

The Board is also aware of the need to reduce exposure of students and staff to potentially harmful chemicals and substances used in cleaning and maintenance. In accordance with law, regulation and guidelines set forth by the Office of General Services (OGS), the district will purchase and utilize environmentally sensitive cleaning and maintenance products in its facilities whenever feasible. Cleansers purchased must, first and foremost, be effective so that the district may continue to purchase non-green products as necessary. Environmentally sensitive cleaning and maintenance products will be procured in accordance with standard purchasing procedures as outlined in this policy and regulation.

In order to ensure that the district avails itself of advantageous purchasing opportunities, the Board authorizes the Purchasing Agent to represent the district in applying for federal programs designed to discount prices for goods and services. Specifically, the Purchasing Agent will abide by the rules and regulations associated with applying for telecommunications service discounts through the Universal Service Fund (E-Rate), in addition to complying with the local purchasing policies set forth by the Board. As with all purchasing activity, appropriate documentation of the application and purchase through any federal program will be maintained by the business office.

Competitive Bidding

Purchase contracts and public works contracts subject to competitive bidding will be awarded to the lowest responsible bidder, however, the Board authorizes that purchase contracts may be awarded on the basis of best value, as defined in State Finance Law §163. Other exceptions to competitive bidding are outlined below.

The district shall comply with the requirements of General Municipal Law §103-g, which prohibits, with few exceptions, competitive bidding contracts with entities that invest significantly in the Iranian energy sector, as outlined in the accompanying regulation.

Exceptions to Competitive Bidding

Competitive bidding, even if the dollar value of the purchase meets the threshold established above, is not required in the following circumstances:

1. emergencies where time is a crucial factor;
2. procurements for which there is no possibility of competition (sole source items);
3. professional services that require special skill or training (see policy 6741 for guidance on purchasing professional services);
4. purchases such as surplus or second-hand items from governmental entities, certain food and milk items, or goods and services from municipal hospitals ; or
5. where the district is purchasing through (or is "piggybacking" onto) the contract of another governmental entity, where the original contract complies with the requirements of New York State law for competitive bidding.

Purchasing when Competitive Bidding Not Required

Goods and services which are not required by law to be procured by the district through competitive bidding will be procured in a manner so as to ensure the prudent and economical use of public monies, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, except as permitted by state law for procurements:

1. under a county contract;
2. under a state contract;
3. under a federal contract;
4. under a contract of another political subdivision;
5. of articles manufactured in state correctional institutions; or
6. from agencies for the blind and severely disabled.

"Piggybacking" onto the contract of other governmental agencies is permitted where the original contract is in conformance with the goals of this section.

The district will provide justification and documentation of any contract awarded to an offer or other than the lowest responsible dollar offer or, setting forth the reasons why such award is in the best interests of the district and otherwise furthers the purposes of section 104-b of the General Municipal Law.

General Purchasing Provisions

The Superintendent of Schools, with the assistance of the Purchasing Agent, shall be responsible for the establishment and implementation of the procedures and standard forms for use in all purchasing and related activities in the district. Such procedures shall comply with all applicable laws and regulations of the state and the Commissioner of Education.

No Board member, officer or employee of the school district shall have an interest in any contract entered into by the Board or the district, as provided in Article 18 of the General Municipal Law.

Comments will be solicited from those administrators involved in the procurement process before enactment of the district's policies regarding purchasing and from time to time thereafter. The policies must then be adopted by Board resolution. All district policies regarding the procurement processes will be reviewed by the Board at least annually.

The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the district's policies regarding procurement will not be grounds to void action taken nor give rise to a cause of action against the district or any officer or employee of the district.

Cross-ref: 6710, Purchasing Authority
6741, Contracting for Professional Services

Ref: Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195)
Education Law §§305(14); 409-i; 1604(29-a); 1709(4-a), (9), (14), (22); 2503(7-a); 2554(7-a)
General Municipal Law §§102; 103; 103-g; 104; 104-b; 109-a; 800 et seq.
State Finance Law §§97-g(3), (4), (5); 163; 163-b; 165-a
County Law §408-a(2)
8 NYCRR Part 114

Original Adoption:	December 20, 2005
Update 1, Adoption:	September 14, 2010
Update 2, Adoption:	August 16, 2011
Update 3, Adoption:	August 13, 2013
Update 4, Adoption:	September 8, 2015
Update 5, First Reading:	June 12, 2018
Update 5, Second Reading:	July 10, 2018 anticipated
Update 5, Adoption:	July 10, 2018 anticipated

PURCHASING REGULATION

The following sets forth the procedures for the procurement of goods and services by the district:

I. Definitions

Best value: optimizing quality, cost and efficiency. The basis for best value shall reflect, whenever possible, objective and quantifiable analysis, and may also take into consideration small businesses or certified minority- or women-owned businesses as defined in State Finance Law §163.

Purchase Contract: a contract involving the acquisition of commodities, materials, supplies, services or equipment

Public Work Contract: a contract involving labor or both materials and labor for a project such as construction

II. General Municipal Law

The General Municipal Law requires that purchase contracts for services, materials, equipment and supplies involving an estimated annual expenditure exceeding \$20,000 and public work contracts involving an expenditure of more than \$35,000 will be awarded only after responsible bids have been received in response to a public advertisement soliciting formal bids. Similar procurements to be made in a fiscal year will be grouped together for the purpose of determining whether a particular item must be bid.

III. Competitive Bidding Required

A. Method of Determining Whether Procurement is Subject to Competitive Bidding

1. The district will first determine if the proposed procurement is a purchase contract or a contract for public work.
2. If the procurement is either a purchase contract or a contract for public work, the district will then determine whether the amount of the procurement is above the applicable monetary threshold as set forth above.
3. The district will also determine whether any exceptions to the competitive bidding requirements (as set forth below) exist.
4. All advertised bids shall include the following statement required by General Municipal Law 103-g: "By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the state finance law."

B. Contract Combining Professional Services and Purchase

In the event that a contract combines the provision of professional services and a purchase, the district, in determining the appropriate monetary threshold criteria to apply to the contract, will determine whether the professional service or the purchase is the predominant part of the transaction.

C. Opening and Recording Bids; Awarding Contracts

The Purchasing Agent will be authorized to open and record bids. Contracts will be awarded to the lowest responsible bidder or a purchase contract bid of best value (as recommended by the Purchasing Agent), who has furnished the required security after responding to an advertisement for sealed bids.

In order to be considered a responsible bidder, entities must certify that they are not on the list created and maintained by the State Office of General Services cataloging significant investment in the Iranian energy sector. Such statement may be submitted electronically pursuant to General Municipal Law §103(1). Entities that cannot make this certification may only be awarded the bid if:

1. The entity's investment activities in Iran were made before April 12, 2012; the investment activities in Iran have not been expanded or renewed after that date; and the entity has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
2. The district makes a determination, in writing, that the goods or services are necessary for the district to perform its functions and that, absent such an exemption, the district would be unable to obtain the goods or services for which the contract is offered.

D. Documentation of Competitive Bids

The district will maintain proper written documentation which will set forth the method in which it determined whether the procurement is a purchase or a public work contract.

E. Purchase of Instructional Materials

In accordance with Education Law the district shall give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats (i.e., any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a disabled student enrolled in the district, including but not limited to Braille, large print, open and closed captioned, audio or an electronic file in an approved format).

The district will establish and follow a plan to ensure that every student with a disability who needs his or her instructional materials in an alternative format will receive those materials at the same time that they are available to non-disabled students.

F. Leases of Personal Property

In addition to the above-mentioned competitive bidding requirements, section 1725 of the Education Law requires that the district will be subject to competitive bidding requirements for purchase contracts when it enters into a lease of personal property. The district will maintain written documentation such as quotes, cost-benefit analysis of leasing versus purchasing, etc.

G. Environmentally-Sensitive Cleaning and Maintenance Products

The district will purchase and utilize environmentally sensitive cleaning and maintenance products whenever feasible. The purchasing agent will consult with the Green Guidelines provided by the Office of General Services.

Any legal issues regarding the applicability of competitive bidding requirements will be presented to the school attorney for review.

IV. Exceptions to Competitive Bidding Requirements

The district will not be subject to competitive bidding requirements when the Board of Education, in its discretion, determines that one of the following situations exists:

1. Emergency situations where:
 - a. the situation arises out of an accident or unforeseen occurrence or condition;
 - b. a district building, property, or the life, health, or safety of an individual on district property is affected; or
 - c. the situation requires immediate action which cannot await competitive bidding.

However, when the Board passes a resolution that an emergency situation exists, the district will make purchases at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practicable under the circumstances. The district will maintain records of verbal (or written) quotes, as appropriate;

2. When the district purchases surplus or second-hand supplies, materials or equipment from the federal or state governments or from any other political subdivision or public benefit corporation within the state. The district will maintain market price comparisons (verbal or written quotes) and the name of the government entity;

3. When the Board separately purchases eggs, livestock, fish and dairy products (other than milk), juice, grains and species of fresh fruits and vegetables directly from New York State producers or growers or associations of producers and growers, subject to the requirements of General Municipal Law §103(9) and Commissioner's Regulations §114.3. The district will maintain documentation consistent with section 114.3 of the Regulations of the Commissioner of Education;
4. When the Board separately purchases milk directly from licensed milk processors employing less than forty (40) people. The amount expended in any fiscal year by the district may not exceed an amount equal to twenty-five cents multiplied by the number of days in the school year multiplied by the total enrollment of the district or exceed the current market price. The district will maintain documentation consistent with section 114.4 of the Regulations of the Commissioner of Education;
5. When the district purchases goods, supplies and services from municipal hospitals under joint contracts and arrangements entered into pursuant to section 2803-a of the Public Health Law. The district will maintain the legal authorization, Board authorization and market price comparisons;
6. When there is only one possible source from which to procure goods or services required in the public interest; the district will maintain written documentation of the unique benefits of the item or service purchased as compared to other items or services available in the marketplace; that no other item or service provides substantially equivalent or similar benefits; and that, considering the benefits received, the cost of the item or service is reasonable, when compared to conventional methods. In addition, the documentation will provide that there is no possibility of competition for the procurement of the goods.
7. When the district purchases professional services that require special skill or training, such as but not limited to, audit, medical, legal or insurance services, or property appraisals. The district will keep proper documentation in accordance with policy 6741; or
8. when the district purchases through the contracts of (or "piggybacks" onto) other governmental entities, as authorized by law, for certain goods and services permitted by law. Factors relevant to the decision to "piggyback" may include cost, staff time, delivery arrangements, quality of goods and services, and suitability of such goods and services to the district's needs. The district will keep documentation indicating why "piggybacking" is in the best interests of the district, copies of the original contract, and that the originating contract was let in a manner consistent with applicable competitive bidding requirements.

V. Quotes When Competitive Bidding Not Required

Goods and services which are not required by law to be procured by the district through competitive bidding will be procured in a manner so as to ensure the prudent and economical use of public monies in the best interests of the taxpayers. Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, as set forth below.

A. Methods of Documentation

1. Verbal Quotations: the telephone log or other record will set forth, at a minimum, the date, item or service desired, price quoted, name of vendor, name of vendor's representative;
2. Written Quotations: vendors will provide, at a minimum, the date, description of the item or details of service to be provided, price quoted, name of contact. For example, with regard to insurance, the district will maintain documentation that will include bid advertisements, specifications and the awarding resolution. Alternatively, written or verbal quotation forms will serve as documentation if formal bidding is not required.
3. Requests for Proposals: the district will utilize RFP's to engage professional services providers in accordance with policy 6741.

B. Purchases/Public Work: Methods of Competition to be Used for Non-Bid Procurements; Documentation to be Maintained

The district will require the following methods of competition be used and sources of documentation maintained when soliciting non-bid procurements in the most cost-effective manner possible:

1. Purchase Contracts up to \$20,000
 - a. Contracts under \$1,000: Verbal quotes are suggested and documentation should include notations of verbal quotes.
 - b. Contracts of \$1,001 to \$3,000: A minimum of two verbal or written quotes is required and documentation should include notations of the quotes.
 - c. Contracts in excess of \$3,000: Three written or faxed quotes are required and documentation should include those quotes.
2. Public Work Contracts up to \$35,000
 - a. Contracts from \$1,000 to \$10,000: Verbal quotes
 - i. Documentation will include notations of verbal quotes.
 - b. Contracts in excess of \$10,000 to \$35,000: Written quotes

VI. Quotes Not Required When Competitive Bidding Not Required

The district will not be required to secure alternative proposals or quotations for those procurements as permitted by state law:

1. under a county contract;
2. under a state contract;
3. under a federal contract;
4. under a contract of another political subdivision;
5. of articles manufactured in state correctional institutions; or
6. from agencies for the blind and severely disabled.

“Piggybacking” onto the contract of other governmental agencies is permitted where the original contract is in conformance with the goals of the district’s policy and regulation for purchasing when competitive bidding is not required.

VII. Procurements from Other than the “Lowest Responsible Dollar Offeror”

The district will provide justification and documentation of any contract awarded to an offeror other than the lowest responsible dollar offeror, setting forth the reasons why such award is in the best interests of the district and otherwise furthers the purposes of section 104-b of the General Municipal Law.

VIII. Internal Control

The Board authorizes the Superintendent of Schools, with the assistance of the Purchasing Agent, to establish and maintain an internal control structure to ensure, to the best of their ability, that the district’s assets will be safeguarded against loss from unauthorized use or disposition, that transactions will be executed in accordance with the law and district policies and regulations, and recorded properly in the financial records of the district.

Comments will be solicited from those administrators involved in the procurement process before enactment of the district’s regulations regarding purchasing and from time to time thereafter. The regulations must then be adopted by Board resolution. All district regulations regarding the procurement processes will be reviewed by the Board at least annually.

The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the district’s regulations regarding procurement will not be grounds to void action taken or give rise to a cause of action against the district or any officer or employee of the district.

Original Adoption:	July 10, 2012
Update 1, Adoption:	August 13, 2013
Update 2, Adoption:	September 8, 2015
Update 3, Adoption:	July 12, 2018

PURCHASING UNDER FEDERAL GRANTS

The Board of Education views purchasing as serving the educational program by providing necessary supplies, equipment and related services. Purchasing will be centralized in the business office under the general supervision of the Purchasing Agent, as designated by the Board.

It is the goal of the Board to purchase competitively, without prejudice or favoritism, and to seek the maximum educational value for every dollar expended. In addition to the requirements of Policy 6700 (Purchasing), the requirements of this policy relate to purchases made under federal appropriations to the District as grants.

Competition

The district shall ensure that all procurement transactions are conducted in a manner providing full and open competition consistent with Section 200.319 of federal law.

The District shall suspend the policy of giving preference to local contractors, all other things equal, when purchasing using Federal Funds, and shall take all necessary affirmative steps to assure that minority-owned, women-owned businesses and labor surplus area firms as used, when possible.

Procurement of Recovered Materials

The District, whenever practical and fiscally reasonable, requires that paper, furniture, and playground equipment contain the highest percentage of recovered materials practical when the price of the item is greater than \$10,000.

Cross-ref: 6700, Purchasing
 6710, Purchasing Authority
 6741, Contracting for Professional Services

Ref: 2 CRF 200.319 - Competition

First Reading: June 12, 2018
Second Reading: July 10, 2018 anticipated
Adoption Date: July 10, 2018 anticipated

STAFF DEVELOPMENT

The Board of Education believes that staff training and development help ensure the success of educational programs and improve the efficiency of the district. Therefore, the district will provide development opportunities to staff to increase their effectiveness and job performance. The Superintendent of Schools shall be responsible for implementing and administering staff development programs for the district's employees.

Administrators

All administrators in the school district will receive appropriate training and professional development in accordance with law, regulation or any applicable collective bargaining agreement. The Superintendent will be responsible for providing such training and development.

Teachers

All teachers will be provided with substantial professional development opportunities directly related to student learning in accordance with any applicable collective bargaining agreement and the district's Professional Development Plan. **Level III Teaching Assistants and long-term substitute teachers (employed for more than 40 days in a school year) shall have the opportunity to participate in the district's professional development program.** The plan shall include:

- A needs analysis, goals, objectives, strategies, activities and evaluation standards for professional development in the district and a description of how the district will provide all teachers substantial professional development activities directly related to student learning needs identified in school report cards and other sources.
- A description of how the professional development provided will align with New York standards and assessments, teacher capacities and student needs, including linguistic, cultural diversity and special needs. Activities must be articulated across grade levels and subject areas and show how they will be provided and measured in a continuous manner.
- A description of how it will provide teachers **holding a professional certificate and Level III teaching assistants** with opportunities to maintain their certificate in good standing by successfully completing **175-100** hours of professional development every five years.
- A mentoring program to provide support for new teachers in order to ease the transition from teacher preparation to practice, thereby increasing retention of teachers in the public schools, and to increase the skills of new teachers in order to improve student achievement.
- **Unless granted an exemption by the Commissioner of Education, a description of how the district will provide professional development to teachers and Level III teaching assistants to address the needs of English Language Learners.**

The Board will establish a Professional Development Team to review and revise the district's Professional Development Plan annually. The Board shall appoint members to the team at the first regular Board meeting in September.

Once the members of the Professional Development Team are appointed, the team must meet on or before October 1. The Superintendent will serve as the chair of the team and may designate another individual to serve as chair in his or her absence. The chair will call all team meetings.

~~The chair will be responsible for ensuring the timely review and revision of the district's Professional Development Plan.~~

The Professional Development Team shall meet on or before October 1. The Superintendent or his/her designee will serve as the chair of the team and will be responsible for ensuring the timely review and revision of the district's Professional Development Plan.

The Professional Development Team will submit the recommended Professional Development Plan to the Board by April 1. The Board will consider the recommended plan at its first regular meeting in April. The Board may accept or reject the plan in whole or in part. Those portions of the plan not approved by the Board will be returned to the team for further consideration. Any further changes in the plan must be submitted to the Board by June 1. The Board will consider and act on the revised plan at its first regular meeting in June. The Board reserves the right to make changes to the revised plan.

Other Professional Staff and Support Staff

Holders of professional certificates in educational leadership service (i.e., school building leader, school district leader, school district business leader) are required to complete at least 100 hours of continuing education during every five-year registration period. Unless the district is granted an exemption by the Commissioner of Education, at least 15 percent of those hours shall address the language acquisition needs of English Language Learners.

The district will provide staff development activities for other professional staff and support staff within the financial constraints of the district budget and in accordance with applicable collective bargaining agreements.

Other Staff Development Opportunities

The Board recognizes that many staff development opportunities are provided through non-school district sources. Within budgetary restraints, district employees may attend conferences, workshops, study councils, in-service courses, summer study grants, school visitations, and other relevant staff development opportunities.

Released time and reimbursement for such activities will be available upon approval of the Superintendent and in accordance with applicable collective bargaining agreements. The Superintendent may establish regulations pursuant to this policy to establish the circumstances under which such released time and reimbursement may be available. Staff members who attend such activities will be required to prepare a report or summary of the activity attended.

Cross-ref: 9420, Staff Evaluation

Ref: Education Law § 3604(8) (Superintendent conference days)
8 NYCRR § 100.2(dd) (Professional Development Plans)
8 NYCRR § 100.2(o)(iii)(b)(5) (required training on conducting staff evaluations)

Adoption date:	July 7, 2009
Update 1, First Reading:	June 12, 2018 anticipated
Update 1, Second Reading:	July 10, 2018 anticipated
Update 1, Adoption Date:	July 10, 2018 anticipated