

Huntington Union Free School District

**NON-INSTRUCTIONAL BUSINESS OPERATIONS
(Section 5000)**

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SUBJECT: BUDGET PLANNING AND DEVELOPMENT

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

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

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

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

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

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

- a) A program component which shall include, but need not be limited to, all program expenditures of the School District, including the salaries and benefits of teachers and any school administrators or supervisors who spend a majority of their time performing teaching duties, and all transportation operating expenses;

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

- b) A capital component which shall include, but need not be limited to, all transportation capital, debt service, and lease expenditures; costs resulting from judgments and tax certiorari proceedings or the payment of awards from court judgments, administrative orders or settled or compromised claims; and all facilities costs of the School District, including facilities leases expenditures, the annual debt service and total debt for all facilities financed by bonds and notes of the School District, and the costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that such budget shall include a rental, operations and maintenance section that includes base rent costs, total rent costs, operation and maintenance charges, cost per square foot for each facility leased by the District, and any and all expenditures associated with custodial salaries and benefits, service contracts, supplies, utilities, and maintenance and repairs of school facilities; and
- c) An administrative component which shall include, but need not be limited to, office and central administrative expenses, traveling expenses and salaries and benefits of all certified school administrators and supervisors who spend a majority of their time performing administrative or supervisory duties, any and all expenditures associated with the operation of the Office of the School Board, the Office of the Superintendent of Schools, General Administration, the School Business Office, consulting costs not directly related to direct student services and programs, planning and all other administrative activities.

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

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

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

(Continued)

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

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

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

Property Tax Report Card

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

The Property Tax Report Card shall include:

- a) The amount of total spending and total estimated school tax levy that would result from adoption of the proposed budget, and the percentage increase or decrease in total spending and total school tax levy from the School District budget for the preceding school year; and
- b) The projected enrollment growth for the school year for which the budget is prepared, and the percentage change in enrollment from the previous year; and
- c) The percentage increase in the Consumer Price Index, from January first of the prior school year to January first of the current school year.

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

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

(Continued)

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

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

Adopted: 6/11/01

SUBJECT: SCHOOL DISTRICT BUDGET HEARING

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

The budget hearing will be held not less than seven (7) nor more than fourteen (14) days prior to the Annual District Meeting and Election at which the budget vote will occur. The proposed budget will be completed at least seven (7) days prior to the budget hearing at which it is to be presented.

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

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

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

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

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

Notice of Budget Hearing/Availability of Budget Statement

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

(Continued)

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Non-Instructional/Business
Operations

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

Election and Budget Vote

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

Budget Development and Attachments

Education Law Sections 1608(3), (4), (5), (6), and (7);
1716(3), (4), (5), (6), and (7); and 2601-a(3)
8 New York Code of Rules and Regulations
(NYCRR) Sections 100.2(bb), 170.8 and 170.9

Adopted: 6/11/01

SUBJECT: BUDGET ADOPTION

The Board of Education shall review the recommended budget of the Superintendent of Schools and shall seek public input and feedback regarding the recommended budget including, but not limited to, holding a public budget hearing not less than seven (7) nor more than fourteen (14) days prior to the Annual District Meeting and Election at which the budget vote is to occur. The Board may modify the recommended budget of the Superintendent prior to its submission to District voters. Final authorization of the proposed budget is dependent upon voter approval unless a contingency budget is adopted by the Board.

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

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

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

In the event the original proposed budget is not approved at the Annual District Meeting and Election, the Board may resubmit the original proposed budget or a revised budget for voter approval, or individual propositions may be placed before District voters, at a special meeting held at a later date. In the alternative, if the initial proposed budget is defeated, the Board may adopt a contingency budget and levy taxes as necessary for implementation of the contingency budget expenditures. If the voters fail to approve the second budget submittal, or budget propositions(s), the Board shall adopt a contingency budget in accordance with law.

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

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SUBJECT: BUDGET ADOPTION (Cont'd.)

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

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

Adopted: 6/11/01

SUBJECT: ADMINISTRATION OF THE BUDGET

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

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

SUBJECT: CONTINGENCY BUDGET

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

If the original proposed budget is not approved by District voters at the Annual District Meeting and Election, the Board has the option of either resubmitting the original or revised budget for voter approval at a special meeting held at a later date; or the Board may, at that point, adopt a contingency budget and levy a tax for teachers' salaries and ordinary contingent expenses as enumerated in law. If the Board decides to submit either the original or a revised budget to the voters for a second time, and the voters do not approve the second budget submittal, the Board shall adopt a contingency budget and levy a tax for those expenditures mandated pursuant to law and/or for those services necessary to maintain the educational program.

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

In accordance with law, the contingency budget will reflect the statutory expenditure limits imposed on the administrative component of the contingency budget as well as the total spending authorized in the overall contingency budget.

With regard to overall District spending, the contingency budget, as a whole, shall not result in a percentage increase in total spending over the District's total spending under the school district budget for the prior year that exceeds the lesser of:

- a) The result when one hundred twenty percent is multiplied by the percentage increase in the Consumer Price Index (CPI), with the result rounded to two decimal places; or
- b) Four percent.

(Continued)

SUBJECT: CONTINGENCY BUDGET (Cont'd.)

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

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

The Consumer Price Index to be used refers to the percentage that represents the average of the national consumer price indexes determined by the U.S. Department of Labor for the twelve month period preceding January first of the current year.

In determining the increase in total expenses when computing the contingency budget percentage increase, the following expenditures shall be disregarded:

- a) Expenditures resulting from a tax certiorari proceeding;
- b) Expenditures resulting from a court order or judgment against the School District;
- c) Emergency expenditures that are certified by the Commissioner of Education as necessary as a result of damage to, or destruction of, a school building or school equipment;
- d) Capital expenditures resulting from the construction, acquisition, reconstruction, rehabilitation or improvement of school facilities, including debt service and lease expenditures, subject to voter approval;
- e) Expenditures in the contingency budget attributable to projected increases in public school enrollment, which may include increases attributable to the enrollment of students attending a pre-kindergarten program established in accordance with Education Law Section 3602-e;
- f) Non-recurring expenditures in the prior year's School District budget; and
- g) Expenditure of gifts and grants in aid and use of insurance proceeds.

Should the Board of Education adopt a contingency budget, it will officially pass a resolution reflecting such action; and that resolution shall incorporate by reference a statement specifying the projected percentage increase or decrease in total spending for the school year, and explain the reasons why the Board disregarded any portion of an increase in spending in formulating the contingency budget.

(Continued)

SUBJECT: CONTINGENCY BUDGET (Cont'd.)

Regulations will be developed enumerating a sample list of expenditures which have been determined, pursuant to law, to constitute ordinary contingent expenses. However, the Board reserves the right, in accordance with its legal responsibility, to designate other items as ordinary contingent expenses as deemed necessary to maintain the educational program of the District, preserve property, and assure the health and safety of students and staff.

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

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Non-Instructional/Business
Operations

SUBJECT: REVENUES

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

Education Law Sections 1604(a) and 1723(a)

Adopted: 6/11/01

SUBJECT: DISTRICT INVESTMENTS

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

Objectives

The objectives of this investment policy are four-fold:

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

Authorization

The authority to deposit and invest funds is delegated to the Assistant Superintendent for Finance and Management Services. These functions shall be performed in accordance with the applicable sections of the General Municipal Law and the Local Finance Law of the State of New York.

The Assistant Superintendent for Finance and Management Services may invest funds in the following eligible investments:

- a) Obligations of the State of New York.
- b) Obligations of the United States Government, or any obligations for which principal and interest are fully guaranteed by the United States Government.
- c) Time Deposit Accounts placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law. [Banking Law Section 237(2) prohibits a savings bank from accepting a deposit from a local government. This also applies to savings and loan associations.]

(Continued)

SUBJECT: DISTRICT INVESTMENTS (Cont'd.)

- d) Transaction accounts (demand deposits) both interest bearing and non-interest bearing that do not require notice of withdrawal placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law.
- e) Certificates of Deposits placed in a commercial bank authorized to do business in the State of New York providing the Certificates are collateralized as required by law.
- f) Securities purchased pursuant to a Repurchase Agreement whereby one party purchases securities from a second party and the second party agrees to repurchase those same securities on a specific future date at an agreed rate of return (the interest rate).

Implementation

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

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

Purchase of Investments

The District Treasurer is authorized to contract for the purchase of investments:

- a) Directly, including through a repurchase agreement, from an authorized trading partner; or

(Continued)

SUBJECT: DISTRICT INVESTMENTS (Cont'd.)

- b) By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Board of Education.

All purchased obligations, unless registered or inscribed in the name of the District, shall be purchased through, delivered to be held in the custody of a bank or trust company chartered in the State of New York. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the District by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Section 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for the District, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the District a perfected interest in the securities.

Repurchase Agreements

Repurchase agreements are authorized subject to the following restrictions:

- a) The purchased securities shall be held by a third party custodian other than the trading partner;
- b) All repurchase agreements must be entered into subject to a Master Repurchase Agreement;
- c) Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers;
- d) Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America;
- e) No substitution of securities will be allowed during the term of the agreement.

(Continued)

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

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

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

Adopted: 6/11/01

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

The Board may accept gifts, grants and/or bequests of money, real or personal property, as well as other merchandise which, in view of the Board, add to the overall welfare of the School District, provided that such acceptance is in accordance with existing laws and regulations. However, the Board is not required to accept any gift, grant or bequest and does so at its discretion, basing its judgment on the best interests of the District. Furthermore, the Board will not accept any gift, grant or bequest which constitutes a conflict of interest and/or gives an appearance of impropriety.

At the same time, the Board will safeguard the District, the staff and students from commercial exploitation, from special interest groups, and the like.

The Board will not accept any gifts or grants which will place encumbrances on future Boards, or result in unreasonable additional or hidden costs to the District.

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

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

Gifts and/or grants of money to the District shall be annually accounted for under the trust and agency account in the bank designated by the Board of Education.

All gifts, grants and/or bequests shall become School District property. A letter of appreciation, signed by the President of the Board and the Superintendent, may be sent to a donor/grantor in recognition of his/her contribution to the School District.

Gift Giving

Gifts. An officer or employee shall not directly or indirectly solicit or accept 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/her, or could reasonably be expected to influence him/her, in the performance of his/her official duties, or was intended as a reward for any official action on his/her part. No gift in any form shall be accepted that exceeds standards as established by all applicable municipal law.

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

Adopted: December 4, 2006

SUBJECT: PROPERTY TAX EXEMPTION FOR SENIOR CITIZENS

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

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

Real Property Tax Law Section 467

Adopted: 6/11/01

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

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

Disposal of District Personal PropertyEquipment

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

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

Textbooks

Textbooks may lose their value to the educational program because of changes in the curriculum or they contain outdated material and/or are in poor condition.

If textbooks are no longer useful or usable, the procedures for disposal shall adhere to the following order of preference:

- a) Sale of textbooks. If reasonable attempts to dispose of surplus textbooks fail to produce monetary return to the School District; then
- b) Donation to charitable organizations; or
- c) Disposal as trash.

Education Law Section 1709(9) and (11)
General Municipal Law Sections 51 and 800 et seq.

Adopted: 6/11/01

SUBJECT: BONDING OF EMPLOYEES AND SCHOOL BOARD MEMBERS

In accordance with New York State Education Law and the Commissioner's Regulations, the Board of Education directs that the Treasurer of the Board of Education and the internal auditor be bonded prior to assuming their duties. Such bonds shall be in the amounts as determined and approved by the Board of Education.

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

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

SUBJECT: EXPENDITURES OF SCHOOL DISTRICT FUNDS

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

All claims shall be properly confirmed and verified before payment.

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

Education Law Section 1720

Use of Sales Tax Exemption Number

The District's sales tax exemption number shall be used solely for purchases for goods and services authorized and made by the Huntington Union Free School District. The tax exemption number may not be used by student, staff, parent or community organizations or by unauthorized members of the District staff.

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Non-Instructional/Business
Operations

SUBJECT: BUDGET TRANSFERS

Within legal limits as established by the Board, the Superintendent is authorized to transfer funds within the budget. Whenever changes are made, they are to be incorporated in the next Board agenda for information only.

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

Adopted: 6/11/01

2001

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Non-Instructional/Business
Operations

SUBJECT: BORROWING OF FUNDS

The School District may borrow money only by means of serial bonds, bond anticipation notes, capital notes, tax anticipation notes, revenue anticipation notes and budget notes.

New York State Local Finance Law
Section 20

Adopted: 6/11/01

Non-Instructional/Business Operations

SUBJECT: MEALS, REFRESHMENTS, AND TRAVEL EXPENSES

The Board of Education recognizes that from time to time it may be appropriate to provide meals and/or refreshments at District meetings and/or events, which are being held for an educational purpose. The Board of Education also recognizes that employee travel to conferences may be necessary for staff development purposes. Any expenditure made on such meals, refreshments, and/or travel expenses should be appropriately documented with a receipt, itemized whenever possible, and submitted to the District's business office for the purposes of audit and possible reimbursement.

Examples of authorized categories of expenditures include but are not limited to refreshments for staff on teacher orientation days at the beginning of each year, staff recognition day, refreshments for Superintendent's Conference Day, community/district meetings, assessment day grading of tests, receptions for volunteers, and other meetings at which district business is conducted.

Note: Policy added 1/2005

Adopted: 1/10/05

SUBJECT: PRINCIPLES OF PURCHASING

Purchasing is an important function in support of the education of the students of the School District. The purchasing role is to provide the necessary equipment, supplies and services needed at the best cost to the District.

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.

The purchasing process should be performed within budgetary appropriations by the Board-appointed purchasing agent, following existing laws, regulations and Board of Education procedures. The purchasing agent has the sole authority to contract for necessary supplies, equipment and services on behalf of the District.

The Board subscribes to the following additional principles of purchasing:

- a) Requisitions - All purchases initiated by personnel shall follow the procedures for requisitions and purchases. The requisition is a formal written request from a person in the School System for the purchase of supplies or equipment. It should be remembered that the requisition is a request and not a guarantee that a purchase will actually be made.
- b) The Purchase Order - The purchase order is a document that authorizes a vendor to deliver described merchandise or materials at a specified price.
- c) Procedures - Procedures shall be developed and administered by the Assistant Superintendent for Finance and Management Services for the requisitioning, purchasing, receipt, and distribution of the supplies and equipment.

8 New York Code of Rules and Regulations
(NYCRR) Section 170.2

SUBJECT: COMPETITIVE BIDS AND QUOTATIONS

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

A bid bond may be required if considered advisable.

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

Rules shall be developed by the administration for the competitive purchasing of goods and services.

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

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

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

Adopted: 6/11/01

Non-Instructional/Business Operations

SUBJECT: PROCUREMENT OF GOODS AND SERVICES

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

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

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

- a) Prescribe a process for determining whether a procurement of goods and services is subject to competitive bidding and if it is not, documenting the basis for such determination;
- b) With certain exceptions (purchases pursuant to General Municipal Law, Section 186; State Finance Law, Sections 175-a and 175-b; State Correction Law, Section 184; or those circumstances or types of procurements set forth in (f) of this section), provide that alternative proposals or quotations for goods and services shall be secured by use of written request for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of Section 104-b of General Municipal Law;
- c) Set forth when each method of procurement will be utilized;
- d) Require adequate documentation of actions taken with each method of procurement;
- e) Require justification and documentation of any contract awarded to other than the lowest responsible dollar offer, stating the reasons; and
- f) Set forth any circumstances when, or the types of procurement for which, the solicitation of alternative proposals or quotations will not be in the best interest of the District.

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

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

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

Adopted: 6/11/01

SUBJECT: ALTERNATIVE FORMATS FOR INSTRUCTIONAL MATERIALS

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

District Plan

The District will develop a plan by July 1, 2002, to ensure that all instructional materials to be used in the schools of the District are available in a usable alternative format for each student with a disability, including students requiring Section 504 Accommodation Plans, in accordance with his or her educational needs and course selection, at the same time as such instructional materials are available to non-disabled students. The District Plan shall include those provisions mandated by Education Law and Commissioner's Regulations.

Adoption Date: 3/1/04

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Non-Instructional/Business
Operations

SUBJECT: CONTRACTS FOR SERVICES AND MATERIALS

No contracts for services or materials shall be made by individuals or organizations in the school that involve expenditures without first securing approval for such contract from the Purchasing Agent.

No Board member or employee of the School District shall have an interest in any contract entered into by the Board or the School District unless previously disclosed by the Board member or employee.

Education Law Section 305(14)
General Municipal Law, Article 18
8 New York Code of Rules and Regulations
(NYCRR) Section 170.2

Adopted: 6/11/01

Non-Instructional Business Operations

SUBJECT: GASOLINE COMPANY CREDIT CARD

The Board of Education realizes there are instances when District employees authorized to use District vehicles in the course of their employment must fuel such vehicles at locations and/or times where and when the regular District gasoline vendor is not available. The Board of Education hereby authorizes the Assistant Superintendent for Finance and Management Services to procure a gasoline company credit card issued to the District. Such gasoline company credit card may be used solely by (see Regulation) only to fuel District owned vehicles used in the course of their employment with the District.

A list of persons issued or permitted to use the District gasoline company credit card shall be maintained in the Office of the Assistant Superintendent for Finance and Management Services.

The District shall establish a credit line not to exceed \$100 for each card given to employees and an aggregate limit of \$5,000 for all cards issued to the District.

The credit card shall be secured through a Request for Proposal (RFP) process and the relationship between the District and the credit card company shall be such that the District preserves its rights under law to dispute claims or charges. In addition, the Board will ensure that any claim shall be paid after such claim has been audited and allowed.

Users must take proper care of these credit cards and take all reasonable precautions against damage, loss or theft. Any damage, loss or theft must be reported immediately to the Office of the Assistant Superintendent for Finance and Management Services in writing and to the institution issuing the credit card. Failure to take proper care of the credit card or notify the District/institution of a damage, loss or theft of the credit card may subject the employee to financial liability.

Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature or violate the intent of this policy may result in credit card revocation and further action by the District or appropriate law enforcement authorities and may include discipline of the employee in accordance with law and applicable collective bargaining agreements, if any.

The Superintendent of Schools, in conjunction with the Assistant Superintendent for Finance and Management Services shall establish regulations to implement this policy.

Adopted: 6/20/05

Non-Instructional Business Operations

SUBJECT: CREDIT CARDS

HUNTINGTON UNION FREE SCHOOL DISTRICT

CREDIT CARDS

The Board of Education authorizes the use of District credit cards by certain District employees to pay for actual and necessary expenses incurred in the performance of work-related duties and to purchase goods for the District.

A list of those persons issued or permitted to use the District credit cards shall be maintained in the Office of the Assistant Superintendent for Finance and Management Services.

The District shall establish a credit line not to exceed \$500 for each card given to employees and an aggregate limit of \$10,000 for all cards issued to the District.

The credit card shall be secured through a Request for Proposal (RFP) process and the relationship between the District and the credit card company shall be such that the District preserves its rights under law to dispute claims or charges. In addition, the Board will ensure that any claim shall be paid after such claim has been audited and allowed.

Users must take proper care of these credit cards and take all reasonable precautions against damage, loss or theft. Any damage, loss or theft must be reported immediately to the Office of the Assistant Superintendent for Finance and Management Services in writing and to the institution issuing the credit card. Failure to take proper care of the credit card or notify the District/institution of a damage, loss or theft of the credit card may subject the employee to financial liability.

Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature or violate the intent of this policy may result in credit card revocation and further action by the District or appropriate law enforcement authorities and may include discipline of the employee in accordance with law and applicable collective bargaining agreements, if any.

The Superintendent of Schools, in conjunction with the Assistant Superintendent for Finance and Management Services shall establish regulations to implement this policy.

Adopted: 6/20/05

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Non-Instructional/Business
Operations

SUBJECT: ACCOUNTING OF FUNDS

Accounting and reporting procedures shall be developed to facilitate analysis and evaluation of the District's financial status and fixed assets. The District will use the Uniform System of Accounts for School Districts.

Books and records of the District shall be maintained in accordance with statutory requirements.

Provision shall be made for the adequate storage, security, and disposition of all financial and inventory records.

Education Law Section 2116-a

Adopted: 6/11/01

SUBJECT: EXTRACLASSROOM ACTIVITIES FUND

The Board of Education recognizes that the fundamental task of the schools is to prepare young people for life. Extraclassroom activities represent an essential part of the educational experiences which should be available to young people. In order to promote the organization and maintenance of extraclassroom activities and to provide for the proper handling and safeguarding of extraclassroom activity funds, the Board of Education hereby establishes the following policy requirements for the guidance of students, teachers, principals and administrative staff.

- a) Money from the student activities funds shall be used for covering operating costs of each organization which is duly established in accordance with District policy. Every extra-classroom organization shall submit a budget of anticipated income and expenditures for the school year to the Building principal by November 1 of each year.
- b) In all cases, the authority to expend monies shall be separate and distinct from the custody of those monies. Accordingly, the elected treasurer of the organization shall be responsible for expending money, while all monies received from the conduct, operation or maintenance of any extraclassroom activity will be deposited with the District Treasurer, duly elected by the Board of Education. These accounts shall be subject to audit.
- c) The records of receipts and expenditures of all extraclassroom organizations shall be maintained and reports of the status of student activity funds shall be presented to the Board of Education at least quarterly.
- d) Student activity funds shall be spent for purposes which directly benefit those students who raised the funds, and which are consistent with the regulations of the Commissioner.
- e) Any unencumbered class or activity funds will automatically revert to the general activity fund of the school when a class graduates or an activity is discontinued.

Education Law Section 1709
8 New York Code of Rules and Regulations
(NYCRR) Part 172

SUBJECT: STUDENT ACTIVITY CONTRACTS AND PURCHASES

- a) All contracts for students activities will be signed by the faculty advisor and either the principal or assistant principal, except school store purchases up to \$300, which may be signed by the faculty advisor only.
- b) No contract shall be signed by either the principal or faculty advisor unless the money is "on hand" to cover the costs involved. (G.O. funds may be considered "money on hand" if it is clearly understood that such fund will be used to make up any deficit.)
- c) Should the principal feel it necessary to enter into contract for money which is not "on hand", he/she must first obtain permission from the Superintendent of Schools or his/her designee.
- d) A contract for any activity or purchase that is other than routine must be approved by the Superintendent of Schools or his/her designee.

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

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

Appropriate regulations shall be developed for implementation of this policy.

Cash In School Buildings

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

All funds, whether District or extra-classroom funds, shall be deposited prior to close of school each week. Only authorized personnel designated by the building administrator shall be allowed in the main office vault.

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

Adopted: 6/11/01

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Non-Instructional/Business
Operations

SUBJECT: PUBLICATION OF THE DISTRICT'S ANNUAL FINANCIAL STATEMENT

In compliance with Education Law, the Board of Education shall direct the District Clerk to publish annually during the month of July or during the month of August a full and detailed account of all moneys received by the Board or the Treasurer of the District for its account and use, and all of the money expended therefore, giving the items of expenditure in full.

The account shall be published in the official District newspaper once each year.

Education Law Sections 1610, 1721 and 2117
8 New York Code of Rules and Regulations
(NYCRR) Section 170.2

Adopted: 6/11/01

SUBJECT: MAINTENANCE OF FISCAL EFFORT (TITLE I PROGRAMS)

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

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

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

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

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

Title I of the Elementary and Secondary
Education Act of 1965, as amended by
the Improving America's Schools Act of 1994
34 Code of Federal Regulations (CFR) Part 200

SUBJECT: USE OF FEDERAL FUNDS FOR POLITICAL EXPENDITURES

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

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

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

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

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

Non-Instructional Business Operations

SUBJECT: FUND BALANCE POLICY

GASB has issued Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions* (GASB 54). The objective of this Statement 54 is to enhance the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied.

Fund Balance Classifications (Pursuant to GASB Statement 54)

General Policy

Fund balance measures the net financial resources available to finance expenditures within current or future periods. The District's Unassigned General Fund Fund Balance will be maintained to provide the District with financial stability and a margin of safety to fund unanticipated contingent expenditures that may occur unexpectedly during the fiscal year. The Unassigned General Fund Fund Balance used for these purposes may only be appropriated by resolution of the Board of Education unless voter approval is required.

Any portion of Fund Balance may be applied or transferred for a specific purpose either by voter approval if required by law or by formal action of the Board of Education if voter approval is not required. Amendments or modification to the applied or transferred fund balance must also be approved by formal action of the Board of Education.

The Board of Education shall delegate the authority to assign fund balance, for encumbrance purposes, to the person(s) to whom it has delegated the authority to sign purchase orders.

In circumstances where expenditure is incurred for a purpose for which amounts are available in multiple fund balance classifications (e.g., expenditures related to reserves) the Board will assess the current financial condition of the district and then determine the order of application of expenditures to which fund balance classification will be charged.

Adoption Date: July 5, 2011

SUBJECT: INSURANCE

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

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

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

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

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

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Non-Instructional/Business
Operations

SUBJECT: INVENTORIES

The Superintendent or his/her designee shall be responsible for maintaining a continuous and accurate inventory of equipment owned by the District in accordance with "The Uniform System of Accounts for School Districts".

All supplies and equipment purchased and received by the School District shall be checked, logged, and stored through an established procedure.

Uniform System of Accounts for School
Districts (Fiscal Section)

Adopted: 6/11/01

SUBJECT: ACCOUNTING OF FIXED ASSETS

The Assistant Superintendent for Finance and Management Services shall be responsible for accounting for general fixed assets according to the procedures outlined by the Uniform System of Accounts for School Districts. These accounts will serve to:

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

All fixed assets carrying a minimum value established by the Board that have a useful life of one year or more and physical characteristics which are not appreciably affected by use or consumption shall be inventoried and recorded on an annual basis. Fixed assets shall include land, buildings, equipment and materials.

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

- a) Date of acquisition;
- b) Description;
- c) Cost or value;
- d) Location;
- e) Responsible official;
- f) Estimated useful life;
- g) Date and method of disposition.

The Assistant Superintendent for Finance and Management Services shall arrange for the annual inventory and appraisal of School District property, equipment and material. Any discrepancies between an inventory and the District's property records on file should be traced and explained.

Adoption Date: 6/11/01

CAPITAL ASSETS ACCOUNTING POLICY GASB 34

This policy enhances any capitalization policy previously adopted by the Board of Education.

For financial reporting purposes, fixed assets having an estimated useful life of at least two years following the date of acquisition will be capitalized. Capitalization thresholds will be applied to individual fixed assets rather than groups of fixed assets. The threshold to be used for the categories of fixed assets is as follows:

	<u>District Inventory Purposes</u>	<u>Financial Reporting Purposes</u>
Land Improvements	\$10,000	\$25,000
Buildings and Improvements	\$10,000	\$50,000
Furniture and Equipment	\$ 1,000	\$ 5,000

All assets will be depreciated using the straight-line method. Residual value will be considered.

Useful lives will be determined in the year of purchase based on general guidelines obtained from professional organizations, and the asset's present condition. Depreciation expense will be calculated beginning in the year of acquisition.

Adoption Date: March 6, 2006

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

The Superintendent is charged with the responsibility for administering plant operations in the most efficient and economical manner possible, while placing high priority on health and safety of students and conservation of natural resources.

The Board, through the Superintendent and his/her staff, has the responsibility of protecting the District investment in plant and facilities through a systematic maintenance program.

It is expected that the program shall include periodic preventive maintenance activities, long-range maintenance schedules and emergency repair procedures. It is further expected that all maintenance work will be carried out in a manner that will cause the least interference with the educational program.

Construction and Remodeling of School Facilities

Plans and specifications for the erection, enlargement, repair or remodeling of facilities of the School District shall be submitted to the Commissioner when the contemplated construction costs of such work are \$10,000.00 or more, and for all projects affecting the health and safety of students.

Plans and specifications submitted to the Commissioner shall bear the signature and seal of an architect or engineer licensed to practice in the State of New York. The architect or engineer who sealed the plans and specifications shall also certify that the plans and specifications conform to the standards set forth in the State Uniform Fire Prevention and Building Code (9 NYCRR Parts 600 through 1250) and the State Energy Conservation Construction Code (9 NYCRR Parts 7810 through 7816).

For remodeling or construction projects costing \$5,000 or more, the District shall assure compliance with the requirements of the State Uniform Fire Prevention and Building Code (9 NYCRR 600 through 1250) and Part 155 of the Commissioner's Regulations, and shall retain the services of an architect or engineer licensed to practice in New York State.

For remodeling or construction projects costing less than \$5,000, the District shall assure compliance with the requirements of the State Uniform Fire Prevention and Building Code (9 NYCRR Parts 600 through 1250) and Part 155 of the Commissioner's Regulations.

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

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

Structural Safety Inspections

It shall be the duty of the Board of Education to ensure that each facility owned by the District which is used for instructional purposes shall be inspected annually for structural deficiencies.

Every annual structural safety inspection shall be a visual inspection which will examine the structural elements of each building, and may also include inspection of building systems such as heating, plumbing and electrical systems.

If a visual inspection results in a determination that a building may have a structural deficiency, then the building shall be inspected by a licensed architect or a licensed professional engineer.

The annual structural safety inspection shall be made prior to June thirtieth of every school year, and reports of the inspections shall be made available to the public.

Fire Inspection: 8 New York Code of Rules
and Regulations (NYCRR) Section 155.4
Education Law Section 807-a
Health Inspection: Education Law Section 906
Asbestos Inspection: Education Law, Article 9-A
40 Code of Federal Regulations
(CFR) Part 763, Subpart E
Plans and Specifications: Education
Law Sections 408, 408-a and 409
8 New York Code of Rules and
Regulations (NYCRR)
Sections 155.1 and 155.2
Structural Safety Inspections:
Education Law Sections 409-d and 3602(6)(d)

SUBJECT: BUILDINGS AND FACILITIES – PROTECTION AND SECURITY

Buildings and material contents constitute one of the greatest investments of the Huntington Union Free School District. It is in the best interest of pupils and the taxpayers of Huntington to protect that investment adequately.

Incidents of illegal entry, or damage to school property from other causes, will be reason for the Board of Education to prosecute the responsible parties to the full extent of the law.

Every citizen of Huntington is urged by the Board of Education to cooperate in reporting any incidents of vandalism to property belonging to the District and the name(s) of the person or persons believed to be responsible. Each employee of the school department shall report to the principal of the school every incident of vandalism known to him/her and, if known, the names of those responsible.

The Superintendent or his/her designee, is authorized to sign a criminal complaint and to press charges against perpetrators of vandalism to school property, and is further authorized to delegate, as he/she sees fit, authority to sign such complaints and to press charges.

Security of Buildings and Grounds

All entrances to elementary school buildings, with the exception of the main door, shall remain locked, for purposes of security, throughout the school day.

Fences will be erected by the District to enclose school grounds only when they are necessary to protect the health or safety of the students.

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

The Board of Education recognizes the need to protect human health and the environment from damage resulting from the improper handling of hazardous wastes.

The management of hazardous waste from its point of generation to the ultimate disposal is regulated through specific Federal and State laws.

The Board directs the Superintendent to adopt rules to insure District implementation of applicable Federal and State laws pertaining to the identification, transportation, treatment, storage, and disposal of hazardous wastes.

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

Non-Instructional/Business Operations

SUBJECT: SMOKING/TOBACCO PRODUCTS USE

Tobacco use shall not be permitted and no person shall use tobacco on school grounds at any time. For purposes of this policy, “school grounds” means any building, structure, and surrounding outdoor grounds contained within the District’s preschool, nursery school, elementary or secondary school’s legally defined property boundaries as registered in the County Clerk’s Office; as well as any vehicles used to transport children or school personnel.

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

Posting/Notification of Policy

In compliance with the New York State Clean Indoor Air Act, the District will prominently post its Smoking/Tobacco Use policy and signs prohibiting **all** forms of tobacco products in District buildings and other appropriate locations; and will supply a copy upon request to any current or prospective employee. The District will also designate a school official to tell individuals who smoke in a non-smoking area that they are in violation of Article 13-E of the New York State Public Health Law, the federal Pro-Children Act of 1994 and District policy.

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

Prohibition of Tobacco Promotional Items/Tobacco Advertising

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

- a) On school grounds;
- b) In school vehicles;
- c) At school-sponsored events;
- d) In school publications;

Non-Instructional/Business Operations

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

This prohibition of tobacco promotional items shall be implemented in accordance with the Code of Conduct and applicable collective bargaining agreements.

In addition, tobacco advertising is also prohibited in all school-sponsored publications and at all school sponsored events.

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

NOTE: Refer also to Policies #3280 – Community Use of School Facilities
#3410 – Code of Conduct on School Property
#7310 – School Conduct and Discipline
#7320 – Alcohol, Tobacco, Drugs, and Other Substances
(Students)
#8211 – Prevention Instruction

District Code of Conduct on School Property

Adoption Date: June 7, 2004

SUBJECT: ENERGY/WATER CONSERVATION AND RECYCLING OF SOLID WASTE

The Board of Education recognizes the importance of energy and water conservation and is committed to the analysis, development, and initiation of conservation measures throughout the District for the purpose of reducing energy consumption.

Recycling

The Superintendent will develop a program for the source separation and segregation of recyclable or reusable materials in the District. This District-wide recycling plan shall include a conservation education program to teach students about their social responsibility for preserving our resources, and involvement of all students and personnel in a comprehensive effort to reduce, reuse and recycle waste materials.

General Municipal Law Section 120-aa

Adopted: 6/11/01

SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)

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

The Superintendent or his/her designee shall have the responsibility to carry out the rules of the School Lunch and Breakfast Programs. The determination of which students are eligible is the responsibility of the Superintendent or his/her designee. Appeals regarding eligibility should be submitted to the Superintendent.

Free or reduced price "Type A" school meals may be allowed for qualifying students attending Huntington Union Free schools upon written application of the student's parent or guardian. Applications will be provided by the School District.

Any changes in the selling prices for meals and food items to students must be approved by the Board.

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

Child Nutrition Program

The school breakfast program shall meet the component guidelines as established by the U.S. Department of Agriculture. The daily school lunch shall consist of at least one third of the Recommended Daily Allowance of a child's daily nutritional need and shall meet the standards established by the U.S. Department of Agriculture in a pattern known as a "Type A Lunch".

All schools, excepting the high school, shall require students to choose three of the four breakfast components which must be provided (offer vs. serve).

All schools in the Huntington School District shall require students to choose three of the five lunch components which must be provided (offer vs. serve). There is no food item that is required to be taken.

Because of the District's participation in the child nutrition program, the Board of Education approves the establishment of a system to allow a student to charge a meal. The Superintendent is directed to develop rules which address:

- a) What can be charged;
- b) The limit on the number of charges per student;

(Continued)

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

- c) The system used for identifying and recording charged meals;
- d) The system used for collection of repayments.

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

Restriction of Sweets in School

The sale of sweetened foods will be prohibited from the beginning of the school day until the end of the last scheduled meal period.

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

Education Law Sections 915, 1709(22) and (23)
National School Lunch Act 1946
Child Nutrition Act 1966

Non-Instructional Business Operations**SUBJECT: WELLNESS POLICY**

The Board of Education is committed to providing a school environment that promotes and protects children's health, well-being and the ability to learn by supporting healthy eating and physical activity. Pursuant to Section 204 of the Child Nutrition and Women, Infants and Children Reauthorization Act of 2004, the District establishes the following Wellness Policy to enhance the learning and development of lifelong wellness practices by addressing the following initiatives as priorities:

- a) The District will strive to prepare and serve wholesome foods with consideration towards nutritional value, safety, economic feasibility, and environmental impact. This will be referred to as the Technical Nutritional Standard.
- b) The District will be responsible for creating an atmosphere which promotes positive life-long eating habits. This will be referred to as the Social and Emotional Nutritional Standard.
- c) The district will take all necessary steps to provide a well planned and well maintained school nutrition education program. This will be referred to as the Nutrition Education Standard.
- d) The District will provide the opportunity to develop knowledge and skills specific to physical activities, fitness, short and long term benefits of living a physically active and healthy lifestyle. This will be referred to as the Physical Education and Activities Standard.

The District will establish regulations that will ensure the implementation, monitoring and evaluation of the Standards. The Wellness Policy is designed to create a partnership with the community to promote these Standards. A copy of this policy and its accompanying regulations shall be available upon request to all employees, and may be posted at various locations throughout the School District.

Adopted: June 19, 2006

SUBJECT: RECORDS MANAGEMENT

A records management officer shall be designated by the Superintendent, subject to the approval of the Board of Education. Such records management officer shall coordinate the development of and oversee a program for the orderly and efficient management of records, including the legal disposition or destruction of obsolete records, and be given the authority and responsibility to work with other local officials at all levels in the development and maintenance of the records management program.

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

Appropriate regulations and procedures shall be developed.

Retention and Disposition of Records

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

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

Adopted: 6/11/01
Re-Adopted:

SUBJECT: SAFETY AND SECURITY

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

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

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

Labor Law Section 27-a**Student Safety**

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

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

Hazard Communication Standard

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

(Continued)

SUBJECT: SAFETY AND SECURITY (Cont'd.)

The Superintendent/designee shall maintain a current record of the social security numbers of every employee who handles toxic substances.

Rules and regulations will be developed to insure District implementation of this policy which shall include awareness information, employee training and record keeping.

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

SUBJECT: EMERGENCY MANAGEMENT PLAN

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

- a) Shelter,
- b) Evacuation,
- c) Early dismissal,
- d) Annual written notification to students and staff,
- e) An annual drill, and
- f) Coordination with local emergency preparedness coordinators.

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

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

A copy of the Emergency Management Plan shall be made available for inspection by the public and shall be made available to the Commissioner of Education upon request.

8 New York Code of Rules and Regulations
(NYCRR) Section 155.13

SUBJECT: CRISIS RESPONSE

When a crisis arises no school system is immune to the negative, physical or mental effect on its students, staff and the local community. Immediate, effective and responsible management and communication can address the crisis and maintain a District's integrity and credibility. Therefore, the District Information Officer shall:

- a) Identify a crisis response team to develop a plan and maintain a strong, ongoing communications program in each school. This is the foundation for long range success.
- b) Act as the media spokesperson. The spokesperson may also be the Superintendent or his/her designee. Only the authorized spokesperson shall talk to and maintain a timely flow of information to the media.
- c) Maintain copies of the plan to be made available for inspection by the public.

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

SUBJECT: EXPOSURE CONTROL PROGRAM

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

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

Occupational Safety and Health Administration (OSHA)
29 Code of Federal Regulations (CFR) 1910.10:30

2001

5691

Non-Instructional/Business
Operations

SUBJECT: COMMUNICABLE DISEASES

Regulations and procedures will be developed for dealing with communicable diseases in ways that protect the health of both students and staff while minimizing the disruption of the education process.

Adopted: 6/11/01

SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES

The Board of Education contends that a student shall not be denied the right to attend school or continue his/her education nor shall an employee be denied the right to continue his/her employment who has been diagnosed or identified as having a positive blood test for the antibodies to the Human Immunodeficiency Virus (HIV). The Board further contends that under current law and regulations, the disclosure of confidential HIV-related information shall be strictly limited.

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

The Superintendent shall also develop and implement inservice education and training for all school personnel concerning AIDS and HIV infection, including establishing protocols for routine sanitary procedures for dealing with the cleaning and handling of body fluids in school.

Confidentiality: Public Health Law,
Article 27-F

Refer also to Policy #8211 Prevention Instruction.

Adopted: 6/11/01

Non-Instructional/Business Operations

SUBJECT: USE OF AUTOMATED EXTERNAL DEFIBRILLATORS

The Board of Education recognizes that the use and deployment of Automated External Defibrillators (AED) in emergencies may reduce the number of deaths associated with sudden cardiac arrest. The purpose of this policy is to create a Public Access Defibrillation Program (PAD Program) and authorize the administration to develop procedures on how to handle sudden cardiac arrest in students, staff and others involved in school activities. Toward this end, the Board of Education plans to acquire several AED's for use by qualified personnel and approves the use of AED's subject to the following conditions:

1. The PAD Program shall be provided in compliance with Section 3000-B, Article 30 of the Public Health Law of the State of New York, and New York State Department of Health, Bureau of Emergency Medical Services Policy Statement 98-10, "Public Access Defibrillation" or any amendments thereto.
2. The Board shall identify an "emergency health care provider" (EHCP), who is knowledgeable and experienced in emergency cardiac care to serve as EHCP and participate in a collaborative agreement with the School District. The EHCP shall provide the School District with a copy of his or her New York State license.
3. The Board authorizes the Superintendent of Schools or the EHCP to file Department of Health (DOH) Form 4135, "Notice of Intent to Provide Public Access Defibrillation," with the Suffolk Regional Emergency Medical Services Council.
4. If the EHCP becomes unavailable to serve, the Board shall designate a new EHCP and a new collaborative agreement shall be filed with the Suffolk Regional Emergency Medical Services Council.
5. The EHCP shall participate in the regional quality improvement program as required by Section 3004-A of the Public Health Law.
6. The collaborative agreement with the EHCP shall include at least the following:
 - a. Written practice protocols for the use of the AED;
 - b. Written policies and procedures which:

Adoption Date: March 22, 2004

SUBJECT: TRANSPORTATION OF STUDENTS

The Board of Education recognizes the importance of transportation to the education of students and its obligation to provide transportation to students in a safe, efficient and economical manner, consistent with applicable laws and regulations.

Transportation shall be provided to all eligible public, private and parochial school students who reside in the School District. In accordance with law and regulations, transportation for non-public school students shall be provided in like circumstances to that provided to public school students.

In accordance with applicable laws and regulations, the Board shall also provide suitable transportation for students with disabilities as recommended by the Committee on Special Education.

Transportation Mileage Limits

The Board shall provide transportation for all students in Kindergarten (with the exception of those who live across from or immediately adjacent to the school) through 3rd grade, for students in grade 4 through 6 who live from one-half to fifteen miles from their school, and for students in grades 7 through 12 who reside from one to fifteen miles from school.

Mileage measurements shall be made from the street end of the driveway of a student's home to the main entrance of the school the student attends.

Extended Bus Service

Extended bus service includes late (after school) bus service. Extended bus service may also be defined as early (before school) bus service for some schools. Extended bus service for both public and non-public schools may be provided subject to approval of budgetary funds each year.

The District will designate central discharge points within the District for extended bus transportation and designate the extended bus schedules.

Child Care Transportation

In accordance with applicable provisions of Education Law, the District may provide transportation to child care locations for students in grades K-8 attending schools within the School District. Such transportation shall be provided subject to the following:

(Continued)

SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)

- a) A written application for such transportation shall be submitted to the Transportation Office by April 1st annually to begin in September of the subsequent school year.
- b) In accordance with specific provisions of the Education Law, transportation to or from a licensed or registered child care facility shall be made to any such facility located within the District.
- c) With respect to non-licensed or non-registered child care locations, such transportation shall be limited to child care locations located within the attendance zone of the school the child attends. However, in the interest of serving the needs of children and parents, the District will also provide transportation to non-licensed or non-registered child care locations outside the attendance zone, so long as the following conditions are met:
 1. There is available seating on the bus;
 2. There is no impact on the timeliness of the bus route affected; and
 3. There is no additional cost to the District.

Student Conduct on School Buses

Parents have the responsibility for supervising their children while they are waiting for the bus in the morning and after they leave the bus at the end of the school day.

Once students board the bus, and only at that time, do they become the responsibility of the School District. Such responsibility ends when the students are delivered to their regular bus stop at the end of the school day. It is expected that student behavior in the bus will be the same as practiced in the classroom.

The Transportation Office, in collaboration with the building principals, shall develop and implement rules governing the conduct of students on school buses.

Bus drivers shall be responsible for maintaining order and enforcing the District's rules governing student conduct on school buses. Drivers are expected to report to the building principal all serious incidents of misbehavior by students on the bus. Under no circumstances are bus drivers authorized to discipline students by putting them off the bus en route.

SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)

Building principals shall have the authority to discipline students for misbehavior on school buses, including the authority to suspend the riding privileges of students whose behavior on the bus presents a serious problem. When bus riding privileges are suspended, parents shall be responsible for transporting their children to and from school.

Requests for Transportation to Non-Public Schools

Requests for transportation for students attending non-public schools must be made no later than April 1st preceding the school year in which such service is requested. If a student moves into the District later than April 1st then the request must be made within thirty (30) days after residence in the District is established.

Late requests for transportation will be denied unless:

- a) Such transportation can be provided at no additional cost to the District; and
- b) The Board determines on a case by case basis that there is a compelling excuse for the later request.

Bus Routes and Stops

The Transportation Office shall establish school bus routes and stops. Authorized bus stops shall be located in places where students may safely await, board and depart the bus. Public school bus routes will be established with student travel time not to exceed 40 minutes except in circumstances as authorized by the District. Non-public or Special Education students will have routes established to limit bus travel time to 60 minutes.

Bus drivers may only pick up and drop off students at their designated stops along the bus route. If students are to be dropped off at an alternative site, in an extraordinary circumstance, permission must be granted by the principal for each instance.

When transportation is provided to a non-public school for students living within the applicable mileage limits, the District shall establish one or more centralized pick-up and drop-off points for the transportation to that non-public school for students living beyond the mileage range. Pick-up and drop-off points must be District public schools. The District is not responsible for providing transportation for non-public school students between their homes and the pick-up or drop-off points.

(Continued)

SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)**Field Trips and Student Activities Transportation**

Building principals and designated District program directors/coordinators are authorized, within budgetary limitations, to make appropriate arrangements with the District Transportation Office to use buses to transport students on field trips and to student activities. Private cars are not to be used to transport students on field trips.

Chapters 70 and 510 of the Laws of 2001 require that where a school district provides transportation to students enrolled in such district to a school-sponsored field trip, extracurricular activity or any other similar event, the district must provide transportation back either to the point of departure or to the appropriate school in the district, unless the parent or legal guardian of the student participating in the event has provided the school district with written notice, consistent with district policy, authorizing an alternative form of return transportation for that student, or unless intervening circumstances make such transportation impractical. The law further provides that in cases where intervening circumstances make transportation of a student back to the point of departure or to the appropriate school in the district impractical, a representative of the school district shall remain with the student until the student is delivered into the custody of his or her parent or legal guardian.

Transportation Contracts

The Business Administrator shall ensure compliance with all applicable statutes and regulations regarding contracting with private bus companies to provide student transportation.

Bus Safety Drills

The Transportation Office shall ensure compliance with all applicable statutes and regulations for bus safety drills. No such drills may be conducted when buses are en route.

Bus Driver Qualifications and Training

The Transportation Office shall annually contact all private bus contractors to ensure compliance with all applicable statutes and regulations regarding bus driver qualifications and training requirements. The Superintendent of Schools shall annually approve the employment of each bus driver for each bus operated within the School District. See Policy #5740 Qualifications of Bus Drivers and #5741 Drug and Alcohol Testing for School Bus Drivers and Other Safety-Sensitive Employees.

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

The Transportation Office shall annually contact all private bus contractors to ensure compliance with all applicable statutes and regulations regarding school bus inspections and maintenance.

Emergency School Closings

When District public schools are closed because of inclement weather, transportation to the non-public and Special Education schools which District students attend will not be offered.

Education Law Sections 305(14), 3623, 2634, 3635 et seq., and 4402(4)

General Municipal Law Section 103

8 New York Codes of Rules and Regulations (NYCRR) Part 156

8 New York Codes of Rules and Regulations (NYCRR) Part 3

Rehabilitation Act of 1973, Section 504

Individuals with Disabilities Education Act

Public Law 101-476

Commercial Motor Vehicle Safety Act of 1986

Vehicle and Traffic Law, Article 19-A

Social Services Law 390

Adopted: July 6, 2004

SUBJECT: USE OF BUSES BY COMMUNITY GROUPS

Upon formal application to and approval by the Board of Education buses may be rented to a municipal corporation; to any senior citizen center recognized and funded by the Office for the Aging; to any not-for-profit organization serving those with disabilities; or, to any not-for-profit organization which provides recreational youth services or neighborhood recreation centers. Such rentals can be made only for times when vehicles are not needed for student transport and must be made for a consideration acceptable to the Board.

Education Law Section 1501-b

Adopted: 6/11/01

SUBJECT: SCHOOL BUS SAFETY PROGRAM

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

To assure the safety and security of students boarding or exiting school buses on school property, it shall be unlawful for a driver of a vehicle to pass a stopped school bus when the red bus signal is in operation.

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

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

Every bus driver is required to report promptly any school bus accident involving death, injury, or property damage. All accidents, regardless of damage involved, must be reported at once to the Transportation Supervisor.

Education Law Section 3623
8 New York Code of Rules and Regulations
(NYCRR) Section 156.3
Vehicle and Traffic Law
Section 1174, subdivisions a and b

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

Adopted: 6/11/01

SUBJECT: QUALIFICATIONS OF BUS DRIVERS

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

- a) Is at least twenty-one years of age;
- b) Has been issued a currently valid driver's license or permit which is valid for the operation of a bus in New York State;
- c) Has passed the annual bus driver physical examination administered pursuant to Regulations of the Commissioner of Education and the Commissioner of Motor Vehicles. In no case shall the interval between physical examinations exceed a 12-month period;
- d) Is not disqualified to drive a motor vehicle under Sections 509-c and 509-cc and any other provisions of Article 19-A of the Vehicle and Traffic Law;
- e) Has on file at least three statements from three different persons who are not related to the driver/applicant pertaining to the moral character and to the reliability of such driver/applicant;
- f) Has completed, or is scheduled to complete, State Education Department safety programs as required by law;
- g) Is in compliance with federal law and regulations, as well as District policy and/or regulations, as it pertains to meeting the standards governing alcohol and controlled substance testing of bus drivers if and when applicable.
- *h) Has taken and passed a physical performance test at least once every two (2) years and/or following an absence from service of sixty (60) or more consecutive days from his/her scheduled work duties;

(Continued)

*Drivers hired as of September 1, 1997 have until July 1, 2001 to take and pass the physical performance test.

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

- i) Is in compliance with all other laws and regulations for operating a school bus, including licensing and training requirements.

Special Requirements For New Bus Drivers

Before employing a new bus driver, the Superintendent or his/her designee shall:

- a) Require such person to pass a physical examination within four (4) weeks prior to the beginning of service;
- b) Obtain a driving record from the appropriate agency in every state in which the person resided, worked, and/or held a driver's license or learner's permit during the preceding three years;
- c) Investigate the person's employment record during the preceding three years;
- *d) Require such person to submit to the mandated fingerprinting procedures;
- *e) Request the Department of Motor Vehicles to initiate a criminal history check;
- f) Require that bus drivers hired after September 1, 1997 take and pass the physical performance test, as mandated by Commissioner's Regulations, before they transport students.

(Continued)

*Both (d) and (e) are requirements for all *current* bus drivers hired *on or before* September 14, 1985; and also applies to drivers hired on or after September 15, 1985.

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

Administrative regulations will be developed to implement the provisions of drug and alcohol testing for school bus drivers, as well as to address bus driver physical performance test guidelines.

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

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

Adopted: 6/11/01

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

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

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

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

- a) Drug testing will be conducted after an offer to hire, but before actually performing safety-sensitive functions for the first time. Such pre-employment testing will also be required when employees transfer to a safety-sensitive position.
- b) Safety-sensitive employees are also subject to a random drug and/or alcohol test on an unannounced basis just before, during or just after performance of safety-sensitive functions.
- c) In addition, testing will be ordered if a trained supervisor has a "reasonable suspicion" that an employee has engaged in prohibited use of drugs and/or alcohol.
- d) There will also be post accident testing conducted after accidents on employees whose performance could have contributed to the accidents.
- e) Finally, return-to-duty and follow-up testing will be conducted when an individual who has violated the prohibited alcohol and/or drug conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced and at least 6 tests must be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return-to-duty.

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

(Continued)

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

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

- a) Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
- b) Being on duty or operating a commercial motor vehicle (CMV) while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.
- c) Using alcohol while performing safety-sensitive functions.
- d) Using alcohol 4 hours or less before duty.
- e) When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
- f) Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion or follow-up testing requirements.
- g) Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the SSE uses any controlled substance. This prohibition does not apply when instructed by a physician who has advised the SSE that the substance does not adversely affect the SSE's ability to safely operate a CMV.
- h) Reporting for duty, remaining on duty or performing a safety-sensitive function, if the SSE tests positive for controlled substances.

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

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

(Continued)

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

- c) Pass a return-to-duty test with the result below 0.02 if the conduct involved alcohol, or a controlled substance test with a verified negative result if the conduct involved controlled substance use.
- d) The SSE shall also be subject to unannounced follow-up alcohol and controlled substance testing. The number and frequency of such follow-up testing shall be as directed by the SAP, and consist of at least 6 tests in the first 12 months.

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

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

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

Regulations shall be established as necessary to implement this policy.

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

Adopted: 6/11/01

Personnel

SUBJECT: SCHOOL BUS MONITORS AND ATTENDANTS**School Bus Monitors and Attendants**

In accordance with Education Law and Commissioner's Regulations, the employment of each school bus monitor and school bus attendant shall be approved by the Superintendent of Schools for each school bus operated within the School District. Approval for employment as a school bus monitor or attendant shall be in writing on a form prescribed by the Commissioner of Education.

As defined in Commissioner's Regulations:

- a) A **school bus monitor** shall mean any person employed for the purpose of assisting children to safely embark and disembark from a school bus which is owned, leased or contracted for by a public school district or board of cooperative educational services, and for the purpose of assisting the school bus driver with maintaining proper student behavior on such bus.
- b) A **school bus attendant** shall mean any person who is employed for the purpose of serving pupils with a disabling condition on a school bus which is owned leased or contracted for by a public school district or board of cooperative educational services.

All school bus monitors and attendants shall be at least nineteen (19) years of age; and shall have the physical and mental ability to satisfactorily perform his/her duties.

On order of the Superintendent of Schools, each monitor or attendant may be examined by a duly licensed physician within two (2) weeks prior to the beginning of such monitor's or attendant's service in each school year. The written report of the physician shall be considered by the Superintendent in determining the fitness of the monitor or attendant to carry out his/her functions. The examining physician shall require the monitor or attendant to undergo any diagnostic tests that are necessary to determine the physical and mental ability of the monitor or attendant to perform his/her duties.

Each school bus monitor or attendant of a school bus owned, leased or contracted for by a school district or board of cooperative educational services shall pass a physical performance test approved by the Commissioner. Individuals employed by a school district, board of cooperative educational services or contractor as a monitor or attendant on July 1, 2003 shall have until July 1, 2004 to take and pass a physical performance test. Individuals hired as a monitor or attendant after July 1, 2003, must take and pass a physical performance test before they may assume their duties.

A school bus monitor or attendant who fails any portion of the physical performance test shall be deemed unqualified to perform the duties of that position. The monitor or attendant may request a re-examination.

Adoption Date: July 6, 2004

Personnel

SUBJECT: SCHOOL BUS MONITORS AND ATTENDANTS (Cont'd.)

The cost of such re-examination shall be borne by the employer if the monitor/attendant passes the re-examination or by the monitor/attendant if he or she fails the re-examination.

All school bus monitors and attendants shall meet the qualifications and/or certification requirements as enumerated in law and/or Commissioner's Regulations. Further, pursuant to Commissioner's Regulations, school bus monitors and attendants shall receive pre-service instruction, safety training, specialized training, and refresher training.

In addition to such instruction, any person employed on January 1, 2004 as a school bus monitor, or as a school bus attendant serving students with a disabling condition shall, by July 1, 2004, receive instruction as prescribed by the Commissioner upon recommendation of the Commissioner's School Bus Driver Instructor Advisory Committee relating to special needs transportation, including, but not limited to, the proper techniques for assisting disabled students in entering and exiting the school bus. Any person hired after January 1, 2004 shall complete such special needs instruction prior to assuming their duties as a school bus monitor or as a school bus attendant.

School Bus Attendants – Special Requirements

Every school bus attendant serving students with a disabling condition shall receive school bus safety training and instruction relating to the special needs of such student. Such training shall include guidance on the proper techniques for assisting disabled students in entering and exiting the school bus, and shall include instruction in cardiopulmonary resuscitation (CPR) where such skills are required as part of the Individualized Education Plan (IEP) prepared for the student. Such training and instruction shall also include any additional first aid or health emergency skills that the Commissioner of Education deems appropriate and necessary for school bus attendants to possess. In addition, school bus attendants shall demonstrate the ability to perform procedures necessary in emergency situations as deemed appropriate by the Commissioner of Education.

Any person employed as a school bus attendant serving students with a disabling condition on January 1, 2004 shall comply with the requirements of Education Law and Commissioner's Regulations by July 1, 2004. Any person hired after January 1, 2004 shall comply with such prior to assuming their duties.

Education Law Sections 3624
Vehicle and Traffic Law, Section 1229-d
8 New York Codes of Rules and Regulations (NYCRR) Part 156.3

Adoption Date: July 5, 2004

2008

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1 of 1

Non-Instructional/Business Operations

SUBJECT: CELLULAR TELEPHONES

It is recognized that specific district employees will be required to carry cellular telephones to meet their job responsibilities. Job titles requiring cellular telephones shall be listed in Regulation and reported to the Board of Education each year, along with a report of usage and cost, at the district's organizational meeting in July.

The District shall establish the level of service contract for each specific employee, with the contract for same subject to review and approval by the Board of Education. The employee shall make every attempt to use their cellular phones for only business purposes; however, in the event an employee uses a cellular phone for other than business purposes he/she shall reimburse the District for such non-business calls pursuant to the Regulation attached hereto. Individuals authorized to use district cellular telephones shall agree in writing to accept financial responsibility for any usage that is not of a business nature by that individual. Cellular telephones will be restricted from personal use except in case of emergencies.

At least once per year, the Business Office shall evaluate the effectiveness of the cellular telephone plan.

Note: Policy added 1/2005

Adopted: January 28, 2008