

**Cooperstown Central School District**

**NON-INSTRUCTIONAL/BUSINESS OPERATIONS**

**(Section 5000)**

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Non-Instructional/Business  
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**(Section 5000)**

**NUMBER**

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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 year's submitted budget.

In accordance with Commissioner's Regulations, the budget will be presented in three (3) components which are to be voted upon as one (1) proposition. The law prescribes the types of items to be included in each component and further prescribes that all relevant costs be included in the component.

- a) A program component which 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;
- 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 lease

(Continued)

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

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 all compensation, including salaries and benefits of all school administration and supervisors, business administrators, superintendents of schools and deputy, assistant, associate or other superintendents under all existing employment contracts or collective bargaining, any and all expenditures associated with the operation of the Office of the 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.

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 (see subheading School District Report Card);
- d) A Property Tax Report Card prepared in accordance with law and Commissioner's Regulations (see subheading Property Tax Report Card); and
- e) A Tax Exemption Report prepared in accordance with law (see subheading Tax Exemption Report).

The Board shall attest that unexpended surplus funds (i.e., operating funds in excess of the current school year budget, not including funds properly retained under other sections of law) have been applied in determining the amount of the school tax levy. Surplus funds shall mean any operating funds in excess of four percent (4%).

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**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.

**School District Report Card**

Each year the District shall supply data as required by the State Education Department (SED) and will receive a School District Report Card, sometimes referred to as a New York State Report Card. The Report Cards provide enrollment, demographic, attendance, suspension, dropout, teacher, assessment, accountability, graduation rate, post-graduation plan, career and technical education, and fiscal data for public and charter schools, districts and the State. The Report Cards are generated from the supplied data and are in a format dictated by SED. The School District Report Cards consist of three (3) parts:

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

School District Report Cards are also available online at the SED website: <https://reportcards.nysed.gov/>

**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

(Continued)

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

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

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. Links to each school year's Property Tax Report Card can be found at: <http://www.p12.nysed.gov/mgtserv/propertytax/>

**Tax Exemption Report**

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

- a) How much of the total assessed value of the final assessment roll(s) used in the budgetary process is exempt from taxation;
- b) Every type of exemption granted as identified by statutory authority;
- c) The cumulative impact of each type of exemption expressed either as a dollar amount of assessed value or as a percentage of the total assessed value on the roll;

(Continued)

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

- d) The cumulative amount expected to be received from recipients of each type of exemption as payments in lieu of taxes or other payments for municipal services; however, individual recipients are not to be named; and
- e) The cumulative impact of all exemptions granted.

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

Education Law Sections 1608(3)-(7), 1716(3)-(7), 2022(2-a), 2023-a, 2601-a(3) and 2601-a(7)  
General Municipal Law Section 36  
Real Property Tax Law Sections 495 and 1318(l)  
8 New York Code of Rules and Regulations (NYCRR) Sections 170.8, 170.9 and 170.11  
State Education Department Handbook No. 3 on Budget

Adopted: 11/16/05  
Amended: 5/1/13  
Amended: 03/19/14



**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 or Special District Meeting at which the budget vote will occur. The proposed budget will be completed at least seven (7) days prior to the budget hearing at which it is to be presented.

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

All School District budgets which are submitted for voter approval shall be presented in three (3) components: a program component, an administrative component, and a capital component; and each component will be separately delineated in accordance with law and/or regulation.

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

All budget documents for distribution to the public will be written in plain language and organized in a manner which best promotes public comprehension of the contents. New York School District Report Cards and Property Tax Report Cards are also available online from the State Education Department.

**Dissemination of Budget Information**

Copies of the proposed annual operating budget for the succeeding year and all required attachments may be obtained by any District resident. Requests for copies of the proposed budget should be made at least seven (7) days before the budget hearing. Copies shall be prepared and made available at the school district office, public or associate libraries within the district and on the district website, if one exists. Copies will be available to district residents during the fourteen (14) day period immediately preceding the Annual Meeting and Election or Special District Meeting at which the budget vote will occur. Additionally, the Board will include notice of the availability of copies of the budget at least once during the school year in any District-wide mailing.

(Continued)

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

The School District Clerk shall mail a School Budget Notice to all qualified voters of the School District after the date of the Budget Hearing, but no later than six (6) days prior to the Annual Meeting and Election or Special District Meeting at which a school budget vote will occur. The School Budget

Notice shall compare the percentage increase or decrease in total spending under the proposed budget over total spending under the School District budget adopted for the current school year, with the percentage increase or decrease in the Consumer Price Index from January first of the prior school year to January first of the current school year.

Beginning with the budget notice for the 2012-2013 proposed budget, the District will also include in the notice:

- a) The school tax levy limit;
- b) The proposed school year tax levy (without permissible exclusions to the school tax levy limit);
- c) The total permissible exclusions; and
- d) The proposed school year tax levy (including permissible exclusions to the school tax levy limit).

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

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

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

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

**Election and Budget Vote:**

Education Law Sections 1804(4), 1906(1), 2002(1), 2017(5), 2017(6), 2022(1), 2023-a and 2601-a(2)

**Budget Development and Attachments:**

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

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

Adopted: 11/16/05

Amended: 05/01/13

Amended: 03/19/14

**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.

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

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

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

Education Law Sections 1608, 1716, 1804(4), 1906(1), 2002(1), 2003(1), 2004(1), 2007(3)(b), 2022, 2023,  
2023-a and 2601-a  
8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(bb), 170.8 and 170.9

Adopted: 11/16/05  
Amended: 05/01/13



**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) Internal Auditor 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. If the Board decides to submit either the original or a revised budget to the voters for a second time, and the voters do not approve the second budget submittal, the Board must adopt a contingency budget and the tax levy cannot exceed the total tax levy of the prior year (0% levy growth).

The administrative component of the contingency budget 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.

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

Adopted: 11/16/05

Amended: 05/01/13

2005

5210

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: 11/16/05

**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 Business Administrator 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 (3) investment objectives.

**Authorization**

The authority to deposit and invest funds is delegated to the Business Administrator. 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 Business Administrator 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 insure 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.

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, 1723(a), 2503(1) and  
3652  
Local Finance Law Section 165

Adopted: 11/16/05

Amended: 12/09/09

**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 Superintendent, may be sent to a donor/grantor in recognition of his/her contribution to the School District.

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: 11/16/05

2005

5240

Non-Instructional/Business  
Operations

**SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION**

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

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

Adopted: 11/16/05

2005

5241

**SUBJECT: PROPERTY TAX EXEMPTION FOR SENIOR CITIZENS**

Unless specifically exempted by law, real property used exclusively for residential purposes and owned by one (1) or more persons, each of whom is sixty-five (65) years of age or over, or real property owned by husband and wife or by siblings, one of whom is sixty-five (65) 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 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

In accordance with Real Property Tax Law, any exemption provided by this policy shall be computed after all other partial exemptions allowed by law have been subtracted from the total amount assessed; provided however, that no parcel or real property may receive an exemption for the same tax purpose pursuant to both this policy and real property tax exemptions granted pursuant to the Real Property Tax Law for persons 65 years of age or over.

Public Health Law Section 2801  
Real Property Tax Law Section 459-c

Adopted: 11/16/05



**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 Property**

Equipment

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

Adopted: 11/16/05

**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, the tax collector and the internal auditor be bonded prior to assuming their duties. Such bonds shall be in the amounts as determined and approved by the Board of Education.

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

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

2005

5320

Non-Instructional/Business  
Operations

**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 audited before payment by the Internal Claims Auditor who shall attest to the existence of indebtedness to support the claim.

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

Education Law Sections 1720 and 2523

Adopted: 11/16/05

2006

5321

Non-Instructional/Business  
Operations

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

The School District may issue a credit card or cards in its name for the use of its officers and designated employees for authorized, reimbursable, school business related expenses. The maximum credit limit on each card shall be as designated by the Board of Education. However, authorized personnel must submit purchase orders for those school business related expenses, such as tuition charges for attendance at conferences, travel expenses, and lodging, where costs may be fairly and accurately estimated prior to the actual incurrence of expenses.

Only those officers and District personnel designated by the Board of Education shall be authorized for the use of a District credit card.

Expenses incurred on each credit card shall be paid in such a manner as to avoid interest charges. The credit cards(s) shall be locked in a secure place in the Business Office.

Adopted: 10/18/06

**SUBJECT: USE OF THE DISTRICT CELL PHONE****District-owned cell phones that are assigned to individual employees**

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

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

1. Job titles requiring cellular telephones shall be listed in Regulation and reported to the Board of Education each year at the District's organizational meeting in July.
2. The Superintendent shall establish the level of service contract for each specific employee, with the contract for same subject to review and approval by the Business Administrator.
3. Employees 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.
4. Individuals authorized to use District cellular telephones shall agree in writing to accept financial responsibility for any inappropriate usage by that individual.
5. The cell phone may not be used by anyone other than designated School District employees.
6. As of July 1, 2013, all current district cell phone contracts due for renewal shall be terminated in favor of option B.

**Option B: Employee-Owned Cell Phones**

The Superintendent and/or Treasurer may, in lieu of providing a District-owned cellular phone to the employee, require the employee to acquire their own personal cellular phone and in return pay a monthly stipend in the employee's paycheck of thirty-five dollars (\$35) dollars to each individual whose job description requires them to have a cellular phone for business use.

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

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

Adopted: 10/18/06

03/03/10

Amended: 08/20/14

Non-Instructional/Business  
Operations**SUBJECT: REIMBURSEMENT FOR MEAL EXPENSES INCURRED DURING STAFF MEETINGS**

It is the position of the New York State Comptroller's Office that meals of public officers and employees may not be reimbursed or paid by the municipal entity unless the officer or employee is traveling outside his/her regular work area on official business for an extended period of time. The School District requires overnight travel to be eligible for such meal expenses. This regulation also applies to any meals provided at staff meetings except under the following circumstances:

- a) Meals may be considered a proper municipal expense where the School District is faced with business of an immediate nature between two or more people, and the meetings are required to be held at meal times due to staff schedules.
- b) In order for meal expenses for a meeting between staff members to be eligible for reimbursement or payment by the organization, the following conditions need to be met:
  1. The topic(s) of the meeting must be of an immediate nature, or there must be a pressing need to complete the business at hand;
  2. Scheduling prevents the meeting from being held at a different time;
  3. The meal must be provided during the meeting. It can not be delivered or served at the beginning or end of the scheduled meeting. For example: where a luncheon meeting is scheduled from 10:00 am to 2:00 pm because it is the only time a meeting can be held before an important deadline, the meal may be eligible for reimbursement or payment if it was delivered at 12:00 noon.
- c) When claiming such expenses for reimbursement or requesting that payment be made, you must justify on the claim form the need for such expense as outlined above.
- d) Before meal expenses for meetings with staff members can be reimbursed or paid, the following information must be provided to the Business Office:
  1. What was the purpose of the meeting?
  2. When was the meeting held?
  3. What time was the meeting held?
  4. What was the reason that the meal had to be served during the meeting?

These guidelines apply to all employees of the School District and are effective immediately.

Adopted: 10/18/06

2005

5330

Non-Instructional/Business  
Operations

**SUBJECT: BUDGET TRANSFERS**

Within monetary 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(l)  
Education Law Section 1718

Adopted: 11/16/05





2005

5340

Non-Instructional/Business  
Operations

**SUBJECT: BORROWING OF FUNDS**

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

Local Finance Law Article 2

Adopted: 11/16/05



2005

5350

Non-Instructional/Business  
Operations

**SUBJECT: PAYROLL PROCEDURES**

The payroll clerk, under the supervision of the Business Administrator/Manager, will prepare the bi-weekly payroll. Each employees' payroll records will be prepared by his/her immediate supervisor and submitted to the payroll clerk for appropriate posting. All payroll documents will be reconciled by the payroll clerk prior to distribution of payroll checks. The Superintendent will certify each payroll.

Adopted: 11/16/05



**SUBJECT: PURCHASING**

The District's purchasing activities will be part of the responsibilities of the Business Office, under the general supervision of the Purchasing Agent designated by the Board of Education. The purchasing process should enhance school operations and educational programs through the procurement of goods and services deemed necessary to meet District needs.

**Competitive Bids and Quotations**

As required by law, the Business Administrator 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.

**Request for Proposal Process for the Independent Auditor**

In accordance with law, no audit engagement shall be for a term longer than five (5) consecutive years. The District may, however, permit an independent auditor engaged under an existing contract for such services to submit a proposal for such services in response to a request for competitive proposals or be awarded a contract to provide such services under a request for proposal process.

**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.

(Continued)

**SUBJECT: PURCHASING (Cont'd.)**

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, Article 5-A; State Finance Law, Section 162; 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 General Municipal Law Section 104-b;
- c) Set forth when each method of procurement will be utilized;
- d) Require adequate documentation of actions taken with each method of procurement;
- e) Require justification and documentation of any contract awarded to other than the lowest responsible dollar offer, stating the reasons;
- f) Set forth any circumstances when, or the types of procurement for which, the solicitation of alternative proposals or quotations will not be in the best interest of the District; and
- g) Identify the individual or individuals responsible for purchasing and their respective titles. Such information shall be updated biennially.

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.

**Best Value**

Effective January 27, 2012, General Municipal Law (GML) Section 103 was amended to permit a school district or BOCES to award purchase contracts in excess of twenty thousand dollars (\$20,000) on the basis of "best value", rather than on the basis of the lowest responsible bid. The Board of Education must adopt a resolution at a public meeting authorizing the award of bids based on "best value." The Board of Education may also approve "best value" bid award recommendations on an individual bid basis at a scheduled public meeting. A best value award is one that optimizes quality, cost and efficiency, typically applies to complex services and technology contracts and is quantifiable whenever possible.

(Continued)

**SUBJECT: PURCHASING (Cont'd.)****"Piggybacking" Law - Exception to Competitive Bidding**

On August 1, 2012, General Municipal Law (GML) Section 103 was amended to allow school districts to purchase certain goods and services (apparatus, materials, equipment and supplies) through the use of contracts let by the United States or any agency thereof, any state, and any county, political subdivision or district of any state. The amendment authorizes school districts and BOCES to "piggyback" on contracts let by outside governmental agencies in a manner that constitutes competitive bidding "consistent with state law."

This "piggybacking" is permitted on contracts issued by other governmental entities, provided that the original contract:

- a) Has been let by the United States or any agency thereof, any state (including New York State) or any other political subdivision or district therein;
- b) Was made available for use by other governmental entities and agreeable with the contract holder; and
- c) Was let in a manner that constitutes competitive bidding consistent with New York State law and is not in conflict with other New York State laws.

The "piggybacking" amendment and the "best value" amendment may not be combined to authorize a municipality to "piggyback" onto a cooperative contract which was awarded on the basis of "best value." In other words, while a school district or BOCES may authorize the award of contracts on the basis of "best value", it may not "piggyback" onto a purchasing contract awarded by another agency on the basis of "best value."

**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.

As required by federal law and New York State Regulations, the District has adopted the National Instructional Materials Accessibility Standard (NIMAS) to ensure that curriculum materials are available in a usable alternative format for students with disabilities. Each school district has the option of participating in the National Instructional Materials Access Center (NIMAC). Whether a district does or does not participate in NIMAC, the district will be responsible to ensure that each student who requires instructional materials in an alternate format will receive it in a timely manner and in a format that meets NIMAS standards. The New York State Education Department (NYSED) recommends that school districts choose to participate in NIMAC, because this national effort to centralize the distribution of instructional materials in alternate formats will help guarantee timely provision of such materials to students.

(Continued)



**SUBJECT: PURCHASING (Cont'd.)**

For school districts, Boards of Cooperative Educational Services (BOCES), State-operated schools, State-supported schools and approved private schools that choose to participate in NIMAC, **contracts with publishers executed on and after December 3, 2006** for textbooks and other printed core materials *must* include a provision that requires the publisher to produce NIMAS files and send them to the NIMAC (this will not add any cost to the contract).

District Plan

As of 7/1/02, the District established a plan 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/her educational needs and course selection, at the same time as such instructional materials are available to non-disabled students. The District Plan does include those provisions mandated by Education Law and Commissioner's Regulations.

**Geographic Preference in Procuring Local Agricultural Products**

Schools participating in Child Nutrition Programs such as the National School Lunch Program, School Breakfast Program and/or Special Milk Program are encouraged to purchase unprocessed locally grown and locally raised agricultural products. A School District may apply an optional geographic preference in the procurement of such products by defining the local area where this option will be applied. The intent of this preference is to supply wholesome unprocessed agricultural products that are fresh and delivered close to the source.

A geographic preference established for a specific area adds additional points or credits to bids received in response to a solicitation, but does not provide a set-aside for bidders located in a specific area, nor does it preclude a bidder from outside a specified geographic area from competing for and possibly being awarded a specific contract.

**Computer Software Purchases**

Software programs designated for use by students in conjunction with computers of the District shall meet the following criteria:

- a) A computer program which a student is required to use as a learning aid in a particular class; and
- b) Any content-based instructional materials in an electronic format that are aligned with State Standards which are accessed or delivered through the internet and based on a subscription model. Such electronic format materials may include a variety of media assets and learning tools including video, audio, images, teacher guides, and student access capabilities as such terms are defined in Commissioner's Regulations.

(Continued)

**SUBJECT: PURCHASING (Cont'd.)**

### **Environmentally Sensitive Cleaning and Maintenance Products**

In accordance with Commissioner's Regulations, State Finance Law and Education Law, effective with the 2006-2007 school year, the District shall follow guidelines, specifications and sample lists when purchasing cleaning and maintenance products for use in its facilities. Such facilities include any building or facility used for instructional purposes and the surrounding grounds or other sites used for playgrounds, athletics or other instruction.

Environmentally sensitive cleaning and maintenance products are those which minimize adverse impacts on health and the environment. Such products reduce as much as possible exposures of children and school staff to potentially harmful chemicals and substances used in the cleaning and maintenance of school facilities. The District shall identify and procure environmentally sensitive cleaning and maintenance products which are available in the form, function and utility generally used. Coordinated procurement of such products as specified by the Office of General Services (OGS) may be done through central state purchasing contracts to ensure that the District can procure these products on a competitive basis.

The District shall notify their personnel of the availability of such guidelines, specifications and sample product lists.

### **Apparel and Sports Equipment Purchases**

#### Competitive Bidding Purchases

The Board of Education will only accept bids from "responsible bidders." A determination that a bidder on a contract for the purchase of apparel or sports equipment, is not a "responsible bidder" shall be based upon either or both of the following considerations:

- a) The labor standards applicable to the manufacture of the apparel or sports equipment including, but not limited to, employee compensation, working conditions, employee rights to form unions, and the use of child labor; or
- b) The bidder's failure to provide information sufficient for the Board of Education to determine the labor standards applicable to the manufacture of the apparel or sports equipment.

(Continued)

**SUBJECT: PURCHASING (Cont'd.)**Non-Competitive Bidding Purchases

The Board's internal policies and procedures governing procurement of apparel or sports equipment, where such procurement is not required to be made pursuant to competitive bidding requirements, shall prohibit the purchase of apparel or sports equipment, from any vendor based upon either or both of the following considerations:

- a) The labor standards applicable to the manufacture of the apparel or sports equipment including, but not limited to, employee compensation, working conditions, employee rights to form unions, and the use of child labor; or
- b) The bidder's failure to provide information sufficient for the Board of Education to determine the labor standards applicable to the manufacture of the apparel or sports equipment.

**Contracts for Goods, Services and Public Works**

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

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

Per General Municipal Law Section 103(5), upon the adoption of a resolution by a vote of at least three-fifths (3/5) of all Board members stating that for reasons of efficiency or economy there is need for standardization, purchase contracts for a particular type or kind of equipment, materials or supplies of more than twenty thousand (\$20,000) dollars may be awarded by the Board to the lowest responsible bidder furnishing the required security after advertisement for sealed bids in the manner provided in law. In addition, the Board is required to award all contracts for public works in excess of thirty-five thousand dollars (\$35,000) to the lowest responsible bidder after advertising for public sealed bids.

7 CFR 210.21, 215.14(a) and 220.16

20 USC Section 1474(e)(3)(B)

Education Law Sections 305(14), 409-I, 701, 751(2)(b), 1604, 1709, 1950, 2503, 2554 and 3602

General Municipal Law Articles 5-A, 18 and Section 103

State Finance Law Sections 162 and 163-b

8 NYCRR Sections 155, 170.2, 200.2(b)(10), 200.2(c)(2) and 200.2(i)

NOTE: Refer also to Policy #5660 -- School Food Service Program (Lunch and Breakfast)

Adopted: 11/16/05

Amended: 03/03/10

Amended: 06/12/13

**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.

**Online Banking**

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

**Electronic Transactions and Wire Transfers**

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

The District will enter into written wire transfer security agreements for District bank accounts which will include established procedures for authenticating wire transfer orders.

All wire transfers must be authorized by the District Treasurer or his/her designee. Dual approval controls will be established for non-routine wire transfer orders.

The Internal Auditor will periodically confirm that wire transfers have appropriate signatures, verification and authorization of proper personnel.

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

Adopted: 11/16/05  
Amended: 06/8/11

Amended: 12/19/12  
Amended: 05/01/13

**SUBJECT: RESERVE FUNDS**

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

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

**Periodic Review and Annual Report**

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

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

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

The Superintendent shall develop any necessary and/or appropriate regulations to implement the terms of the Board's policy.

Adopted: 11/16/05  
Revised: 6/8/11

2005

5512

Non-Instructional/Business  
Operations

**SUBJECT: AUDITS**

An annual audit of all funds of the District shall be made by a certified public accountant or public accountant. The Board shall adopt a resolution accepting the audit and file a copy of this resolution and the audit report, including the management letter, with the Commissioner of Education by October 1 (C.R. 170.2(r)).

The annual audit should include an examination of documents, records and accounts as prescribed by the Minimum Program of Audit of Financial Records of New York State School Districts and Generally Accepted Accounting Principles (GAAP).



Adopted: 11/16/05

2005

5520

Non-Instructional/Business  
Operations

**SUBJECT: EXTRACLASSROOM ACTIVITIES FUNDS**

An extraclassroom activity fund shall be established for activities conducted by students whose financial support is raised other than by taxation or through charges of the Board of Education. All funds in the extraclassroom activities fund shall be kept according to standards of good financial management. Proper books will be kept and all moneys deposited in appropriate accounts as set up by the Board of Education. These accounts shall be subject to audit.

All transactions involving extraclassroom funds shall be on a cash basis and no accounts shall remain unpaid at the end of the school year. The building principals, with approval of the Superintendent of Schools, shall set up procedures for receipt and payment from the extraclassroom activities fund in their respective buildings.

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

Adopted: 11/16/05

2005

5521

Non-Instructional/Business  
Operations

**SUBJECT: GATE RECEIPTS AND ADMISSIONS**

All monies from gate receipts and admissions to school sponsored extracurricular activities (excluding athletic contests) must be turned over to the extracurricular account. Such monies must be accounted for pursuant to the Rules and Regulations of the Commissioner of Education (C.R. 172). Expenses for extracurricular activities will be paid for from the extracurricular fund after approval by the activity advisor and the extracurricular treasurer. Such expenses must be for educational or charitable purposes and are subject to budgetary limitations. The records of receipts and expenditures of each extracurricular group will be maintained by the extracurricular treasurer and reviewed monthly by the building principal. Extracurricular fund reports will be made quarterly to the Board.

Admission policies must be consistent with District policy and admission prices approved by the Administration. However, student fundraising dinners are exempted from regular admission policies.

Gate receipts from regular athletic contests are deposited in the General Fund.

Education Law 207, 214  
Commissioner's Regulation 172

Adopted: 11/16/05

2005

5530

Non-Instructional/Business  
Operations

**SUBJECT: PETTY CASH FUNDS AND CASH IN SCHOOL BUILDINGS**

**Petty Cash Funds**

A petty cash fund of not more than fifty dollars (\$50) shall be maintained in the District Office and in each school building in a secure location. Payments from petty cash funds may be made for materials, supplies or services only when payment is required upon delivery. At the time of reimbursement, an itemized statement of expenditures, together with substantiating receipts, 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 two hundred fifty dollars (\$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 extraclassroom 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 Sections 1604(26), 1709(29) and  
2503(1)  
8 New York Code of Rules and Regulations  
(NYCRR) Section 170.4

Adopted: 11/16/05

2005

5540

Non-Instructional/Business  
Operations

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

In compliance with Education Law, as a Central School District, the Board of Education is required to publish a financial statement, including the items of expenditure in full, at least once a year, during either July or August.

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

Education Law Sections 1610, 1721, 2117, 2528 and  
2577  
8 New York Code of Rules and Regulations  
(NYCRR) Section 170.2



Adopted: 11/16/05

2005

5550

Non-Instructional/Business  
Operations

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

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

Adopted: 11/16/05

2005

5560

Non-Instructional/Business  
Operations

**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.

OMB Circular A-87 Cost Principles for State, Local  
And Indian Tribal Governments  
(revised May 10, 2004)  
Compliance Supplement for Single Audit of State  
and Local Governments (revised June 27, 2003)  
supplementing OMB Circular A-133

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

Adopted: 11/16/05

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

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

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

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

(Continued)

**SUBJECT: FINANCIAL ACCOUNTABILITY: ALLEGATIONS OF FRAUD (Cont'd.)**

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

**Protection of School Employees who Report Information Regarding Illegal or Inappropriate Financial Practices**

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

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

**Knowingly Makes False Accusations**

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

Education Law Section 3028-d



Adopted: 11/16/05  
Amended: 10/18/06

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Non-Instructional/Business  
Operations

**SUBJECT: AUDIT COMMITTEE**

No later than January 1, 2006, an Audit Committee shall be established by Board resolution. The Audit Committee may consist of:

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

The Audit Committee shall consist of at least three (3) members who shall serve without compensation, but shall be reimbursed for any actual and necessary expenditure incurred in relation to attendance at meetings. Employees of the District are prohibited from serving on the Audit Committee. Members of the Audit Committee shall be deemed School District Officers, but shall not be required to be residents of the School District.

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

The responsibilities of the Audit Committee include the following:

- a) Provide recommendations regarding the appointment of the External (Independent) Auditor for the District;
- b) Meet with the External (Independent) Auditor prior to commencement of the audit;
- c) Review and discuss with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable;
- d) Receive and review the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assist the Board of Education in interpreting such documents;
- e) Make a recommendation to the Board on accepting the annual audit report; and

- f) Review every corrective action plan developed by the School District and assist the Board in its implementation.

(Continued)

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Operations

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

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

The Audit Committee may conduct an Executive Session pursuant to Public Officers Law Section 105 pertaining to only the following matters:

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

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

Education Law Sections 2116-c, and 3811-3813  
Public Officers Law Sections 105(b), 105(c)  
and 105 (d)  
8 New York Code of Rules and Regulations  
(NYCRR) Section 170.12(d)

Adopted: 05/03/06

2005

5610

Non-Instructional/Business  
Operations

**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 vehicles.

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

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

Public Officers Law Section 18  
General Municipal Law Sections 6-n and 52  
Education Law Sections 1709(8), (26) and (34-b),  
2503(10), 2503(10-a), 2503(10-b), 3023, 3028 and  
3811

Adopted: 11/16/05

2005

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Non-Instructional/Business  
Operations

**SUBJECT: LIABILITY INSURANCE FOR HIRED CONTRACTORS**

For work awarded on a purchase order basis and on snow removal, the Board requires the following limits of liability insurance:

Bodily Injury Liability	\$500,000
Property Damage Liability	100,000

For work awarded on a basis of competitive bids, the Board requires the following limits of liability insurance:

Bodily Injury Liability	\$1,000,000
Property Damage Liability	1,000,000

For private transportation contractors, the Board requires the following limits of liability insurance:

Bodily Injury Liability	\$1,000,000 single limit
Property Damage Liability	

General liability coverage must include the District as an additional insured unless provided otherwise in any other contract specifications. Also, a copy of a current certificate of insurance in force during the life of the contract should be on file at the District Business Office. Such insurance should include products, completed operations, and property damage liability coverage for explosion where blasting is involved. Coverage for underground damage and collapse, where use is made of trenching equipment and/or backfilling equipment, is also required.

Certificate of Insurance for worker's compensation, disability, auto liability and other coverage as deemed necessary should also be on file at the District business office.

Bid and performance bonds will be required as deemed necessary.

Adopted: 11/16/05

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Non-Instructional/Business  
Operations

**SUBJECT: INVENTORIES**

The Business Administrator/Manager 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: 11/16/05

**SUBJECT: ACCOUNTING OF FIXED ASSETS**

The Business Administrator/Manager shall be responsible for accounting for general fixed assets according to the procedures outlined by the Uniform System of Accounts for School Districts and GASB Statement 34 Regulations.

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.

Fixed assets with a minimum value established by the Board that have a useful life of one (1) year or more and physical characteristics 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.

The Board shall establish a dollar threshold as a basis for considering which fixed assets are to be depreciated. Such threshold shall ensure that at least 80 percent of the value of all assets is reported. However, it is recommended that such threshold shall not be greater than \$5,000. A standardized depreciation method and averaging convention shall also be established for depreciation calculations.

Fixed assets acquired having a value equal to or greater than the established threshold are considered depreciable assets and shall be inventoried for the purposes of GASB 34 accounting practices and placed on a depreciation schedule according to its asset class and estimated useful life as stipulated by the NY State Comptroller's Office or the IRS.

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;

(Continued)

**SUBJECT: ACCOUNTING OF FIXED ASSETS (Cont'd.)**

- d) Location;
- e) Asset type;
- f) Estimated useful life;
- g) Replacement cost;
- h) Current value;
- i) Salvage value;
- j) Date and method of disposition; and
- k) Responsible official.

The Business Administrator/Manager 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.

Adopted: 11/16/05

**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 ten thousand dollars (\$10,000) 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 five thousand dollars (\$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 five thousand dollars (\$5,000), the District shall assure compliance with the requirements of the State Uniform Fire Prevention and Building Code (9 NYCRR Parts 600 through 1250) and Part 155 of the Commissioner's Regulations.

(Continued)

**SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE (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.

**Comprehensive Public School Building Safety Program (Rescue)**

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

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

- a) A five (5) year capital facilities plan which will include an appraisal of the following: the educational philosophy of the District, with resulting administrative organization and program requirements; present and projected student enrollments; space use and State-rated student capacity of existing facilities; the allocation of instructional space to meet the current and future education program and service needs, and to serve students with disabilities in settings with nondisabled peers; priority of need of maintenance, repair or modernization of existing facilities, including consideration of the obsolescence and retirement of certain facilities; and the provision of additional facilities.
- b) A District-wide building inventory, which will include information pertaining to each building including, but not limited to:
  1. Type of building, age of building, size of building;
  2. Rated capacity, current enrollment;
  3. List of energy sources and major systems (lighting, plumbing, electrical, heating); and
  4. Summary of triennial Asbestos Inspection reports.



(Continued)

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

- c) An annual visual inspection of each occupied building and assignment of a safety rating score. The inspection committee must include a state certified code enforcement official, the District's facility director or designee, and a member of the District's Health and Safety Committee.
- d) A building condition survey shall be conducted for all occupied school buildings once every five (5) years by a team that includes at least one (1) licensed architect or engineer.
- e) A District-wide monitoring system which includes:
  - 1. Establishing a Health and Safety Committee;
  - 2. Development of detailed plans and a review process of all inspections;
  - 3. Procedures for a response in writing to all inquiries about building health and safety concerns, a copy of which will be sent to the District's Health and Safety Committee for oversight, and a copy kept on permanent file.
- f) Procedures to ensure the safety of the building occupants while a construction/renovation project is taking place. These procedures will include:
  - 1. Notification to parents, staff and the community at least two (2) months in advance of a construction project of ten thousand dollars (\$10,000) or more to be conducted in a school building while the building is occupied; provided, however, that in the case of emergency construction projects, such notice shall be provided as far in advance of the start of construction as is practicable;
  - 2. A plan to ensure that all contractors comply with all health and safety issues and regulations, and wear photo ID badges;
  - 3. An opportunity for the District's Health and Safety Committee to conduct a walk-through inspection of newly renovated or constructed areas to confirm that the area is ready to be reopened for use; and
  - 4. An emergency plan which will address potential concerns with the capital project including, but not limited to, evacuation procedures, fire drills, and structural failures.

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

School Facility Report Cards

The School District shall prepare an annual School Facility Report Card for each occupied school building.

The School Facility Report Card for each building shall be reviewed annually by the Board of Education. The Board shall report in a public meeting on the status of each item set forth in Commissioner's Regulations for each facility located in the District.

Fire Inspection:

8 New York Code of Rules and Regulations  
(NYCRR) Section 155.4  
Education Law Section 807-a

Health Inspection: Education Law Section 906

Asbestos Inspection: Education Law, Article 9-A  
40 Code of Federal Regulations (CFR)  
Part 763, Subpart E

Plans and Specifications:

Education Law Sections 408, 408-a and 409  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 155.1 and 155.2

Structural Safety Inspections:

Education Law Sections 409-d and 409-e, 3602, and  
3641(4)  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 155.1, 155.3, 155.4(b)(1), and  
155.6

Adopted: 11/16/05

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Non-Instructional/Business  
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**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 ensure 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 and 262  
6 New York Code of Rules and Regulations  
(NYCRR) Part 371

Adopted: 11/16/05

**SUBJECT: PEST MANAGEMENT AND PESTICIDE USAGE**

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

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

**Pest/Pesticide Management Plan**

The District will manage weeds and pests to:

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

**Integrated Pest Management (IPM) Coordinator**

An IPM Coordinator will be appointed by the Superintendent of schools. The Coordinator will be responsible for implementing the IPM policy and plan. The coordinator's responsibilities will include the following:

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



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

### **Pesticide Use on Common Areas**

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

An exception may be made for emergency applications of pesticide only when approved in advance by the School Board. The Board may consult with the local Health Department on public health related emergency determinations. They may also consult with the Department of Environmental Conservation (DEC) for environmental emergency determinations. Emergency determinations should only be sought for one-time pesticide application in a specific situation, which presents a true emergency. The guidance document from DEC provides clarification on emergency determinations. It can be found at: [http://www.dec.ny.gov/docs/materials\\_minerals\\_pdf/guidancech85.pdf](http://www.dec.ny.gov/docs/materials_minerals_pdf/guidancech85.pdf)

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

### **Fertilizer Use**

New requirements and restrictions regarding the use of phosphorus fertilizers on school grounds have been developed. Chapter 205 of the Laws of 2010 dictates the requirements which must be adhered to regarding grounds maintenance starting on January 1, 2012.

- a) Fertilizer use is prohibited between December 1 and April 1 annually.
- b) The use of fertilizers is prohibited within twenty (20) feet of any surface water except:
  1. Where a continuous natural vegetation buffer, at least ten (10) feet wide, separates lawn and water.

2. Where a spreader guard, deflector shield or drop spreader is used, then the application may not occur within three feet of any surface water.

(Continued)

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Operations

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

### **Notification**

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

The 48-Hour Prior Notification Form can be obtained on the District's Web Site and in the Superintendent's Office located at 39 Linden Avenue, Cooperstown.

The District must also provide additional written notification to all parents and staff three (3) times per year to inform them of any pesticide applications that have occurred: within ten (10) days of the end of the school year, within two (2) school days of the end of winter recess and within two (2) days of the end of spring recess.

### **Recordkeeping**

Records of pesticide use will be maintained on site in the Superintendent's Office for three (3) years. Records will be completed on the day of pesticide use. In addition, pest surveillance records will be maintained to help verify the need for pesticide treatments. Annual reports of any applications must be sent to DEC.

40 Code of Federal Regulations (CFR) Part 152.25  
7 United States Code Section 136(mm), 136q(h)(2) (FIFRA)  
NYCRR Part 155.4(d)(2)

Adopted: 2/2/11  
Revised: 9/14/11

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

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

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

The use of e-cigarettes and any other products containing nicotine, except for current FDA-approved smoking cessation products, are also prohibited.

**Off-School Grounds**

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

**Posting/Notification of Policy**

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

The District 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;

(Continued)

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

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

This prohibition of tobacco promotional items 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. The District will request, whenever possible, tobacco free editions of periodical publications for school libraries and classroom use.

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

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

Adopted: 11/16/05  
Amended: 6/12/13

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

Environment Conservation Law  
Sections 27-2101-27-2115  
General Municipal Law Section 120-aa

Adopted: 11/16/05

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)/  
SCHOOL DISTRICT NUTRITION ADVISORY COMMITTEE**

**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 Cooperstown Central Schools upon written application of the student's parent or guardian. Applications will be provided by the District.

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

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

**Child Nutrition Program/Charging Meals**

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. (A charge for the purpose of this policy is defined as insufficient funds in a food service account.) The Board authorizes the Superintendent to develop rules that address:

- a) What can be charged;
- b) The limit on the number of charges per student;
- c) The system used for identifying and recording charged meals;
- d) The system used for collection of repayments; and
- e) Communication of the policy to parents and students.

**(Continued)**



**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)/  
SCHOOL DISTRICT NUTRITION ADVISORY COMMITTEE (Cont'd.)**

Guidelines for Charging Meals:

- a) Charging is a privilege. Abuse can result in the loss of this privilege.
- b) A student will be allowed to charge up to a maximum of \$15.00.
- c) Charges are to be paid within five (5) school days.

Additional Guidelines for Students Charging Meals:

- a) The privilege of charging will be allowed for "Type A" breakfast, "Type A" lunch, milk, water, or 100% fruit juice only.
- b) Snack items do not qualify for charge privileges.
- c) The District reserves the right to restrict purchases from vending machines by students who have charges on their accounts and to collect monies intended for the purchase of vending items and apply those monies towards the charge balance.
- d) Parents or guardians will be notified when students are charging meals. If charges are not paid and reach the maximum allowable amount of \$15.00, a letter will be sent informing the parent that charge privileges will be suspended until restitution is made.
- e) A student who has no meal or money for lunch or who has reached the maximum allowable charge may contact the Meal Program Manager to request permission to charge a meal. A single charge to be paid back the following school day may be awarded. Contact by telephone call, email or text message to the student's parent or guardian will be made in a timely manner. **Evidence of attempts to contact parents and students will be documented.**
- f) If the Meal Program Manager is not immediately available, the student may be allowed the charge by a senior member of the food service staff. Notifying the Meal Program Manager will take place at the first opportunity.
- g) Junior-Senior High School charge privileges will be restricted after **May 15<sup>th</sup>** of every school year to allow for collection of monies due before the student are excused for the summer. Elementary School charging privileges will continue until the end of the school year, with regular parent or guardian notification as needed.

Restriction of Sweetened Foods 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.

(Continued)

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)/  
SCHOOL DISTRICT NUTRITION ADVISORY COMMITTEE (Cont'd.)**Food Substitutions for Children with Disabilities

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

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

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

**School District Nutrition Advisory Committee**

In accordance with Education Law, the District will establish a Child Nutrition Advisory Committee. The Committee will include, but not be limited to, a representative of the School Board; the food preparation staff; the physical education departments; the school nurse or health staff; a registered dietitian, if available; the faculty of the District; the parent-teacher associations in the District; the students enrolled in the District; and the parents/guardians of students enrolled in the District. If, due to special circumstances, it is impossible or impracticable for all recommended groups to have members on the Committee for representation, the District may approve a Committee that, to the greatest extent possible, represents the interests of the aforementioned groups.

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

(Continued)

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)/  
SCHOOL DISTRICT NUTRITION ADVISORY COMMITTEE (Cont'd.)**

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

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

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

**Vending Machines**

Vending machines dispensing nutritious food or beverages to students are permitted provided the vending machines are owned by or under lease/loan by the school district.

The vending program management, including fiscal management and product selection, is the responsibility of the appropriate administrator after consultation with the Business Administrator/Manager.

Child Nutrition Act 1966

42 United States Code (USC) Section 1771 et seq.  
Richard B. Russell National School Lunch Act  
1946

42 United States Code (USC) Section 1751 et seq.  
Section 504 of the Rehabilitation Act of 1973

29 United States Code (USC) Section 794 et seq  
Individuals with Disabilities Education Act  
(IDEA)

20 United States Code (USC) Sections 1400-1485

7 Code of Federal Regulations (CFR) Part 15B  
Education Law Sections 915, 918, 1604(28),  
1709(22),

1709(23) and 2503(9)(a)

8 New York Code of Rules and Regulations  
(NYCRR) Sections 200.2(b)(1) and 200.2(b)(2)  
Social Services Law Section 95

Adopted: 11/16/05

Amended: 07/12/06

Amended: 05/07/14

2005

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Non-Instructional/Business  
Operations

**SUBJECT: FOOD SERVICES MANAGEMENT**

The school lunch program will be operated on a self-supporting basis in areas of salary, fringe benefits, food costs and equipment purchase and maintenance. Indirect costs such as space, heat, utilities and administrative support, and special school functions, will be paid from the General Fund.

However, it is recognized that factors beyond the control of administration may result in a school lunch fund deficit. To avoid creating or increasing a loss in the School Lunch Fund, an interfund transfer from the General Fund to the School Lunch Fund may be included each year in the General Fund Budget in an identifiable manner.

Adopted: 11/16/05

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Non-Instructional/Business  
Operations

**SUBJECT: DISTRICT WELLNESS POLICY**

The District is committed to providing a school environment that promotes and protects children's health, well being, and the ability to learn by fostering healthy eating and physical activity. The District has established a wellness committee to develop the District's proposed local wellness policy, making such policy recommendations for review and adoption by the Board of Education. The District's wellness committee includes, but is not limited to, representatives from each of the following groups:

- a) Parents;
- b) Students;
- c) The District's food service program;
- d) The School Board;
- e) School administrators; and
- f) Members of the public.

The District Wellness Committee will assess current activities, programs and policies available in the District; identify specific areas of need within the District; develop the policy; and provide mechanisms for implementation, evaluation, revision and updating of the policy. The Wellness Committee is established to represent the local community's perspective in developing the wellness policy for the District.

**Goals to Promote Student Wellness**

Taking into account the parameters of the School District (academic programs, annual budget, staffing issues, and available facilities) as well as the community in which the District is located (the general economy; socioeconomic status; local tax bases; social cultural and religious influences; geography; and legal, political and social institutions) the Wellness Committee recommends the following District goals relating to nutrition education, physical activity and other school-based activities:

Nutrition Education

The District will provide nutrition education to facilitate the voluntary adoption of healthy eating habits and other nutrition-related behaviors conducive to health and well being by establishing the following standards for:

(Continued)

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Non-Instructional/Business  
Operations

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

a) Classroom teaching:

Nutrition education and physical education will be provided to foster lifelong habits of healthy eating and physical activity.

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

Linkages will be established between health education, school meal programs, and with related community services.

c) Fundraising activities:

The sale of non-nutritious food items for fundraising purposes is prohibited on campus. All fundraising activities must have prior district approval using the established request form, which will include a listing of recommended nutrition guidelines.

d) Teacher training:

Professional training for all staff will be provided in areas of nutrition and physical activity.

Physical Activity

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

The Wellness Committee has determined that the following standards are necessary to achieve this goal:

a) Physical education graduation requirements:

All students in grades K-12, including students with physical disabilities, special health-care needs and in alternate educational settings, will receive direct instruction in physical education, or its equivalent, for the entire school year as required by the New York State Standards.

- b) Physical education class requirements:  
The current schedule of physical education classes K – 12 will be maintained. Class time spent in physical activity will be maximized. Parents will be notified of the importance of physical activity in order to reduce the number of parent requests excusing children from physical education classes. Physicians’ notes will be required for long-term excuses from physical education.

(Continued)

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Operations

**SUBJECT: DISTRICT WELLNESS POLICY (Cont’d.)**

- c) Staff training/certification for physical education:  
Physical education staff will possess the proper certification and meet all of the required health and safety certifications.

- d) Physical activity outside physical education classes:  
Recess time at the elementary school will be maintained and children shall have access to recess on a daily basis. During inclement weather, physical activity options will be provided indoors. Other opportunities for physical activity during the school day will be researched. The scheduling of recess prior to lunch periods will be explored.

A walk and/or bike to school program will be designed and encouraged where appropriate and safe.

Moderate to vigorous physical activity that promotes cardio-vascular health will be encouraged on a daily basis.

The implementation of intramural activities will be investigated.

Other School-based Activities

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

- a) Federal School Meal Programs:

The District will participate to the maximum extent practicable in available federal school meal programs [School Breakfast Program and National School Lunch Program (including

after-school snacks)].

b) Access to school nutrition programs:

All parents will be informed, by newspaper release, of the federal Free and Reduced Price Meal Policy. Every effort will be made to ensure that those who qualify will have access to this program.

Efforts will be made to provide meal options that meet dietary needs and preferences.

(Continued)

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Operations

**SUBJECT: DISTRICT WELLNESS POLICY**

c) Meal environment:

The current lunch schedule and environment provides for sufficient time/space for eating and socializing. If possible, the lunch schedule at the secondary level should begin no earlier than 10:55 AM.

d) After-school programs for students:

All after school programs will adhere to the recommended nutrition guidelines.

e) Rewards vs. Punishments:

Food will not be used as a reward or punishment.

f) Community access to District facilities for physical activities:

The district provides access to buildings for an early morning walking program. In addition, the outside track is available for physical activity outside of normal school hours.

g) Community involvement:

The district will create a health and wellness advisory committee whose responsibility it is to annually review and monitor the practices outlined in this policy and address any issues that may arise in order to make recommendations to the Board of Education for consideration.

h) Sustainable food practices:



The district may consider the educational benefits of creating a garden and/or greenhouse, which would foster the understanding of sustainable food practices.

### **Nutrition Guidelines**

The District Wellness Committee will recommend which nutrition standards will be established for all foods available on school campus during the school day based upon the unique needs of the student body and the community. The goal is to encourage healthy lifelong eating habits by providing foods that are high in nutrients, low in fat and added sugars, and of moderate portion size.

#### Nutritional Values of Foods and Beverages

- a) Reimbursable school meals served at school will minimally meet the program requirements and nutrition standards of the National School Lunch Program.

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Operations

### **SUBJECT: DISTRICT WELLNESS POLICY**

- b) Food of minimal nutritional value on the school campus will be replaced with more nutritional options by adhering to the following:

- 1) Add whole grains and wheat flour options
- 2) Increase use of fresh or frozen vegetables and fresh fruit
- 3) Increase the variety options on salad bars and include legumes, seeds, etc.
- 4) Vegetarian options need to be available at both buildings
- 5) Breakfast choices are to be more nutritious
- 6) Portion sizes will be according to the Traditional Food-Based Menu Plans
- 7) Only 1 percent and fat free milk will be offered, 8 ounces K-12
- 8) Bottled water, 8 ounces K-5 and up to 20 ounces Grades 7-12
- 9) Up to 6 ounces of 100 percent fruit juice, with no added sweeteners, will be offered as optional beverages, K-12
- 10) Attempts will be made to reduce trans fats

- c) Nutrition information for products sold on campus will be readily available near the point of purchase:

- 1) Ala carte snack options will be limited to bags of “baked” snacks, fresh fruit and vegetables, low fat products, dried fruits, nuts, grains, etc.
- 2) Ice cream choices will be low fat and may be available on a rotation basis.

#### Vending machines, concession stands, and other food outlets:

Healthy food and beverage choice options will be available and encouraged in all outlets. School building vending will not include soda or sport drink products.

Parties, celebrations, and meetings:

Refreshments for district meetings, classroom, club, and team celebrations will include healthy food and beverage choices. At the elementary school, birthdays are encouraged to be celebrated once per month and encourage healthy food options.

**Assurance**

Guidelines for reimbursable school meals shall not be less restrictive than applicable federal regulations and guidance issued pursuant to the Child Nutrition Act and the Richard B. Russell National School Lunch Act, as those regulations and guidance apply to schools.

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Non-Instructional/Business Operations	

**SUBJECT: DISTRICT WELLNESS POLICY**

**Implementation and Evaluation of the Wellness Policy**

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

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

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

These designated staff members shall periodically report to the Superintendent on the District's

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

These designated school officials will also serve as a liaison with community agencies in providing outside resources to help in the development of nutrition education programs and physical activities.

Evaluation and feedback from interested parties, including an assessment of student, parent, teacher, and administration satisfaction with the wellness policy, is essential to the District's evaluation program. Further, the District shall document the financial impact, if any, to the school food service program, school stores, or vending machine revenues based on the implementation of the wellness policy.

(Continued)

**SUBJECT: DISTRICT WELLNESS POLICY**

District schools will provide nutrition education and physical education, with an emphasis on establishing lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services. Communication with and training for teachers, parents, students, and food service personnel will be an integral part of the District's implementation plan.

To the extent practicable, students and parents shall be involved in the development of strategies designed to promote healthy food choices in the school environment; and the school cafeteria will provide a variety of nutritionally sound meal and beverage choices. The school will encourage students' active, age appropriate participation in decisions regarding healthy lifestyles and choices. Positive reinforcement such as letters of recognition and acknowledgment will be utilized as a means to encourage healthy eating patterns among the student population. In addition, the school will share information about the nutritional content of meals with parents and students; such information may be made available on menus, a web site, or such other "point-of-purchase" materials.

Assessments of the District's wellness policy and implementation efforts may be repeated on an annual basis, but it is recommended that such assessment occur no later than every three (3) years, to help review policy compliance, assess progress, and determine areas in need of improvement. The District, and individual schools within the District, will, as necessary, revise the wellness policy and develop work plans to facilitate its implementation.

Child Nutrition and WIC Reauthorization Act of 2004  
[Public Law Section 108-265 Section 204](#)  
Richard B. Russell National School Lunch Act  
[42 United States Code \(USC\) Section 1751 et seq.](#)  
Child Nutrition Act of 1966  
[42 United States Code \(USC\) Section 1771 et seq.](#)  
7 Code of Federal Regulations (CFR) Section 210.10  
[http://www.access.gpo.gov/nara/cfr/waisidx\\_05/7cfr210\\_05.html](http://www.access.gpo.gov/nara/cfr/waisidx_05/7cfr210_05.html)

Adopted: 08/16/06

2010

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Non-Instructional/Business  
Operations

**SUBJECT: RECORDS MANAGEMENT**

A Records Management Officer shall be designated by the Superintendent, subject to the approval of and appointment by the Board of Education. The 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 shall 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.

**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.

Special Approvals for Disposition of Records Not Included in Schedule/Records Damaged by Natural or Manmade Disasters

Records not listed on a records retention and disposition schedule shall not be disposed of without the approval of the Commissioner of Education.

Records that have been damaged by natural or manmade disaster and constitute a human health or safety risk also require the Commissioner's prior approval before disposition.

**Replacing Original Records with Electronic Images**

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

**Retention and Preservation of Electronic Records**

The District shall ensure that records retention requirements are incorporated into any plan and process for design, redesign, or substantial enhancement of an information system that stores electronic records.

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

Adopted: 11/16/05  
Amended: 12//10/08  
03/17/10

2006

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Non-Instructional/Business  
Operations

**SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION**

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

- a) "*Private information*" shall mean **\*\*personal information** in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:
1. Social security number;
  2. Driver's license number or non-driver identification card number; or
  3. Account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account.

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

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

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

**Examples of Determining Factors**

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

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

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Non-Instructional/Business  
Operations

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

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

**Notification Requirements**

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

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

**Methods of Notification**

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

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

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Non-Instructional/Business  
Operations

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

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

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

In the event that any New York State residents are to be notified, the District shall notify the State Attorney General, the Consumer Protection Board, and the State Office of Cyber Security and Critical Infrastructure Coordination as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York State residents.

In the event that more than 5,000 New York State residents are to be notified at one time, the District shall also notify consumer reporting agencies, as defined pursuant to State Technology Law



Section 208, as to the timing, content and distribution of the notices and approximate number of affected persons. Such notice shall be made without delaying notice to affected New York State residents. A list of consumer reporting agencies shall be compiled by the State Attorney General and furnished upon request to school districts required to make a notification in accordance with Section 208(2) of the State Technology Law, regarding notification of breach of security of the system for any computerized data owned or licensed by the District that includes private information.

State Technology Law Sections 202 and 208

Adopted: 06/14/06

**SUBJECT: SAFETY AND SECURITY**

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

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

- 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 ensure 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)

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Non-Instructional/Business  
Operations

**SUBJECT: SAFETY AND SECURITY (Cont'd.)**

The Superintendent/designee shall maintain a current record of the name, address and social security number of every employee who handles or uses toxic substances and which substance(s) were handled or used by the employee.

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

New York State Labor Law Sections 27-a and 879  
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)  
Section 1910.1200

NOTE: Refer also to Policy #5681 -- School Safety Plans

Adopted: 11/16/05

**SUBJECT: SCHOOL SAFETY PLANS**

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

Each plan shall be reviewed by the appropriate school safety team on at least an annual basis, updated as needed and recommended to the Board of Education for approval. However, District-wide and building-level school safety plans shall be adopted by the School Board only after at least one (1) public hearing that provides for the participation of school personnel, parents, students, and any other interested parties. Further, the Board shall make the District-wide and building-level school safety plans available for public comment at least thirty (30) days prior to its adoption, provided that only a summary of each building-level emergency response plan (i.e., building-level school safety plan) shall be made available for public comment.

**District-Wide School Safety Plan**

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

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

**Building-Level School Safety Plans**

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

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

representatives the School Board deems appropriate.

(Continued)

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Non-Instructional/Business  
Operations

**SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)**

**Filing/Disclosure Requirements**

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

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



Adopted: 11/16/05

2008

5682

Non-Instructional/Business  
Operations

**SUBJECT: DISASTER RECOVERY PLAN**

Electronic data and systems are vital to the operation of the Cooperstown Central School District.

To ensure the district is able to recover its data in the event of a disaster, the Board of Education directs the Superintendent to develop and maintain a Disaster Recovery Plan for the safeguarding and recovery of the school system's administrative and instructional data systems.

The Superintendent shall ensure that such plan is developed and reviewed annually by the Board of Education.

Adopted: 12/10/08

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

The administration of each school building shall provide instruction for and training of students, through fire drills, in procedures for leaving the building in the shortest possible time and without confusion or panic.

Fire drills shall be held at least twelve (12) times in each school year; eight (8) of these shall be held between September 1 and December 1. At least one (1) of the twelve (12) drills shall be held during each of the regular lunch periods, or shall include special instruction on the procedures to be followed if a fire occurs during a student's lunch period.

At least two (2) additional drills shall be held during summer school in buildings where summer school is conducted and one (1) of these drills shall be held during the first week of summer school.

**After-School Programs**

The building principal or his/her designee shall require those in charge of after-school programs, attended by any individuals unfamiliar with the school building, to announce at the beginning of such programs the procedures to be followed in the event of an emergency.

**Bomb Threats****School Bomb Threats**

A bomb threat, even if later determined to be a hoax, is a criminal action. No bomb threat should be treated as a hoax when it is first received. The school has an obligation and responsibility to ensure the safety and protection of the students and other occupants upon the receipt of any bomb threat. This obligation must take precedence over a search for a suspect object. Prudent action is dependent upon known information about the bomb threat - location, if any; time of detonation; etc. If the bomb threat is targeted at the school parking lot or the front of the school, building evacuation may not be an appropriate response. If the bomb threat indicates that a bomb is in the school, then building evacuation is necessary unless the building has been previously inspected and secured in accordance with State Education Department Guidelines. Specific procedures can be found in the building level school plan, as required by Project SAVE.

The decision to evacuate a building or to take shelter is dependent upon information about where the bomb is placed and how much time there is to reach a place of safety. Prudent action dictates that students and other occupants be moved from a place of danger to a place of safety. Routes of egress and evacuation or sheltering areas must be thoroughly searched for suspicious objects before ordering an evacuation. Failure to properly search evacuation routes before an evacuation takes place can expose students and staff to more danger than remaining in place until the search has taken place.

Assistance is available from local police agencies and the New York State Police to train staff to check evacuation routes.

(Continued)

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

A bomb threat to a school is a criminal act, which is within the domain and responsibility of law enforcement officials. Appropriate State, county, and/or local law enforcement agencies must be notified of any bomb threat as soon as possible after the receipt of the threat. Law enforcement officials will contact, as the situation requires, fire and/or county emergency coordinators according to the county emergency plan.

Therefore, the building administrator or designee is to notify local law enforcement officials and follow established procedures to move all occupants out of harm's way.

Implementation

The Board of Education directs the Superintendent or his/her designee to develop administrative regulations to implement the terms of this policy. Additionally, such regulations are to be incorporated in the District-wide School Safety Plan and the building level school safety plan, with provisions to provide written information to all staff and students regarding emergency procedures by October 1 of each school year, an annual drill to test the emergency response procedures under each of its building level school safety plans; and the annual updating of the District-wide and building level school safety plans, by July 1, as mandated pursuant to law and/or regulation.

**Bus Emergency Drills**

The Board of Education directs the administration to conduct a minimum of three (3) emergency drills to be held on each school bus during the school year. The first drill is to be conducted during the first seven days of school, the second drill between November 1 and December 31, and the third drill between March 1 and April 30.

Each drill shall include instruction in all topics mandated by the Education Law and the Commissioner's Regulations and shall include, but will not be limited to, the following:

- a) Safe boarding and exiting procedures;
- b) The location, use and operation of the emergency door, fire extinguishers, first aid equipment and windows as a means of escape in case of fire or accident;
- c) Orderly conduct as bus passengers.

Students who ordinarily walk to school shall also be included in the drills.

Adopted: 11/16/05

Penal Law Sections 240.55, 240.60 and 240.62  
Education Law Sections 807, 2801-a and 3623

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Non-Instructional/Business  
Operations

**SUBJECT: USE OF SURVEILLANCE CAMERAS IN THE SCHOOL DISTRICT**

The Board of Education recognizes its responsibility to promote and foster school safety and ensure a safe and effective learning environment. After having carefully considered and balanced the rights of privacy with the District's duty to promote discipline, health, welfare and safety of staff and students, as well as that of the general public who has occasion to use school facilities, the Board supports the use of surveillance cameras when necessary in its schools, its buses and/or on school grounds. District surveillance cameras will only be utilized in public areas where there is no "reasonable expectation of privacy." Audio recordings shall not be utilized by the School District officials; such prohibition does not preclude the use of audio recordings by law enforcement officials in accordance with their official duties and/or as otherwise authorized by law.

To further the Board's objective, the School District's District-wide Safety Team shall meet as appropriate and/or deemed necessary to develop, implement and review District and building level safety practices. The Team shall also make recommendations to the Superintendent regarding the implementation and use of surveillance cameras as authorized by the Board of Education. The Superintendent shall retain final decision-making authority regarding the recommendations of the Safety Team; and he/she shall notify the Board as to the procedures to be implemented with regard to the use of surveillance cameras by the School District.

In determining the most appropriate use and implementation of surveillance cameras in the schools, school buses and/or on school grounds, the District-wide Safety Team's recommendation will be guided by, at a minimum, the following considerations:

- a) Demonstrated need for the device at designated locations;
- b) Appropriateness and effectiveness of proposed protocol;
- c) The use of additional, less intrusive, means to further address the issue of school safety (e.g., restricted access to buildings, use of pass cards or identification badges, increased lighting, alarms);
- d) Right to privacy and other legal considerations (which should be referred to the School Attorney for review and compliance with applicable laws and regulations); and
- e) Expense involved to install and maintain the use of surveillance cameras at designated locations, including school buses and/or on school grounds.

Any video recording used for surveillance purposes in school buildings, school buses and/or on school property, shall be the sole property of the District; and the Superintendent or his/her designee will be the custodian of such recordings. All video recordings will be stored in their original form and secured to avoid tampering and ensure confidentiality in accordance with applicable laws and regulations.

(Continued)

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Non-Instructional/Business  
Operations

**SUBJECT: USE OF SURVEILLANCE CAMERAS IN THE SCHOOL DISTRICT (Cont'd.)**

Requests for viewing a video recording must be made in writing to the Superintendent or his/her designee and, if the request is granted, such viewing must occur in the presence of the District's designated custodian of the recording. Under no circumstances will the District's video recording be duplicated and/or removed from District premises unless in accordance with a court order and/or subpoena.

**Signage/Notification Regarding Use of Surveillance Cameras in School Buildings, School Buses and/or on School Grounds**

Appropriate signage will be posted at entrances to the school campus and/or at major entrances into school buildings notifying students, staff and the general public of the District's use of surveillance cameras.

Students and staff will receive additional notification, as appropriate, regarding the use of surveillance cameras in the schools, buses and/or on school grounds. Such notification may include, but is not limited to, publication in the District calendar, employee handbook, and student handbook. Such notification does not preclude, as deemed appropriate by administration, the discussion of the use of surveillance cameras with staff and students to heighten awareness and help foster a sense of security.

Adopted: 03/21/07



**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 Occupational Safety and Health Administration (OSHA) standards, the program shall consist of:

- a) Guidelines for maintaining a safe, healthy school environment to be followed by staff and students alike.
- b) Written standard operating procedures for blood/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

Adopted: 11/16/05

2005

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: 11/16/05

2005

5692

Non-Instructional/Business  
Operations

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

Confidentiality: Public Health Law, Article 27-F

Adopted: 11/16/05

2005

5710

Non-Instructional/Business  
Operations

**SUBJECT: TRANSPORTATION PROGRAM**

It is the intent of the Board of Education to comply with the letter and spirit of the New York State Education Law; with the regulations of the Department of Motor Vehicles and of the Department of Transportation and with the Commissioner of Education's regulations and decisions pertinent to student transportation, and these shall govern any questions not covered by specific declaration of policy herein.

The purposes of the transportation program are to transport students to and from school, to transport them for extracurricular activities, to transport them on field trips, to transport residents who are enrolled in vocational programs at the Otsego Area Occupational Center to ride as passengers on school buses with pupils during the hours such bus is transporting pupils to and from classes and to transport those requiring special services.

The Board of Education recognizes and assumes the responsibility for all aspects of the transportation of children wherein the health and safety of students are involved, for the Board of Education has a legal obligation to safeguard the welfare of bus-riding children.

Education Law Sections 3602(7) and 3635 et seq.

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

Adopted: 11/16/05



**SUBJECT: WALKERS AND RIDERS****Eligibility for Regular Transportation**

Distances for all the following categories are to be determined by measuring (with a school vehicle) from the road end of the driveway of the legal residence of the student desiring transportation to the school of attendance, over the nearest available route. If the residence has no driveway, distance will be measured from the road end point of a straight line running from the front door to the road. The nearest available route would be that way of arriving at the school of legal attendance if a student were to walk on publicly maintained roadways or walkways. The absence of sidewalks is not legally relevant in determining the nearest available route.

- a) Elementary: Students attending Grades K-6 who live 1.0\* mile or more and not more than 15 miles from the school they legally attend are eligible for regular transportation.
- b) High School: Students attending Grades 7-12 who live 1.5\* miles or more and not more than 15 miles from the school they legally attend are eligible for regular transportation.
- c) Private and Parochial School Students: Regular transportation services offered to public school students will be offered equally to all resident private and parochial school children in like circumstances.
- d) Recognizing that many students take advantage of programs sponsored by the Clark Sport Center after school, the District will provide bus transportation to the Sports Center for those students/parents who request it.
- e) Recognizing that many students take advantage of programs sponsored by Brookwood, the District will provide bus transportation to the Center for those students/parents who request it. Additionally, the District will provide bus transportation home on the days when late bus transportation is scheduled.

\*Distance approved by voters on May 20, 1981.

**Requests for Transportation**

The parent or guardian (or any representative authorized by such parent or guardian) of a public or non-public school student for whom transportation is desired must submit a written request to the Board of Education not later than April 1 preceding the next school year. When a family moves into the district after April 1, the request shall be made within 30 days of establishing residency in the district.

(Continued)

**SUBJECT: WALKERS AND RIDERS (Cont'd.)**

Written requests for regular transportation from a location other than the legal residence may be considered. Approval is up to the Business Administrator/Manager and will depend upon room on the bus after routes and stops have been established.

Late requests may be declined by the Board of Education if no reasonable explanation is provided for the delay in filing the request.

Requests for transportation are kept on file in the office of the Head Bus Driver, and annual resubmission is not required if there is no change.

**Incidental Riding of Buses by Non-Bus Students**

Non-bus students may be permitted to ride under the following conditions:

- a) A written request must be received from parent of student.
- b) Principal approves request, if there is room on the bus.
- c) Parent must indicate where they can be reached if request for transportation must be denied.
- d) No requests will be granted if emergency closing procedures are in effect.
- e) Parents are responsible for transporting children if the school is not able to do so.

These rules will also apply to bus students who request to ride on other than their assigned bus.

**SUBJECT: SCHOOL BUS SCHEDULING AND ROUTING**

Eligible students will be provided regular transportation to and from an assigned bus stop along an approved bus route.

Bus routes and bus stops are established by the Business Administrator/Manager, with the advice of the Head Bus Driver, under the direction of the Superintendent. They will be reviewed and approved by the Board of Education for the upcoming year no later than the second Board meeting in August. Changes after that date will be approved by the Board as necessary to comply with the guidelines and to meet changing needs.

The day-to-day operation of the transportation system is the responsibility of the Business Administrator/Manager who has the authority to make temporary adjustments in routes and/or stops as necessary to meet changed circumstances including but not limited to student absences or altered road conditions.

Routes and stops shall be established using the following guidelines:

- a) No student will be required to ride the bus for more than one hour each way to and from the Cooperstown Central School.
- b) Students may be required to walk up to .5 miles\* to an authorized bus stop, as necessary, to established routes according to the guidelines and to fulfill the objective of efficient and economical transportation.
- c) Roads considered unfit for school bus use will not be used. The determination of an unfit road will be made by the Superintendent upon the recommendations of the Business Administrator/Manager, the Head Bus Driver, the bus driver on the route, and the highway supervisor. The Board of Education will annually review and approve such recommendation.
- d) Insofar as is possible, students first on in the morning will be first off in the afternoon. However, other guidelines listed below may supersede this.
- e) Students will be loaded and unloaded so that the majority will ride a minimum time.
- f) Authorized bus stops will be located so as to load and unload students with the utmost safety allowed by road conditions. The distance between stops may vary according to safety factors.

\*Reference Proposition I as adopted by the voters 05/19/82.

**SUBJECT: SCHOOL BUS SCHEDULING AND ROUTING (Cont'd.)**

- g) If possible students will be loaded and unloaded so that it is not necessary for them to cross a main highway to reach their homes.
- h) Steep hills, sharp curves and obstructions in visibility will be kept to a minimum. Where buses must stop on hills of appreciable grade, they will be routed so as to stop while traveling downhill.
- i) Turnarounds will be kept to a minimum. The District will only utilize turnarounds that are necessary, suitable, and safe in all weather conditions. Turnarounds will not be established unless adequate space is available and this space is properly maintained by town, county and/or state highway departments.
- j) Generally, dead-end and loop streets shall not be serviced by school buses.
- k) Insofar as is possible the District will avoid duplication or unnecessary mileage of any kind.
- l) It is desirable for each student to have a seat on his/her assigned bus. The capacity of a bus is based on three in a seat. A list will be maintained of any buses which cannot carry additional students because of safety factors.
- m) Routes may be contracted to approved private carriers if this mode of transportation is more economical. Contracts need Board of Education authorization.
- n) On any given day, a bus driver may determine that due to weather conditions a particular road may be hazardous. The driver has the authority to not travel that road under such circumstances, and the responsibility to notify the bus garage as soon as possible.

**District Map**

Maps will be used in determining the transportation requirements necessary to satisfy the needs established by state law, board policy and voter mandate.

**Railroad Crossings**

School buses must stop at all railroad crossings, whether or not carrying school children, and proceed only when the driver has ascertained that he/she can do so safely. In crossing the tracks the driver shall not shift gears. There is no requirement to open school bus doors when traversing railroad tracks.

(Continued)

**SUBJECT: SCHOOL BUS SCHEDULING AND ROUTING (Cont'd.)****Unguarded Railroad Crossings\***

- a) A school district may not use an unguarded crossing when transporting students to and from school within or without the district, or for other purposes within the district, unless a public hearing thereon has been held and a resolution adopted by the Board of Education by which it shall have been determined that the use of another route would be impracticable.
- b) The District must file a copy of such resolution with the Department of Education and the Department of Transportation.
- c) Each school district using an unguarded railroad crossing shall prepare and maintain a map indicating the bus route used and shall make such map available for inspection by any resident of the district at a place designated by the Board.

Education Law Sections 3620-3628 and 3635-3636

\*There are no unguarded railroad crossings on Cooperstown Central School District bus routes at this time.

**SUBJECT: TRANSPORTATION OF STUDENTS****Requests for Transportation to and from Non-Public Schools**

The parent or person in parental relation of a parochial or private school child residing in the School District who desires that the child be transported to a parochial or private school outside of the School District during the next school year should submit a written request to the Board of Education no later than April 1 of the preceding year, or within thirty (30) days of moving into the District. No late request of a parent or person in parental relation shall be denied where a reasonable explanation is provided for the delay.

**Transportation of Students with Disabilities**

Students with disabilities in the District shall be transported up to fifty (50) miles (one way) from their home to the appropriate special service or program, unless the Commissioner certifies that no appropriate non-residential special service or program is available within fifty (50) miles. The Commissioner may then establish transportation arrangements.

**Transportation of Non-Resident Students**

Non-resident families must provide their own transportation.

**Transportation to School Sponsored Events**

Where the District has provided transportation to students enrolled in the District to a school sponsored field trip, extracurricular activity or any other similar event, it shall provide transportation back to either the point of departure or to the appropriate school in the District unless the parent or legal guardian of a student participating in such event has provided the District with written notice, consistent with District policy, authorizing an alternative form of return transportation for such student or unless intervening circumstances make such transportation impractical. In cases where intervening circumstances make transportation of a student back to the point of departure or to the appropriate school in the District impractical, a representative of the School District shall remain with the student until such student's parent or legal guardian has been contacted and informed of the intervening circumstances which make such transportation impractical; and the student has been delivered to his/her parent or legal guardian.

**Transportation in Personal Vehicles**

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

Education Law Sections 1604, 1709, 1804, 1903, 1950,  
2503, 2554, 2590-e, 3635, 4401(4), 4404, and 4405

NOTE: Refer also to Policy #7131 -- Education of Homeless Children and Youth  
Adopted: 11/16/05

**SUBJECT: USE OF BUSES BY COMMUNITY GROUPS**

Upon formal application to and approval by the Superintendent of Schools 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.

**Passengers on School Buses**

The Cooperstown Central School District will permit residents who are enrolled in vocational programs at the Otsego Area Occupational Center to ride as passengers on school buses with pupils during the hours such bus is transporting pupils to and from classes providing:

- a) Such person makes written application to the School District, in accordance with the rules and regulations of the District, and such application is approved by the Board of Education;
- b) Such person must pass the NYSED fingerprinting clearance;
- c) There is regularly sufficient space on such school bus to permit all pupils to be seated while such bus is in operation;
- d) Any amount charged such person does not exceed the cost to the District for transporting a pupil the same distance; and
- e) That all such persons riding any bus follow all rules and regulations regarding school conduct and discipline.

The District shall maintain records indicating the number of trips and any revenues collected therefrom. Any funds collected shall be credited to an account so designated.

Education Law Sections 1501-b and 1502

Adopted: 11/16/05  
01/14/09

2005

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Non-Instructional/Business  
Operations

**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 Head Bus Driver, 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 Head Bus Driver 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 Head Bus Driver.

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

NOTE: Refer also to Policies #5683 -- Fire Drills, Bomb Threats and Bus Emergency Drills  
#5761 -- Drug and Alcohol Testing for School Bus Drivers and Other Safety-Sensitive Employees

Adopted: 11/16/05



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

The Board of Education recognizes the need to promote the health and safety of District students and staff and to protect the environment from harmful emissions found in bus and vehicle exhaust. In accordance with Education Law and Commissioner's Regulations, the District will minimize, to the extent practicable, the idling of all school buses and other vehicles owned or leased by the District while such bus or vehicle is parked or standing on school grounds or in the front of any school. This policy also applies to contractor owned and operated school buses under contract with the District.

The District shall ensure that each driver of a school bus or other vehicle owned, leased or contracted for by the District turn off the engine of the bus or vehicle while waiting for passengers to load or off load on school grounds, or while such vehicle is parked or standing on school grounds or in front of or adjacent to any school.

**Exceptions**

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

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

**Private Vendor Transportation Contracts**

All contracts for pupil transportation services between the School District and a private vendor that are entered into on or after August 21, 2008, shall include a provision requiring such vendor's compliance with the provisions of reducing idling in accordance with Commissioner's Regulations Section 156.3(h).

Education Law Section 3637  
Vehicle and Traffic Law Section 142  
8 New York Code of Rules and Regulations (NYCRR) Section 156.3(h)

Adoption: 03/18/09

**SUBJECT: QUALIFICATIONS OF BUS DRIVERS**

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

- a) Is at least twenty-one (21) 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 thirteen-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 (3) statements from three (3) 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;
- i) Is in compliance with all other laws and regulations for operating a school bus, including licensing and training requirements.

(Continued)

**SUBJECT: QUALIFICATIONS OF BUS DRIVERS (Cont'd.)****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 (3) years;
- c) Investigate the person's employment record during the preceding three (3) 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 newly hired bus drivers take and pass the physical performance test, as mandated by Commissioner's Regulations, before they transport students.

Sections 509-c, 509-cc, and Article 19-A of the  
Vehicle and Traffic Law  
Education Law Section 3624  
15 New York Code of Rules and Regulations  
(NYCRR) Part 6  
8 New York Code of Rules and Regulations  
(NYCRR) Section 156.3  
Omnibus Transportation Employee Testing Act of 1991  
(Public Law 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: 11/16/05

**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, who are required to have and use a commercial drivers license (CDL), are 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 and other employees who drive a vehicle which is designed to transport sixteen (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 six (6) tests must be conducted in the first twelve (12) months after an employee returns to duty. Follow-up testing may be extended for up to sixty (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 four (4) hours or less before duty.
- e) When required to take a post-accident alcohol test, using alcohol within eight (8) 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).

(Continued)

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

- b) Complete any requirements for rehabilitation as set by the District and the SAP.
- 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 six (6) tests in the first twelve (12) months.

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

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

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

Omnibus Transportation Employee Testing Act of 1991  
(Public Law 102-143)  
49 United States Code (USC) Sections 31136 and  
31306  
49 Code of Federal Regulations (CFR) Parts 40, 172,  
382, 391, 392 and 395