

Prattsburgh Central School District

NUMBER

BUDGET

1.1	Budget Planning and Development	5110
1.2	School District Budget Hearing	5120
1.3	Budget Adoption	5130
1.4	Administration of the Budget	5140
1.5	Contingency Budget	5150

INCOME

2.1	Revenues	5210
2.2	District Investments	5220
2.3	Acceptance of Gifts, Grants and Bequests to the School District	5230
2.4	School Tax Assessment and Collection	5240
2.4.1	Property Tax Exemption for Senior Citizens	5241
2.5	Sale and Disposal of School District Property	5250

EXPENDITURES

3.1	Bonding of Employees and School Board Members	5310
3.2	Expenditures of School District Funds	5320
3.3	Budget Transfers	5330
3.4	Borrowing of Funds	5340

PURCHASING

4.1	Purchasing	5410
-----	------------------	------

FISCAL ACCOUNTING AND REPORTING

5.1	Accounting of Funds	5510
5.2	Extraclassroom Activity Fund	5520
5.3	Petty Cash Funds and Cash in School Buildings	5530
5.4	Publication of the District's Annual Financial Statement	5540
5.5	Maintenance of Fiscal Effort (Title I Programs)	5550
5.6	Use of Federal Funds for Political Expenditures	5560
5.7	Allegations of Fraud	5570
5.7.1	Safeguarding and Use of District Credit Cards	5571
5.7.2	Use of the District Cell Phone	5572
5.7.3	Meals and Refreshments	5573

Prattsburgh Central School District

NUMBER

FISCAL ACCOUNTING AND REPORTING (Cont'd.)

5.7.4	Travel, Training, Subsistence and Incidental Expenses	5574
5.7.5	Financial Accountability	5575
5.7.6	Audit Committee.....	5576
5.7.7	Internal Audit Function.....	5577
5.7.8	Internal Controls on Financial Management	5578

NON-INSTRUCTIONAL OPERATIONS

6.1	Insurance	5610
6.2	Inventories	5620
6.2.1	Accounting of Fixed Assets.....	5621
6.3	Facilities: Inspection, Operation and Maintenance.....	5630
6.3.1	Hazardous Waste and Handling of Toxic Substances by Employees	5631
6.4	Smoking/Tobacco Use.....	5640
6.5	Energy/Water Conservation and Recycling of Solid Waste	5650
6.6	School Food Service Program (Lunch and Breakfast)	5660
6.6.1	District Wellness Policy on Physical Activity and Nutrition	5661
6.7	Records Management	5670
6.7.1	Disposal of Consumer Report Information and Records.....	5671
6.7.2	Information Security Breach and Notification.....	5672
6.8	Safety and Security	5680
6.8.1	School Safety Plans	5681
6.8.2	Cardiac Automated External Defibrillators (AEDs) in Public School Facilities.....	5682
6.8.3	Fire Drills, Bomb Threats and Bus Emergency Drills.....	5683
6.8.4	Anthrax and Other Biological Terrorism: Prevention Protocols/ Protocols for Mail Handling	5684
6.8.5	Use of Surveillance Cameras in the School District.....	5685
6.9	Exposure Control Program	5690
6.9.1	Communicable Diseases	5691
6.9.2	Human Immunodeficiency Virus (HIV) Related Illnesses.....	5692

TRANSPORTATION

7.1	Transportation Program	5710
7.2	Scheduling and Routing.....	5720
7.3	Transportation of Students.....	5730
7.3.1	Transportation: Use of Private Vehicles.....	5731
7.3.2	Transportation in Child Safety Zones	5732

2008 5000

Non-Instructional/Business
Operations

Prattsburgh Central School District

NUMBER

TRANSPORTATION (Cont'd.)

7.4	School Bus Safety Program	5740
7.4.1	Supervision and Discipline on School Buses	5741
7.5	Drug and Alcohol Testing for School Bus Drivers and Other Safety-Sensitive Employees	5750

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;

(Continued)

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

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

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

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

(Continued)

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

The 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. For the 2007-2008 school year, surplus funds shall mean any operating funds in excess of three percent (3%); for 2008-2009 school year and thereafter, surplus funds shall mean any operating funds in excess of four percent (4%).

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

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

Property Tax Report Card

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

The Property Tax Report Card shall include:

- a) The amount of total spending and total estimated school tax levy that would result from adoption of the proposed budget, and the percentage increase or decrease in total spending and total school tax levy from the School District budget for the preceding school year; and
- b) The projected enrollment growth for the school year for which the budget is prepared, and the percentage change in enrollment from the previous year; and
- c) The percentage increase in the 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.
- d) The projected amount of the unappropriated unreserved fund balance that will be retained if the proposed budget is adopted; the projected amount of the reserved fund balance; the projected amount of the appropriated fund balance; the percentage of the proposed budget that the unappropriated unreserved fund balance represents; the actual unappropriated unreserved 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 unappropriated unreserved fund balance represents.

(Continued)

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

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.

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

Adopted: 5/17/05
Revised: 2/28/08

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.

Dissemination of Budget Information

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

(Continued)

SUBJECT: SCHOOL DISTRICT BUDGET HEARING (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.

The Budget Notice shall include a description of how total spending and the tax levy resulting from the proposed budget would compare with a projected contingency budget, assuming that such contingency budget is adopted on the same day as the vote on the proposed budget. Such comparison shall be in total and by component (i.e., program, capital and administrative), and shall include a statement of the assumptions made in estimating the projected contingency budget.

The Notice shall also include, in a manner and format prescribed by the Commissioner of Education, a comparison of the tax savings under the basic school tax relief (STAR) exemption and the increase or decrease in school taxes from the prior year, and the resulting net taxpayer savings for a hypothetical home within the District with a full value of sixty thousand dollars (\$60,000) 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), and 2601-a(2)

Election and Budget Vote

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

Budget Development and Attachments

Education Law Sections 1608(3), (4), (5), (6), and (7); 1716(3), (4), (5), (6), and (7); 2022(2-a); and 2601-a(3)
8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(bb), 170.8 and 170.9

Adopted: 5/17/05

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

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

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

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

Adopted: 5/17/05
Revised: 2/28/08

SUBJECT: ADMINISTRATION OF THE BUDGET

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

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

SUBJECT: CONTINGENCY BUDGET

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

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

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

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

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

- a) The result when one hundred twenty percent (120%) is multiplied by the percentage increase in the Consumer Price Index (CPI), with the result rounded to two decimal places; or
- b) Four percent (4%).

(Continued)

SUBJECT: CONTINGENCY BUDGET (Cont'd.)

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

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

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

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

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

(Continued)

SUBJECT: CONTINGENCY BUDGET (Cont'd.)

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

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

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

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: 5/17/05

SUBJECT: DISTRICT INVESTMENTS

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

Objectives

The objectives of this investment policy are four-fold:

- a) Investments shall be made in a manner so as to safeguard the funds of the School District;
- 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; and
- 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 School Business Official. These functions shall be performed in accordance with the applicable sections of the General Municipal Law and the Local Finance Law of the State of New York.

The School Business Official may invest funds in the following eligible investments:

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

(Continued)

SUBJECT: DISTRICT INVESTMENTS (Cont'd.)

- e) Certificates of Deposit 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 and 1723(a)
Local Finance Law Section 165

Adopted: 5/17/05
Revised: 2/28/08

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

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

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

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

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

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

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

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

Gift Giving

The Board of Education recognizes that gift giving, especially during the holiday season, may be a common practice for many District employees. While the giving or exchanging of gifts may be acceptable among staff members, the Board **strongly encourages** District employees and students to show appreciation through written notes or greeting cards.

(Continued)

2005

5230
2 of 2

Non-Instructional/Business
Opportunities

**SUBJECT: ACCEPTANCE OF GIFTS, GRANTS AND BEQUESTS TO THE SCHOOL
DISTRICT (Cont'd.)**

Additionally, all business contacts will be informed that gifts exceeding seventy-five dollars (\$75) to District employees will be returned or donated to charity.

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: 5/17/05

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 School Business Official to the Board of Education. Tax collection shall occur by mail or by direct payment to the place designated by the Board of Education.

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

Adopted: 5/17/05

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 \$15,000 of assessed valuation.

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.

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

Real Property Tax Law Section 467

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

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

Disposal of District Personal PropertyEquipment

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

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

Textbooks

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

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

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

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

Adopted: 5/17/05

Non-Instructional/Business
Operations

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)

Adopted: 5/17/05

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 evidence of indebtedness to support the claim.

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

Education Law Sections 1720 and 2523

Adopted: 5/17/05

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: 5/17/05

2005

5340

Non-Instructional/Business
Operations

SUBJECT: BORROWING OF FUNDS

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

Local Finance Law Article 2

Adopted: 5/17/05

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

A bid bond may be required if considered advisable.

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

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

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

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

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;

(Continued)

SUBJECT: PURCHASING (Cont'd.)

- b) Facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and
- c) Guard against favoritism, improvidence, extravagance, fraud and corruption.

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

- a) Prescribe a process for determining whether a procurement of goods and services is subject to competitive bidding and if it is not, documenting the basis for such determination;
- b) With certain exceptions (purchases pursuant to General Municipal Law, 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 Section 104-b of General Municipal Law;
- c) Set forth when each method of procurement will be utilized;
- d) Require adequate documentation of actions taken with each method of procurement;
- e) Require justification and documentation of any contract awarded to other than the lowest responsible dollar offer, stating the reasons; and
- f) Set forth any circumstances when, or the types of procurement for which, the solicitation of alternative proposals or quotations will not be in the best interest of the District.

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

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

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.

(Continued)

SUBJECT: PURCHASING (Cont'd.)District Plan

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. To facilitate this process, the District will participate in the National Instructional Materials Access Center (NIMAC) and will require that all contracts with publishers for textbooks and other printed core materials executed after December 2006 include a provision requiring the publisher to produce NIMAS files and send them to NIMAC.

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 PurchasesCompetitive 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

(Continued)

SUBJECT: PURCHASING (Cont'd.)

- 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.

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 and Services

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

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

Upon the adoption of a resolution by a vote of at least three-fifths 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 ten thousand 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.

20 United States Code (USC) Section 1474(e)(3)(B)
Education Law Sections 305(14), 409-i, 701, 1604, 1709, 1950, 2503, 2554 and 3602
General Municipal Law Articles 5-A and 18
State Finance Law Sections 162 and 163-b
8 New York Code of Rules and Regulations (NYCRR) Sections 155, 170.2, 200.2(b)(10), 200.2(c)(2) and 200.2(i)

Adopted: 5/17/05

Revised: 12/19/06; 2/28/08

2005

5510

Non-Instructional/Business
Operations

SUBJECT: ACCOUNTING OF FUNDS

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

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

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

Education Law Section 2116-a

Adopted: 5/17/05

SUBJECT: EXTRACLASSROOM ACTIVITY FUND

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 extraclassroom activity funds shall be handled in accordance with the financial procedures illustrated by Finance Pamphlet No. 2, the Safeguarding, Accounting and Auditing of Extraclassroom Activity Funds, published by the New York State Education Department.

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. Funds shall be invested in accordance with the Board of Education's Fiscal Management Policy on the "Investment of District Funds". All interest earnings shall be credited to each activity account based on its prorata principal investment.

Funds of discontinued extraclassroom activities and of graduating classes shall revert to the account of the general student organization or student council and shall be expended in accordance with the organization's constitution.

The Building Principals, with approval of the Superintendent of Schools, shall set up procedures for receipt and payment from the extraclassroom activity fund in their respective schools.

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

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

A petty cash fund of not more than one hundred dollars (\$100) shall be maintained in the District Office and in each school building 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

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. 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

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

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

SUBJECT: USE OF FEDERAL FUNDS FOR POLITICAL 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 A133

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

Adopted: 5/17/05

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

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

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

Based upon the results of this investigation, if the District determines that a school official has engaged in financial improprieties/fraudulent and/or wrongful actions, appropriate disciplinary measures will be applied, up to and including termination of employment, in accordance with legal guidelines, District policy and regulation, and any applicable collective bargaining agreement. Third parties who are found to have engaged in financial improprieties/fraud and/or wrongful conduct will be subject to appropriate sanctions as warranted and in compliance with 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.*

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

(Continued)

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

Any employee of the 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: 5/17/05
Revised: 2/28/08

SUBJECT: SAFEGUARDING AND USE OF DISTRICT CREDIT CARDS

It shall be the policy of the Board to encourage the safety of District credit cards and to enforce proper and prudent rules in connection with their use, per Education Law and all applicable regulation of the State of New York.

The Prattsburgh Central School District has adopted the following regulations:

- a) It shall be the duty of the Accounts Payable Clerk to have custody of all credit cards and maintain them in a secure location with limited access.
- b) Each officer or employee shall sign a receipt for all cards placed in his/her custody and he/she shall take the necessary precautions to ensure the safety of these cards.
- c) Upon return from travel, each officer/employee must promptly return District credit cards to the Accounts Payable Clerk, signing a receipt indicating return. Theft or loss of any card(s) must be reported by the officer/employee to the credit card company and District Office immediately.
- d) District employees, directors, administrators, and Board members may receive authorization from the Superintendent of Schools.
- e) District credit cards are to be used for pre-approved reimbursable travel expenses, such as hotel accommodations, car rental, transportation, and meals (exclusive of alcoholic beverages).
- f) Using District credit cards for purchases such as: books, computer equipment, material and supplies, requires a purchase order signed by the Purchasing Agent. This gives proper authorization for credit card use.
- g) Credit card expenditures will be charged to appropriate budget codes and original receipts must be forwarded to the Business Office for all charges. Failure to submit original receipts for charges made will result in the officer/employee being held personally liable for the undocumented charges.
- h) District credit cards shall also be used for the purchase of items in an emergency or crisis situation or as otherwise deemed appropriate by the Superintendent of Schools or his/her designee.

(Continued)

SUBJECT: SAFEGUARDING AND USE OF DISTRICT CREDIT CARDS (Cont'd.)

DISTRICT CREDIT CARD USAGE

Date(s) _____

The Prattsburgh Central School District requires original receipts to be submitted to the Accounts Payable Clerk when using the credit card. Failure to submit original receipts results in the borrower of the card being held financially responsible for all expenses incurred.

I, _____, understand that by borrowing the Prattsburgh Central School District credit card for authorized purchases, I also become responsible for submitting original receipts to the Accounts Payable Clerk immediately after the purchase(s) was (were) made.

Borrower's Signature: _____

Authorized by: _____



Date Returned: _____

Borrower's Signature: _____

SUBJECT: USE OF THE DISTRICT CELL PHONE**District-Owned Cell Phones that are Assigned to Individual Employees**

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

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

- a) The cell phone may not be used by anyone other than the School District employee except in emergency situations.
- b) The employee will reimburse the District for any charged, non-District usage.
- c) It shall be the responsibility of the Accounts Payable Clerk to monitor personal usage of cell phones and to acquire reimbursement for such usage.

SUBJECT: MEALS AND REFRESHMENTS

The Board of Education recognizes that, occasionally, it may be appropriate to provide refreshments and/or meals at District meetings or events, which are being held for a District or educational purpose. Any expenditure on such refreshments and/or meals must be approved in advance by the appropriate Building Administrator. Meal requests may be approved when:

- a) Officers and/or employees of the District will be prevented from taking time off for food consumption due to a pressing need to complete the business at hand;
- b) The District is faced with business of an immediate nature and meetings of District employees are essential at mealtime;
- c) The District wishes to recognize the services provided by volunteers or other unsalaried members of the District (in such cases, however, only the meals of those being recognized may be reimbursed and the cost of the meals must be reasonable).

An example of an authorized expenditure would be refreshments and/or meals for staff assigned to participate in assessment day grading of standardized tests.

All expenses must be appropriately documented (itemized), including the date, purpose of the meeting and the group in attendance, and submitted to the District's Business Office for the purposes of audit and possible reimbursement.

NY Constitution, Article VIII, Section 1
Education Law Section 2118

SUBJECT: TRAVEL, TRAINING, SUBSISTENCE AND INCIDENTAL EXPENSES**Policy**

It is the policy of the District to reimburse Board members, officers and employees for all necessary and reasonable expenses incurred while on authorized District business. Conference travel shall be for official business and shall be made utilizing a cost-effective and reasonable method of travel.

Purpose

The purpose of this policy is to provide for the consistent application and use of travel funds and vehicle usage and to provide guidelines for authorization and reimbursement of travel expenses.

Board members, officers and employees may incur expenses while conducting official District business or enhancing professional skills and qualifications through attending schools, training programs, conferences or professional meetings. These expenses may be reimbursed in accordance with the administrative guideline provisions of this Directive.

Expenses incurred while conducting official District business outside the United States will be reimbursed in U.S. dollars, at the exchange rate in effect at the time the expense is incurred, if available or at the current exchange rate as provided by the District's official depository.

Applicability

All Board of Education members, its officers and employees, Superintendent of Schools, building administrators, District-wide administrators and directors are responsible for disseminating the above information to other affected personnel within their respective departments. This Directive supersedes any and all other directives and practices previously issued or followed concerning travel, training subsistence and incidental cost reimbursements.

The Superintendent of Schools has the authority to grant specific exceptions to this policy when such is determined to be in the best interests of the District. The Superintendent of Schools may approve such an expense by signing the report in which it is contained provided that the report identifies the expense as an exceptional expense.

Prohibited Reimbursable Expenses

Reimbursement for the purchase of personal items, including cold remedies, aspirin, etc. and expenses associated with recreation, gifts, and alcoholic beverages are specifically prohibited. Expenses for spouses, guests or family members are not reimbursable.

(Continued)

**SUBJECT: TRAVEL, TRAINING, SUBSISTENCE AND INCIDENTAL EXPENSES
(Cont'd.)**

Approval of Travel and Conference Expenses

The Superintendent is granted the authority to approve travel and conference expenses for staff. The Board of Education retains sole authority to approve travel and conference expenses for the Superintendent.

Persons Authorized to Incur Expenses

The intent of this policy is to provide guidelines and procedures for reimbursement of expenses incurred as a result of carrying out District business. The authority to incur such expenses shall be based on budgetary constraints and the circumstances wherein the conduct of District business warrants the incurrence of an expense.

Fiscal Restraints

Notwithstanding any of the provisions of this Directive, the Purchasing Agent may deny reimbursement of any expense which, in their sole opinion, should be disallowed because of fiscal restraints placed on the District.

Forfeiture of Claim

The failure to fully and timely comply with this Directive may result in the forfeiture of right to reimbursement for any expenses claimed, and at the discretion of the Purchasing Agent, shall require the immediate return of any money advanced.

Review by Purchasing Agent

In the event that a claim for reimbursement is rejected for failure to comply with the requirements of this Directive, the decision may be appealed by providing a request for review stating why reimbursement is appropriate under the provisions of this Directive. Such request shall be submitted to the Business Office within five (5) days of rejection of the claim for reimbursement, and the Purchasing Agent shall determine the issue within five (5) business days of the request for review. The decision of the Purchasing Agent shall be final and not subject to appeal. Any amounts due the District as a result of rejection of a reimbursement claim upheld by the Purchasing Agent may be withheld from the employee's paycheck at any time subsequent to thirty (30) days after the Purchasing Agent's decision.

(Continued)

**SUBJECT: TRAVEL, TRAINING, SUBSISTENCE AND INCIDENTAL EXPENSES
(Cont'd.)**

Violation

Violation of the requirements of this Directive shall constitute a basis for employee discipline, including termination of employment.

General Municipal Law Section 77-b(2)

NOTE: Refer also to Policy #5573 -- Meals and Refreshments

SUBJECT: FINANCIAL ACCOUNTABILITY

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

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

- a) The District's code of ethics addresses conflict of interest transactions with Board members and employees. Transactions that are less-than-arm's length are prohibited. Less-than-arm's length is a relationship between the District and employees or vendors who are related to District officials or Board members.
- b) The Board requires corrective action for issues reported in the CPA's management letter, audit reports, the Single Audit, and consultant reports.
- c) The Board has established the required policies and procedures concerning District operations.
- d) The Board routinely receives and discusses the necessary fiscal reports including the:
 1. Treasurer's cash reports,
 2. Budget status reports,
 3. Revenue status reports,
 4. Monthly extra-classroom activity fund reports, and
 5. Fund balance projections (usually starting in January).
- e) The District has a long-term (three to five years) financial plan for both capital projects and operating expenses.
- f) The District requires attendance at training programs for Board members, business officials, treasurers, claims auditors, and others to ensure they understand their duties and responsibilities and the data provided to them.
- g) The Board has an audit committee to assist in carrying out its fiscal oversight responsibilities.

(Continued)

SUBJECT: FINANCIAL ACCOUNTABILITY (Cont'd.)

- h) The District's information systems are economical, efficient, current, and up-to-date.
- i) All computer files are secured with passwords or other controls, backed up on a regular basis, and stored at an off site location.
- j) The District periodically verifies that its controls are working efficiently.
- k) The District requires all staff to take vacations during which time another staff member performs the duties of the staff on vacation.

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

SUBJECT: 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.

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

1. Be employed by the District;
2. Be an individual who within the last two (2) years provided, or currently provides, services or goods to the District;
3. Be the owner of or have a direct and material interest in a company providing goods or services to the District; or
4. Be a close or immediate family member of an employee, officer, or contractor providing services to the District. A "close family member" is defined as a parent, sibling or nondependent child; an "immediate family member" is a spouse, spouse equivalent, or dependent (whether or not related).

The Audit Committee shall consist of at least three (3) members who should collectively possess knowledge in accounting, auditing, financial reporting, and School District finances. They 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 Audit Committee shall develop and submit to the Board for approval a formal, written charter which includes, but is not limited to, provisions regarding the committee's purpose, mission, duties, responsibilities and membership requirements.

(Continued)

SUBJECT: AUDIT COMMITTEE (Cont'd.)

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

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

The responsibilities of the Audit Committee include the following:

- a) 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.

Corrective Action Plan

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

(Continued)

SUBJECT: AUDIT COMMITTEE (Cont'd.)

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

The corrective action plan must be filed with the State Education Department, and if appropriate, must include the expected date(s) of implementation. To the extent practicable, implementation of the corrective action plan should begin no later than the end of the next fiscal year.

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

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

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

(Continued)

2006

5576
4 of 4

Non-Instructional/Business
Operations

SUBJECT: AUDIT COMMITTEE (Cont'd.)

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: 12/19/06

SUBJECT: INTERNAL AUDIT FUNCTION

No later than July 1, 2006, the District shall establish an Internal Audit Function to be in operation no later than December 31, 2006. The Internal Audit Function shall include:

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

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

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

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

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

Adopted: 12/1/9/06

SUBJECT: INTERNAL CONTROLS ON FINANCIAL MANAGEMENT

The Board of Education designates the Superintendent of Schools to ensure on their behalf that guidelines are developed to:

- a) Electronic signatures stored on any server for any purpose related to business functions are accessible only to the person to which the signature belongs. If signature disks are created and used for any purpose related to business functions, they should be controlled and maintained only by the individual whose signature is on the disk.
- b) Reports that detail access rights, audit logs, and exception reports are reviewed and analyzed for improprieties by an individual who is independent of the business functions of the District.

Periodically, the Superintendent will provide a report to the Board that verifies that the above procedures are in place.

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

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

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

2005

5620

Non-Instructional/Business
Operations

SUBJECT: INVENTORIES

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

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

Uniform System of Accounts for School Districts
(Fiscal Section)

Adopted: 5/17/05

SUBJECT: ACCOUNTING OF FIXED ASSETS

The School Business Official 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 \$2,500. 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 School Business Official 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.

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

All capital projects and maintenance must assure compliance with the requirements of the New York State Uniform Fire Prevention and Building Code, the Manual of Planning Standards and the Regulations of the Commissioner of Education. All new buildings must be formally submitted no matter the size or cost. The New York State Education Department Office of Facilities Planning has provided an Instruction Guide at <http://www.emsc.nysed.gov/facplan/ProjMgmt.htm>.

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 (19 NYCRR Parts 1220 through 1226) and the State Energy Conservation Construction Code (19 NYCRR Part 1240).

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 (19 NYCRR 1220 through 1226) 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 (19 NYCRR Parts 1220 through 1226) 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 appropriate 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.

In accordance with law, local building inspectors may not enter District premises at any time they wish. Only the Fire Safety Inspector conducting the Annual Fire Safety Inspection may enter District premises for inspections.

In addition, per the requirements of the Asbestos Hazard Emergency Response Act (AHERA), the District will at least once each school year inform all employees and building occupants (or their legal guardians) about all asbestos inspections, response actions, post-response action activities, as well as triennial re-inspection activities and surveillance activities that are either planned or in progress. Written notice will be provided in the District newsletter and will be filed in the District asbestos management plan.

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:

(Continued)

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

1. Type of building, age of building, size of building;
 2. Rated capacity, current enrollment;
 3. List of energy sources and major systems (lighting, plumbing, electrical, heating); and
 4. Summary of triennial Asbestos Inspection reports.
- c) Annual Visual Inspections
1. 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.
 2. The Commissioner shall require a re-inspection of school buildings where a report of inspection identified violations that, if uncorrected, would cause the department to deny an annual Certificate of Occupancy to such school building, and shall require additional re-inspections until it is demonstrated to the satisfaction of the Commissioner that said violations have been corrected.
- 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;

(Continued)

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

2. A plan to ensure that all contractors comply with all health and safety issues and regulations, and wear identification badges;
3. An opportunity for the District's Health and Safety Committee to conduct a walk-through inspection of newly renovated or constructed areas to confirm that the area is ready to be reopened for use; and
4. An emergency plan which will address potential concerns with the capital project including, but not limited to, evacuation procedures, fire drills, and structural failures.

School Facility Report Cards

The School District shall prepare a School Facility Report Card for each occupied school building, including a description of the activities of the District's Health and Safety Committee.

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:

Education Law Section 807-a

8 New York Code of Rules and Regulations (NYCRR) Section 155.4

Health and Safety Committee:

8 New York Code of Rules and Regulations (NYCRR) Section 155.6(c)(17)

Health Inspection:

Education Law Section 906

Asbestos Inspection:

40 Code of Federal Regulations (CFR) Part 763, Subpart E

Education Law Article 9-A

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

19 New York Code of Rules and Regulations (NYCRR) Sections 1220-1240

Structural Safety Inspections:

Education Law Sections 409-d, 409-e, 3602 and 3641(4)

8 New York Code of Rules and Regulations (NYCRR) Sections 155.1, 155.3, 155.4(b)(1) and 155.6

Adopted: 5/17/05

Revised: 2/28/08

Non-Instructional/Business
Operations

**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: 5/17/05

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

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

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

Posting/Notification of Policy

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

(Continued)

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

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

Safe and Drug-Free Schools and Communities Act
20 United States Code (USC) Section 7101 et seq.
Pro-Children Act of 2001, as amended by the No Child
Left Behind Act of 2001, 20 United States Code (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 -- Community Use of School Facilities
#3410 -- Code of Conduct on School Property
#7310 -- School Conduct and Discipline
#7320 -- Alcohol, Tobacco, Drugs, and Other Substances (Students)
#8211 -- Prevention Instruction
District Code of Conduct on School Property

Adopted: 5/17/05
Revised: 12/19/06

SUBJECT: ENERGY/WATER CONSERVATION AND RECYCLING OF SOLID WASTE**Energy/Water Conservation**

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, particularly in these times of declining levels of natural energy resources and increasing cost of these resources. The Board will maintain an aggressive and responsible program to reduce consumption of energy by its facilities and to provide education on the conservation of energy.

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

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.

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

Adopted: 5/17/05
Revised: 12/19/06

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

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

The Superintendent or 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 Reviewing Official and Verification Official. Appeals regarding eligibility should be submitted to the Hearing Official of the District.

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

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

Child Nutrition Program/Charging Meals

Although not required by law, because of the District's participation in the Child Nutrition Program, the Board of Education approves the establishment of a system to allow a student to charge a meal. The Board authorizes the Superintendent to develop rules which 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) Ongoing communication of the policy to parents and students.

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.

(Continued)

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

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

Restrictions on Sale of Milk Prohibited

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

Food Substitutions for Children with Disabilities

Federal regulations governing the operation of Child Nutrition Programs, Part B of the Individuals with Disabilities Education Act, and Section 504 of the Rehabilitation Act of 1973 require that children with disabilities be offered the opportunity to participate in all academic and nonacademic activities including the school nutrition programs. The District will make reasonable accommodations to those children with disabilities whose disabilities restrict their diets, such as providing substitutions and/or modifications in the regular meal patterns. 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.

Food Substitutions for Nondisabled Children

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

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

(Continued)

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)
(Cont'd.)****Prohibition Against Adults Charging Meals**

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

HACCP-Based Food Safety Program

Schools participating in the National School Lunch and/or School Breakfast programs are required to implement a food safety program based on Hazard Analysis and Critical Control Point (HACCP) principles. The District will ensure that a written school food safety plan is in place which: includes methods for documenting menu items in the appropriate HACCP process category; documenting critical control points of food production; monitoring; establishing and documenting corrective actions; recordkeeping; and reviewing and revising the overall food safety program.

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

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) Parts 15B, 210 and 220

Education Law Sections 902(b), 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)

Adopted: 5/17/05

Revised: 12/19/06; 2/28/08

SUBJECT: DISTRICT WELLNESS POLICY ON PHYSICAL ACTIVITY AND NUTRITION**Prattsburgh Central School District Wellness Policy on Physical Activity and Nutrition**
(As required by Section 204 of Public Law 108-265; Child Nutrition Reauthorization Act of 2004)**Preamble**

The Prattsburgh Central School District is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity. Therefore, it is the policy of the Prattsburgh Central School District that:

- a) The school district will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies.
- b) All students in grades K through 12 will have opportunities, support, and encouragement to be physically active on a regular basis.
- c) Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans*.
- d) Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.
- e) To the maximum extent practicable, our District will participate in available federal school meal programs.

Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services.

TO ACHIEVE THESE POLICY GOALS:**School Health Committee**

Prattsburgh Central School District will establish a "School Health Committee" to develop, implement, monitor, review, and, as necessary, recommend revised school nutrition and physical activity policies to the Board of Education. This committee also will serve as a resource to other committees, the Board of Education, and administration.

(Continued)

**SUBJECT: DISTRICT WELLNESS POLICY ON PHYSICAL ACTIVITY AND
NUTRITION (Cont'd.)****Nutritional Quality of Foods and Beverages Sold and Served on Campus**School Meals

Meals served through the National School Lunch and Breakfast Programs will:

- a) Be appealing and attractive to children;
- b) Be served in clean and pleasant settings;
- c) Meet, at a minimum, nutrition requirements established by local, state, and federal statutes and regulations.

In addition, In addition, Prattsburgh Central School will share information about the nutritional content of meals with parents and students. Such information shall be made available on menus, a website, and in the District newsletter.

Breakfast

To ensure that all children have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn:

- a) Prattsburgh Central School will, to the extent possible, operate the School Breakfast Program.
- b) Prattsburgh Central School will, to the extent possible, arrange bus schedules and utilize methods to serve school breakfasts that encourage participation.
- c) Prattsburgh Central School will continue to serve breakfast to students and will notify parents and students of the availability of the School Breakfast Program.
- d) Prattsburgh Central School will encourage parents to provide a healthy breakfast for their children through newsletter articles, take-home materials, or other means.

Free and Reduced-priced Meals.

Prattsburgh Central School will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals.

(Continued)

SUBJECT: DISTRICT WELLNESS POLICY ON PHYSICAL ACTIVITY AND NUTRITION (Cont'd.)Meal Times and Scheduling

Prattsburgh Central School:

- a) Will provide students with at least ten (10) minutes to eat after sitting down for breakfast and fifteen (15) minutes after sitting down for lunch;
- b) Should schedule meal periods at appropriate times, *e.g.*, lunch should be scheduled between 11 a.m. and 1 p.m.;
- c) Should not schedule tutoring, club, or organizational meetings or activities during mealtimes, unless students may eat during such activities;
- d) Will provide students access to hand washing or hand sanitizing before they eat meals or snacks; and
- e) Should take reasonable steps to accommodate the tooth-brushing regimens of students with special oral health needs (*e.g.*, orthodontia or high tooth decay risk).

Qualifications of School Food Service Staff

Qualified nutrition professionals will administer the school meal programs. As part of the school District's responsibility to operate a food service program, we will provide continuing professional development for all nutrition professionals in our school.

Sharing of Foods and Beverages

Prattsburgh Central School should discourage students from sharing their foods or beverages with one another during meal or snack times, given concerns about allergies and other restrictions on some children's diets.

Foods and Beverages Sold Individually (i.e., foods sold outside of reimbursable school meals, such as through vending machines, cafeteria a la carte [snack] lines, fundraisers, school stores, etc.)

The school food service program will approve and provide all food and beverage sales to students in elementary school. Given young children's limited nutrition skills, food in our elementary school should be sold as balanced meals. In our Jr/Sr High School, all foods and beverages sold individually outside the reimbursable school meal programs (including those sold through a la carte [snack] lines, vending machines, student stores, or fundraising activities) during the school day will meet the following nutrition and portion size standards:

(Continued)

**SUBJECT: DISTRICT WELLNESS POLICY ON PHYSICAL ACTIVITY AND
NUTRITION (Cont'd.)**Beverages

Allowed: Water or seltzer water without added caloric sweeteners; fruit and vegetable juices and fruit-based drinks that contain at least fifty percent (50%) fruit juice and that do not contain additional caloric sweeteners; unflavored or flavored low-fat or fat-free fluid milk and nutritionally-equivalent nondairy beverages (to be defined by USDA);

Not allowed: Soft drinks containing caloric sweeteners; fruit-based drinks that contain less than fifty percent (50%) real fruit juice or that contain additional caloric sweeteners; beverages containing caffeine, excluding low-fat or fat-free chocolate milk (which contain trivial amounts of caffeine).

Foods

A choice of at least two (2) fruits and/or non-fried vegetables will be offered for sale at any location on the school site where foods are sold. Such items could include, but are not limited to, fresh fruits and vegetables; one hundred percent (100%) fruit or vegetable juice; fruit-based drinks that are at least fifty percent (50%) fruit juice and that do not contain additional caloric sweeteners; cooked, dried, or canned fruits (canned in fruit juice or light syrup); and cooked, dried, or canned vegetables (that meet the above fat and sodium guidelines).

Rewards

Prattsburgh Central School will discourage the use of foods or beverages, especially those that do not meet the nutrition standards for foods and beverages sold individually (above), as rewards for academic performance or good behavior, and will not withhold food or beverages (including food served through school meals) as a punishment.

Celebrations

Prattsburgh Central School should limit celebrations that involve food during the school day to no more than one (1) party per class per month. The District will disseminate a list of healthy party ideas to parents and teachers.

Nutrition and Physical Activity Promotion and Food MarketingNutrition Education and Promotion

Prattsburgh Central School District aims to teach, encourage, and support healthy eating by students. Schools should provide nutrition education and engage in nutrition promotion that:

(Continued)

SUBJECT: DISTRICT WELLNESS POLICY ON PHYSICAL ACTIVITY AND NUTRITION (Cont'd.)

- a) Is offered at each grade level as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health;
- b) Is part of not only health education classes, but also classroom instruction in subjects such as math, science, language arts, social sciences, and elective subjects;
- c) Promotes fruits, vegetables, whole grain products, low-fat and fat-free dairy products, healthy food preparation methods, and health-enhancing nutrition practices;
- d) Emphasizes caloric balance between food intake and energy expenditure (physical activity/exercise);
- e) Links with school meal programs, other school foods, and nutrition-related community services;
- f) Teaches media literacy with an emphasis on food marketing; and
- g) Includes training for teachers and other staff.

Integrating Physical Activity into the Classroom Setting

For students to fully embrace regular physical activity as a personal behavior, students need opportunities for physical activity beyond physical education class. Toward that end:

- a) Classroom health education will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically-active lifestyle and to reduce time spent on sedentary activities, such as watching television;
- b) Opportunities for physical activity will be incorporated into other subject lessons; and
- c) Classroom teachers will provide short physical activity breaks between lessons or classes, as appropriate.

Communications with Parents

The District will support parents' efforts to provide a healthy diet and daily physical activity for their children. The District will offer healthy eating guidance for parents, send home nutrition information, post nutrition tips on school websites, and provide nutrient analyses of school menus. The District should encourage parents to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet the above nutrition standards for individual foods and beverages.

(Continued)

**SUBJECT: DISTRICT WELLNESS POLICY ON PHYSICAL ACTIVITY AND
NUTRITION (Cont'd.)**Staff Wellness

Prattsburgh Central School District highly values the health and well-being of every staff member and will promote activities and policies that support personal efforts by staff to maintain a healthy lifestyle.

Monitoring and Policy ReviewMonitoring

The Superintendent or designee will ensure compliance with established District-wide nutrition and physical activity wellness policies.

School food service staff will ensure compliance with nutrition policies within school food service areas and will report on this matter to the Superintendent.

The Superintendent or designee will develop a summary report every three (3) years on District-wide compliance with the District's established nutrition and physical activity wellness policies, based on input from schools within the district. That report will be provided to the school board and disseminated to the community through the school website and newsletter.

SUBJECT: RECORDS MANAGEMENT

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

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

Appropriate regulations and procedures shall be developed.

Retention and Disposition of Records

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

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

SUBJECT: DISPOSAL OF CONSUMER REPORT INFORMATION AND RECORDS

In accordance with the Federal Trade Commission's (FTC) "Disposal Rule," and in an effort to protect the privacy of consumer information, reduce the risk of fraud and identity theft, and guard against unauthorized access to or use of the information, the School District will take appropriate measures to properly dispose of sensitive information (i.e., personal identifiers) contained in or derived from consumer reports and records. Any employer who uses or possesses consumer information for a business purpose is subject to the Disposal Rule. According to the FTC, the standard for proper disposal of information derived from a consumer report is flexible, and allows the District to determine what measures are reasonable based on the sensitivity of the information, the costs and benefits of different disposal methods, and changes in technology.

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

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

Information Covered by the Disposal Rule

The FTC has not included a rigid definition of the kinds of information that would be considered to identify particular individuals. In accordance with FTC guidance, there are a variety of personal identifiers beyond simply a person's name that would bring information within the scope of the Disposal Rule, including, but not limited to, a social security number, driver's license number, phone number, physical address, and e-mail address. Depending upon the circumstances, data elements that are not inherently identifying can, in combination, identify particular individuals.

"Proper" Disposal

The FTC Disposal Rule defines "*dispose*," "*disposing*," or "*disposal*," as:

- a) "The discarding or abandonment of consumer information," or
- b) "The sale, donation, or transfer of any medium, including computer equipment, upon which consumer information is stored."

(Continued)

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

The District will utilize disposal practices that are reasonable and appropriate to prevent the unauthorized access to - or use of - information contained in or derived from consumer reports and records. Reasonable measures to protect against unauthorized access to or use of consumer information in connection with District disposal include the following examples. These examples are not exclusive or exhaustive methods for complying with the Disposal Rule.

- a) Burning, pulverizing, or shredding of papers containing consumer information so that the information cannot practicably be read or reconstructed.
- b) Destroying or erasing electronic media containing consumer information so that the information cannot practicably be read or reconstructed.
- c) After due diligence, entering into and monitoring compliance with a contract with another party engaged in the business of record destruction to dispose of material, specifically identified as consumer information, in a manner consistent with the Disposal Rule. In this context, due diligence could include:
 1. Reviewing an independent audit of the disposal company's operations and/or its compliance with the Disposal Rule;
 2. Obtaining information about the disposal company from several references or other reliable sources;
 3. Requiring that the disposal company be certified by a recognized trade association or similar third party;
 4. Reviewing and evaluating the disposal company's information security policies or procedures; or
 5. Taking other appropriate measures to determine the competency and integrity of the potential disposal company.
- d) For persons (as defined in accordance with the Fair Credit Reporting Act) or entities who maintain or otherwise possess consumer information through their provision of services directly to a person subject to the Disposal Rule, monitoring compliance with policies and procedures that protect against unauthorized or unintentional disposal of consumer information, and disposing of such information in accordance with examples a) and b) above.

(Continued)

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

Implementation of Practices and Procedures

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

The Fair Credit Reporting Act
15 United States Code (USC) Section 1681 et seq.
The Fair and Accurate Credit Transactions Act of 2003
Public Law 108-159
Federal Trade Commission Disposal of Consumer
Report Information and Records
16 Code of Federal Regulations (CFR) Part 682

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 the 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

(Continued)

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

- b) Indications that the information has been downloaded or copied; or
- 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 Coordination (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;

(Continued)

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

- c) Telephone notification, provided that a log of each such notification is kept by the District when notifying affected persons by phone; or
- 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.

SUBJECT: SAFETY AND SECURITY

The Board of Education of the Prattsburgh 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.

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.

The Superintendent/designee shall maintain a current record of the name, address and social security numbers 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) 1910.1200

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

Adopted: 5/17/05

SUBJECT: SCHOOL SAFETY PLANS

The District-wide and building-level school safety plans have been adopted by the School Board only after at least one (1) public hearing that provided for the participation of school personnel, parents, students, and any other interested parties. Each plan shall be reviewed by the appropriate school safety team on at least an annual basis, updated as needed by July 1 and recommended to the Board of Education for approval. 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. The School District, consisting of one school building, has developed a single building-level school safety plan, which also fulfills all requirements for development of the District-wide plan to ensure the safety and health of children and staff and to ensure integration and coordination with similar emergency planning at the municipal, county and state levels.

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 as part of this plan the District will define the chain of command in a manner consistent with the National Incident Management System (NIMS)/Incident Command System (ICS).

The building-level 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)

SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)

If the District receives federal preparedness funds, the District requires appropriate personnel to complete the IS-700 NIMS (National Incident Management System) introductory course.

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.

Homeland Security Presidential Directives - HSPD-5, HSPD-8
Homeland Security Act of 2002, 6 United States Code (USC) Section 101
Education Law Section 2801-a
Public Officers Law Article 6
8 New York Code of Rules and Regulations (NYCRR) Section 155.17

Adopted: 5/17/05
Revised: 2/28/08

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

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

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

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

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

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

(Continued)

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

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

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

Pursuant to Public Health Law Sections 3000-a and 3000-b, the School District (as a public access defibrillation provider), or any employee or other agent of the School District who, in accordance with the provisions of law, voluntarily and without expectation of monetary compensation renders emergency medical or first aid treatment using an AED to a person who is unconscious, ill or injured, shall not be liable for damages for injury or death unless caused by gross negligence.

Education Law Section 917

Public Health Law Sections 3000-a and 3000-b

8 New York Code of Rules and Regulations (NYCRR) Sections 135.4 and 136.4

Adopted: 5/17/05

Revised: 2/28/08

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-third (1/3) of all such required drills shall be through use of fire escapes on buildings where fire escapes are provided. 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.

(Continued)

SUBJECT: FIRE DRILLS, BOMB THREATS AND BUS EMERGENCY DRILLS (Cont'd.)

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

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. No drills shall be conducted when buses are on routes.

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

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 with specific emphasis on when and how to approach, board, disembark, and move away from the bus after disembarking;

(Continued)

SUBJECT: FIRE DRILLS, BOMB THREATS AND BUS EMERGENCY DRILLS (Cont'd.)

- 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.

Instruction on Use of Seat Belts

When a school bus is equipped with seat safety belts, the District shall insure that all students who are transported on such school bus owned, leased or contracted for by the District or BOCES shall receive instruction on the use of seat safety belts. Such instruction shall be provided at least three (3) times each year to both public and nonpublic school students who are so transported and shall include, but not be limited to:

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

8 New York Code of Rules and Regulations (NYCRR) Sections 155.17 and 156.3(h)(2)
Penal Law Sections 240.55, 240.60 and 240.62
Education Law Sections 807, 2801-a and 3623

Adopted: 5/17/05
Revised: 2/28/08

**SUBJECT: ANTHRAX AND OTHER BIOLOGICAL TERRORISM: PREVENTION
PROTOCOLS/PROTOCOLS FOR MAIL HANDLING**

The School District shall assess and review their protocols for handling mail or packages. Common sense and care should be used in inspecting and opening mail or packages. Whenever feasible, the opening of mail should be limited to one (1) individual staff member in an area that is separate from other accessible areas within the school building, including the main office.

Additionally, precautions will be taken for those staff members responsible for handling letters or packages such as making available protective gloves to be worn when handling mail and providing appropriate training and protocols for the handling of mail and identifying suspicious envelopes or packages.

The building administrator should limit the area and persons exposed to the threat. Immediately after identifying the threat, the building administrator/designee shall notify the Superintendent/designee, dial 911 and/or the local law enforcement authorities according to the procedures identified in the applicable School Safety Plan (whether District-wide or Building-level plans). The local FBI field office and the county health department will also be notified, if not otherwise provided for in the applicable School Safety Plan.

As far as possible, the school will attempt to limit the area and the persons exposed to the threat and will not allow anyone other than qualified emergency personnel to enter. Custodial and maintenance personnel will follow established procedures for quickly shutting down the building(s) heating/air conditioning/and ventilation systems if possible and as may be deemed necessary.

Furthermore, the building administrator/designee shall, as soon as possible, make a list of all persons who have been identified as having actual contact with the powder or other suspicious element, such as anthrax, for investigating authorities.

Administration shall review and revise, as appropriate, their school safety plans; and provide information regarding applicable safety prevention and response procedures to all staff.

All threats to school buildings and/or its occupants shall be treated seriously. All threats shall be treated as criminal actions and measures shall be taken to preserve the evidence.

Under no circumstances, shall students be permitted to organize and/or handle School District mail; nor shall students be present in the room/area during the time that District mail is being opened by school staff.

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 camera 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 camera surveillance recordings will be stored in their original form and secured to avoid tampering and ensure confidentiality in accordance with applicable laws and regulations.

(Continued)

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

Requests for viewing a camera surveillance 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 camera surveillance 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, school 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.

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

SUBJECT: COMMUNICABLE DISEASES

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

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

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

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.

Education Law Section 906

8 New York Code of Rules and Regulations (NYCRR) Sections 136.3(h) and 136.3(i)

Adopted: 5/17/05

Revised: 2/28/08

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: 5/17/05

SUBJECT: TRANSPORTATION PROGRAM

Pupil transportation is a major function of our educational process. It requires special attention so that the greatest benefit will accrue to the School District from the dollars expended. It is important to set forth the major objectives, which serve as a guide in the management of the pupil transportation program including the following:

- a) To furnish transportation to those pupils whose health or distance from the school makes the service essential.
- b) To provide the safest possible transportation.
- c) To operate the transportation program efficiently and economically.
- d) To adapt transportation to the requirements of the instructional program.
- e) To maintain conditions on the buses, which are conducive to the best interest of the pupils, including mental, moral, and physical considerations.
- f) To promote a sympathetic public understanding of the entire transportation program, including safety, adequacy, efficiency, and standards of service.
- g) To comply with all state laws, regulations, and mandates.
- h) To establish and review at least once a year the pickup and discharge points which are safest.

Types of Transportation

The Prattsburgh Central School provides the following types of transportation:

- a) Regular transportation for public and private school students necessary to transport such students to and from school.
- b) Transportation for field trips, for public school students, which are of an instructional nature, organized and supervised by a member or members of the instructional staff, which are conducted during the normal school day, evenings, or holidays.
- c) Extracurricular transportation, for public school students, for events of a non-instructional nature, which are conducted after normal school hours, during weekends, and holidays.

(Continued)

SUBJECT: TRANSPORTATION PROGRAM (Cont'd.)

- d) Transportation on Saturdays, Sundays, and/or holidays for resident, District, and public school students who are participating in approved School District programs which are under the supervision of certified instructional staff members.
- e) Transportation to private schools only as required by law.

Eligibility Requirements

All of the following distance criteria are to be determined by measuring the distance from the legal residence of the pupil desiring transportation to the school of attendance, using any device capable of such measurement over the nearest available public route.

Pupils in grades K through 8 who live at least two (2) miles and not more than fifteen (15) miles from school are eligible for midday transportation to or from half-day day programs.

Pupils in grade 9 through 12 pupils who live at least three (3) miles and not more than fifteen (15) miles from the school are eligible for transportation.

Private school students will be provided transportation services equal to services provided to public school students in like circumstances. Application for such transportation must be postmarked by April 1 for the coming school year or within 30 days of moving into the District.

If at least one student in the District qualifies for transportation to a private school, then a pickup point will be established at a central point for other, non-qualifying, District students to be transported to the non-public school. Transportation to the pickup point is each parent's responsibility.

Students with disabilities shall receive transportation services as identified on their IEP.

Transportation requires voter approval if it is for distances not authorized by state law, that is, less than two (2) miles for K through 8, and three (3) miles for 9 through 12. Such transportation becomes an expense to the taxpayers of the District, and must have annual voter approval.

Administration and ResponsibilitySuperintendent's Responsibility

The responsibility for administering the transportation program rests with the Superintendent of Schools, and the administration should adhere to all applicable laws, regulations, and policies established by federal, state, and local authorities. This responsibility is, in part, delegated to the director of transportation (Assistant Superintendent) who reports to the Superintendent or his/her designee.

(Continued)

SUBJECT: TRANSPORTATION PROGRAM (Cont'd.)

- a) Arranging transportation for special trips, such as outdoor education, recreational programs, educational trips, and others.
- b) Arranging for special transportation for students attending other school districts.
- c) Arranging contracts for all charter bus trips which involve any school group; checking company, driver, and vehicle records to assure safe and professional service.
- d) Assist in preparing transportation contracts and State Education Department reports.
- e) Assisting in school bus driver personnel management and training.
- f) Assisting in the transportation budgeting process.
- g) Keeping accurate records of the number of pupils transported at public expense.
- h) Requiring that regular classroom instruction and pertinent safety regulations as prescribed by law are provided for all pupils in each school.
- i) Providing adequate supervision at bus loading and unloading zones; bus riders should not be permitted to move toward the bus at school loading zones until the bus has been brought to a full stop; pupils should line up and take their turn at entering the bus in an orderly manner.
- j) Requiring that pupil behavior expected in the classroom is practiced on the school bus.
- j) Taking prompt action on all behavior problems.
- k) Enforcing safe traffic regulations on the school site.
- l) Informing pupils so that they ride their assigned school bus and do not board a bus going to any destination other than their home or an assigned activity.

Parents' Responsibility

Parents have an important role to play in the safe and efficient operation of the school's transportation system. If the system is to function effectively, parents must assume an obligation to the program and to the people responsible for its operation. Communications to the parents through the Student Handbook and other correspondence will be on-going.

(Continued)

SUBJECT: TRANSPORTATION PROGRAM (Cont'd.)

Such communications should include a statement on rules that could be sent home, that would promote the observance of safe driving conditions by private automobiles. In addition, the statement should set forth the need for cooperation with school authorities and with bus drivers to promote efficient service for all passengers.

Parents should make sure that their children are at the proper bus stop on time and properly clothed for the weather. Parents must be informed of the need to follow safe loading and unloading procedures at the bus stop. If their child crosses the road, parents should wait on the side of the road that their child will be discharged and walk through the safe crossing procedure with the child. Parents must not supersede the bus driver's directions to children by calling them across the road or in any way distracting children from the bus safety procedures established by this policy.

Parents should insist on the good behavior of their children at bus stops and on the bus so that drivers can concentrate on safely driving the bus. Parents should become familiar with the educational goals and objectives of the Board of Education so they can better understand the cost implication of demands they may make and how these would affect the overall expenditures for education.

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

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

Adopted: 5/17/05

SUBJECT: SCHEDULING AND ROUTING

Bus routes are established under the direction of the chief school officer (Superintendent) in cooperation with the transportation supervisor and/or contractor.

Fixed stops will be established using the following guidelines:

- a) Numbers of students at bus stops will be varied according to the concentration of riders in an area, the degree of traffic, the presence of stop signs, speed limits, and bus turn-around requirements;
- b) Walking distances to pick up points *for purposes of efficiency (2013 audit recommendation)* will not exceed .5 miles for all grade levels, *whenever possible and safe (2022 school attorney recommendation); Distance to the bus stop is measured using a standard motor vehicle odometer trip meter set to zero. The maximum distance to stop is reached when the trip meter clicks to 0.5 miles (2013 audit recommendation).*
- c) Pre-kindergarten children will be picked up and left at their places of residence, *whenever possible and safe (2022 school attorney recommendation)*, (unless the School District and parents mutually agree to other stop(s)); and
- d) An effort will be made to minimize crossing of the road by students.

Authorized bus stops will be located at convenient intervals in places where pupils may be loaded and unloaded, may cross highways, and may await the arrival of buses with the utmost safety allowed by road conditions.

Pupils may have restrictions when crossing the following more heavily traveled major highways:
State Route 53.

All loading and unloading along the aforementioned highways will be accomplished at the pupil's residence side of the street.

Unsafe Roads (2013 audit recommendation)***Buses will only be routed on roads that are maintained (2013 audit recommendation).***

Examples of unsafe conditions are flooding, road erosion, ice, snow, steep grade, narrow roads, and mud. Transportation will also not be provided to seasonally limited access roads, on dead end roads without an adequate turn around maintained by the town highway department, or on spur run roads

without an adequate turn around maintained by the town highway department.

Private Roads

Transportation will not be provided on highways that have not been dedicated and/or maintained by town, county, and/or state highway departments.

Turnarounds

Turnarounds will not be established unless adequate space is available, and this space is properly maintained.

Maps

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

Education Law Sections 3620-3628 and 3635-3636

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

The parent or guardian 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 guardian shall be denied where a reasonable explanation is provided for the delay.

Transportation to Non-Public Schools on Holidays

When a holiday falls on a Saturday or Sunday, the Board of Education may choose to close on Friday or Monday in observance of the holiday. Schools that close may provide pupil transportation. However, if the District has not shared its calendar and informed non-public schools that it will not transport on the optional holiday, the District is required to provide pupil transportation services on that day to non-public schools that are open.

Transportation for Non-Public School Students with Disabilities who are Parentally Placed

For students with disabilities (ages 5 - 21) who are parentally placed in nonpublic schools outside their district of residency, if special education services are to be provided to a student at a site other than the nonpublic school, the school district of location is responsible for providing the special education services, including, as applicable, arranging and providing transportation necessary for the student to receive special education services. The proportionate share of IDEA Part B dollars could be used for such purpose.

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

Transportation of Students with Disabilities

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 nonresidential special service or program is available within fifty (50) miles. The Commissioner may then establish transportation arrangements.

Student Information

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

(Continued)

SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)

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

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

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

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

Fire Extinguishers

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

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

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

(Continued)

SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)**Transportation of Non-Resident Students**

Non-resident families must provide their own transportation.

Transportation to/from School Sponsored EventsReturn Transportation from Activities

The Board of Education acknowledges that, whenever the District transports students to school-sponsored field trips, extracurricular activities, and other similar events, it has an obligation to transport all students back from the activity unless intervening circumstances make such return transportation impractical. Such return transportation shall be provided either to the point of original departure or to an appropriate school site within the District.

In the event intervening circumstances make it impractical for the District to provide such return transportation, the parent or legal guardian of all students shall be contacted and informed of the intervening circumstances. A District representative must remain with the students until every student has been delivered to his or her parent or legal guardian.

Under extraordinary circumstances, a student may use an alternative form of return transportation from school-sponsored field trips, extracurricular activities, and other similar events, specifically with his or her own parent or legal guardian, provided his or her parent or legal guardian has provided the District with a written authorization for the student to use such form of alternative return transportation. Said authorization must be consistent with any administrative regulation adopted to implement this policy. Such requests must be in writing and require prior administrative approval.

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, 3242, 3602-c, 3621(15),
3623-a(2c), 3635, 4401-a, 4401(4), 4402, 4404, 4405, and 4410-6
Vehicle and Traffic Law Section 375(20)(1) and 375(21-i)

NOTE: Refer also to Policies #5731 -- Transportation Use of Private Vehicles
#7131 -- Education of Homeless Children and Youth

Adopted: 5/17/05

Revised: 12/19/06; 2/28/08

SUBJECT: TRANSPORTATION: USE OF PRIVATE VEHICLES

Members of the Board of Education, personnel and others traveling on school-related business should be reimbursed for use of their private vehicles. It is recommended that prior to such use of private vehicles authorization be received from the Superintendent and/or his designee.

General Discussion

In certain situations the use of a private vehicle to conduct school business is necessary or more practical than using the District's transportation contract services. In particular, the Superintendent and/or his designee may authorize the transportation of students in private vehicles for the following reasons:

- a) To transport a student or students to a hospital or other medical facility, in the event of a medical emergency; and/or
- b) To transport a student or students to District-sponsored events when regular District transportation is unavailable.

The General Municipal Law authorizes Boards of Education to pay, among other things, all actual and necessary travel fees in connection with attendance at conventions, conferences or workshops which will benefit the District. If travel is by private car, the law states that the owner shall receive an amount not to exceed the amount, which the Board allows as mileage. Generally, this is established as the IRS rate.

SUBJECT: TRANSPORTATION IN CHILD SAFETY ZONES

In accordance with Education Law, the Board of Education is authorized to adopt a resolution providing for student transportation in child safety zones. Transportation in a child safety zone shall be available to resident students for the particular school year designated in the resolution. Such resolution shall continue in effect for subsequent school years until the Board adopts a resolution providing otherwise.

Transportation in child safety zones may be provided upon the determination by the Board that a hazardous zone exists which, in the opinion of the Board, would be reasonably alleviated by the establishment of a child safety zone. "Child safety zone" means a designated area of the School District, including at least one personal residence, within which children who reside at a lesser distance from the school they legally attend than the minimum transportation limit of the District will be provided transportation on the basis that their most direct walking route to school will traverse a hazardous zone. Transportation in child safety zones may be provided without regard to like circumstances, notwithstanding the provisions of Education Law Section 3635(1).

The Commissioner of Transportation has established regulations for determination of a hazardous zone. Such regulations shall be used by the Board of Education in determining whether a hazardous zone exists.

Designation of Child Safety ZonesSubmission of Petitions/Requests

The Board of Education shall, upon written petition of a parent/person in parental relation of a child residing in the District, or of any representative authorized by such parent/person in parental relation, (signed by 25 qualified voters of the District or 5% of the number of voters who voted in the previous annual election of Board members, whichever is greater) make an investigation to determine whether a hazardous zone exists requiring the establishment of a child safety zone.

Petitions and/or additional written requests from individual parents/persons in parental relation requesting designation of an area as a child safety zone shall be in accordance with the procedures and time frames enumerated in Education Law Section 3635-b.

Determination by the Board as to the designation of a child safety zone shall be in accordance with law and/or regulations.

(Continued)

SUBJECT: TRANSPORTATION IN CHILD SAFETY ZONES (Cont'd.)**Investigation by Board of Education**

The Board may directly, or by appointment of an advisory committee, make an investigation to determine if a hazardous zone exists within the District. Such investigation shall be made pursuant to the Regulations of the Commissioner of Transportation and shall include consultation with state or local transportation authorities and the investigation of other, less costly, reasonable alternatives to the creation of a child safety zone.

In accordance with the State Education Department (SED), without having been petitioned, the Board may also conduct an investigation on its own initiative to determine whether a hazardous zone exists requiring the designation of a child safety zone.

Determination by the Board as to the designation of a child safety zone shall be in accordance with law and/or regulations.

Cost of Providing Transportation

The cost of providing transportation in child safety zones shall be an ordinary contingent expense and shall be included as an item of expense for purposes of determining the transportation quota of the District.

District Immunity from Liability

Education Law Section 3635-b does not impose a duty upon the School Board to provide transportation services pursuant to this Section of law; nor is the Board to be held liable for failure to provide such transportation.

A Board member, school officer or employee shall have immunity from any civil or criminal liability that might otherwise be incurred or imposed as a result of the provisions of Section 3635, provided that such person shall have acted in good faith. For the purpose of any proceeding, civil or criminal, the good faith of any such person shall be presumed.

Education Law Sections 3635 and 3635-b
Transportation Law Section 14(30)
17 New York Code of Rules and
Regulations (NYCRR) Part 191

Adopted: 12/19/06

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 Assistant Superintendent 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 by vendors/contract bus companies with whom the School District contracts will have frequent safety inspections, and will be serviced regularly. The Vendor will be required to 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 by the contracted bus companies to the Assistant Superintendent will then inform the Superintendent.

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

NOTE: Refer also to Policies #5683 -- Fire Drills, Bomb Threats and Bus Emergency Drills
#5750 -- Drug and Alcohol Testing for School Bus Drivers and Other Safety-Sensitive Employees

Adopted: 5/17/05

SUBJECT: SUPERVISION AND DISCIPLINE ON SCHOOL BUSES

All pupils must behave appropriately as passengers of a school bus. Clearly understood and well-enforced rules are necessary for the successful management of pupils who ride school buses.

The Prattsburgh Central School District in cooperation with the Prattsburgh Bus Line, Inc. has developed a Progressive Discipline Transportation Plan to assist Bus Drivers in effectively maintaining student bus conduct, while avoiding legal liability and providing student bus passengers with the safest transportation available.

The Progressive Discipline Transportation Plan establishes and clarifies the following procedures:

- a) Student/Parent Awareness of Transportation Policy
- b) Verbal Warning with Parent Involvement
- c) Written Warning with Parent Involvement
- d) Affirmative Discipline Action/Suspension
- e) Due Process and Hearing

Progressive Discipline Transportation Plan

- a) Student/Parent Awareness of Transportation Policy (material in parent letter).
- b) Verbal Warning with Parent Involvement

Drivers are responsible for verbally informing students of their violation of Transportation Policy, and when necessary initiate a therapeutic action to alleviate future violations. Continual violations by a student (insubordination) will require driver contacting parent for assistance.

- c) Written Warning with Parent Involvement

Continual violation by a student (insubordination) and the failure of the student to demonstrate a desire to improve or change (incurability) will require a written "Bus Conduct Report" be submitted to the general office. A singular inappropriate violation by a student which endangers the welfare/safety and or cause physical harm to a fellow student bus passenger will require that bus drivers immediately submit a written "Bus Conduct Report" to the general office and immediately inform the student's parents of the incident.

(Continued)

SUBJECT: SUPERVISION AND DISCIPLINE ON SCHOOL BUSES (Cont'd.)

d) Affirmative Discipline Action/Suspension

Upon receipt by the general office of a "Bus Conduct Report", the Assistant Superintendent will confer with the student and the student's parents to review circumstances of the incident and determine an appropriate discipline action. Discipline action may include temporary or permanent denial of the student's bus privilege and may include other disciplinary sanctions as indicated in the Student/Parent Handbook.

e) Due Process and Hearing

Students and parents are legally entitled to the right of appropriate "Due Process" and upon request must be granted a hearing with school officials. When necessary, drivers will be responsible for participation in the hearing process.

**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 now subject to random testing for alcohol, marijuana, cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP). The District shall adhere to federal law and regulations requiring the implementation of a drug and alcohol testing program for such employees in safety-sensitive positions.

The District shall ensure that vendors/contract bus companies establish and manage their 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 the vendors'/bus companies' policies 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 vendor/contract bus company 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 can assist vendors/contract bus companies in arranging 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.

Regulations shall be established as necessary to implement this policy. Any significant violations of District policy and/or regulations by vendors/contract bus companies and other employees shall result in revocation of the contract for transportation of students and/or disciplinary action, as may be applicable, pursuant to law and any applicable collective bargaining agreement.

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, 383, 391, 392 and 395