

### **SUPPORT SERVICES GOALS**

Support services, which include safety and maintenance programs, transportation, food services, insurance management and office services, are essential to the successful functioning of the school district. Education is the district's central function, and all support services shall be provided, guided, and evaluated by this function.

In order to provide services that are truly supportive of the educational program, the Board of Education establishes these goals:

1. providing a physical environment for teaching and learning that is safe and pleasant for students, staff, and the public;
2. providing safe transportation and nutritious meals for students who use these services; and
3. providing timely, accurate, and efficient support services that meet district needs and promote district goals.

Adoption date: September 9, 2003

## SCHOOL BUILDING SAFETY

The Board of Education recognizes that a safe, secure and healthy school environment is necessary to promote effective learning. The Board is committed to ensuring that all school buildings are properly maintained and preserved to provide a suitable educational setting.

Consistent with the requirements of state law and regulations, the Board will:

1. Appoint a Health and Safety Committee composed of representation from district administration, school staff, bargaining units and parents that shall participate in monitoring the condition of occupied school buildings to assure that they are safe and maintained in a state of good repair.
2. Review and approve all building condition surveys.
3. Take immediate action to remedy serious conditions in school buildings affecting health and safety and report such conditions to the Commissioner of Education.

The Superintendent of Schools shall be responsible for the development of procedures for investigating and resolving complaints related to the health and safety issues in the district's buildings consistent with requirements of state law and regulations.

Cross-ref: 7100, Facilities Planning  
7365, Construction Safety  
8112, Health and Safety Committee  
8220, Buildings and Grounds Maintenance and Inspection

Ref: Education Law §§ 409-d (Comprehensive Public School Building Safety Program); 409-e (Uniform Code of Public School Buildings Inspection, Safety Rating and Monitoring)  
8 NYCRR Part 155 (Educational Facilities)  
9 NYCRR Parts 600-1250 (Uniform Fire Prevention and Building Code)

First Reading: October 13, 2015  
Second Reading: October 27, 2015  
Adoption date: October 27, 2015

## HEALTH AND SAFETY COMMITTEE

The Board of Education recognizes the importance of the participation of district staff and parents in promoting a safe, secure and healthy school environment. In accordance with Commissioner's regulations, the Board will appoint a Health and Safety Committee composed of representation from district officials, staff, bargaining units and parents.

The committee will participate in monitoring the condition of occupied school buildings to assure that they are safe and maintained in a state of good repair. The Superintendent of Schools will ensure that the committee is appropriately involved in all of the activities required by the Commissioner's regulations. Specifically, the committee will:

1. Participate in the investigation and disposition of health and safety complaints.
2. Consult with district officials in completing safety ratings of all occupied school buildings.
3. Monitor safety during school construction projects including periodic meetings to review issues and address complaints related to health and safety resulting from the project.
4. Upon completion of a construction project, conduct a walk-through inspection to ensure the area is ready to be reopened for use.

### *Expanded Health and Safety Committee*

During construction projects, the Health and Safety Committee will be expanded to include the architect, construction manager and contractor. This expanded committee will:

1. Participate in the investigation and disposition of health and safety complaints regarding the construction or maintenance project.
2. Meet periodically to review issues and address complaints regarding health and safety arising from construction.
3. Monitor safety during construction projects.
4. After the work is completed, conduct a walk-through inspection to confirm that the area is ready to be reopened for use.

Ref.: 8 NYCRR Part 155 (Educational Facilities)

First Reading: October 13, 2015  
Second Reading: October 27, 2015  
Adoption date: October 27, 2015

## PESTICIDES AND PEST MANAGEMENT

It is the goal of the Board of Education to maintain the integrity of school buildings and grounds, protect the health and safety of students and staff and maintain a productive learning environment.

The Board recognizes that pests can pose a significant risk to health and property and there may be significant risks inherent in using chemical pesticides in the school environment. Provisions will be made for a least toxic approach to integrated pest management (IPM) for all school buildings and grounds in accordance with the Commissioner's regulations. Integrated pest management is a systematic approach to managing pests focusing on long term prevention or suppression with minimal impact on human health, the environment and nontargeted organisms.

### Notification of Pesticide Application

All district staff and parents/guardians will be notified of pesticide applications performed at any school facility. A notice will be sent at the beginning of the school year which will include:

1. Notification of periodic pesticide applications throughout school year.
2. The availability of 48-hour prior written notification of pesticide applications to parents and staff who request such notice.
3. Instructions on how to register with the school to receive this prior written notification.
4. The name and number of the school representative who can provide further information.

A separate notice will be sent to staff and parents within two days of the end of winter and spring recess and within 10 days of the end of the school year which includes the date, location and product used for each pesticide application which required prior notification and each emergency application.

The Superintendent of Schools shall ensure the dissemination of this policy and conduct any training necessary to ensure that all staff are fully informed about pesticides and pest management.

Cross-ref: 8110, School Building Safety  
8220, Building and Grounds Maintenance and Inspection

Ref: Environmental Conservation Law, Art.33 (Pesticides)  
Education Law § 409-h (Requirements for Notification of Pesticide Applications)  
6 NYCRR Part 325 (Application of Pesticides)

8 NYCRR 155.4 (Uniform Code of Public School Building Inspections,  
Safety Rating and Monitoring)

*Desmond Americana v. Jorling*, 153 AD2d 4 (3rd Dept. 1989)

*IPM Workbook for New York State Schools*, Cornell Cooperative  
Extension Community IPM Program with support from New York State  
Dept. of Environmental Conservation, August 1998

Adoption date: September 9, 2003

## OPIOID OVERDOSE PREVENTION

The Board of Education recognizes that many factors, including the use and misuse of prescription painkillers, can lead to the dependence on and addiction to opiates, and that such dependence and addiction can lead to overdose and death among the general public, including district students and staff. The Board wishes to minimize these deaths by the use of opioid overdose prevention measures

The Board directs the school physician/medical director to issue a non-patient specific order to school nurses to administer (*select as per the medical order: intranasal or intramuscular*) naloxone (also known as Narcan, among other names). The non-patient specific order shall include a written protocol containing the elements required by the regulations of the Commissioner of Education. The Board permits school nurses to administer naloxone to any person at school or a school event displaying symptoms of an opioid overdose. The district shall purchase and provide the naloxone kits to be stored in. Naloxone shall be accessible during school hours and during on-site school-sponsored activities.

Ref: Education Law §§922 (volunteer naloxone responder); 6527 (emergency treatment of anaphylaxis and opioid overdose); 3023 (liability coverage); 6909 (administration of naloxone by nurses)  
Public Health Law §3309 (volunteer naloxone responder)  
8 NYCRR §§ 64.7 (administration of naloxone); Part 136 (school health services program, including naloxone)  
10 NYCRR §80.138 (volunteer naloxone responder)  
*Guidance for Implementing Opioid Overdose Prevention Measures in Schools*, New York State Education Department, 8/11/15, [www.schoolhealthservicesny.com/files/filesystem/guidance\\_on\\_opioid\\_overdose\\_prevention\\_in\\_the\\_schools\\_final.pdf](http://www.schoolhealthservicesny.com/files/filesystem/guidance_on_opioid_overdose_prevention_in_the_schools_final.pdf)  
*Opioid Overdose Prevention: Guidelines for Policies and Procedures*, New York State Department of Health, March 2014, [www.health.ny.gov/diseases/aids/general/opioid\\_overdose\\_prevention/docs/policies\\_and\\_procedures.pdf](http://www.health.ny.gov/diseases/aids/general/opioid_overdose_prevention/docs/policies_and_procedures.pdf)

First Reading: February 23, 2016

Second Reading: March 8, 2016

Adoption date: March 8, 2016

## EMERGENCY CLOSINGS

The Superintendent of Schools may close the schools or dismiss students/staff early when hazardous weather or other emergencies threaten the health or safety of students and personnel. The Superintendent may delegate this authority to another staff member in the event of his/her absence. Such action is never to be taken lightly, for public education is one of the principal functions of the community and should be maintained at a normal level except in extreme circumstances.

Schools will not be closed merely to avoid inconvenience. While it may be prudent, under certain circumstances, to excuse all students from attending school, to delay the opening hour, or to dismiss students early, the Superintendent has the responsibility to ensure that administrative, supervisory, and operational activity is continued to the extent possible. School closing and delayed starting times will be announced over local radio stations. If no report is heard, it can be assumed the schools are in session, and are opening on time.

In making the decision to close schools, the Superintendent may consider many factors, including the following, which relate to the safety and health of children:

1. weather conditions, both existing and predicted;
2. driving, traffic, and parking conditions affecting public and private transportation facilities;
3. actual occurrence or imminent possibility of any emergency condition that would make the operation of schools difficult or dangerous; and
4. inability of teaching personnel to report for duty, which might result in inadequate supervision of students.

Among the other factors the Superintendent may consider are advice from traffic and weather authorities, Building Principals, and school officials.

Students, parents, and staff will be informed early in each school year of the procedures that will be used to notify them in case of emergency closing.

Ref: Education Law §3604(7)

Adoption date: September 9, 2003

## Building Access - Keys

The following school officials shall have keys to the school building:

The Superintendent of Schools and Head Maintenance

Willsboro Central School employees will be issued, at their request, an electronic key (swipe card) to gain access to the building via the outside doors. These keys will be issued to employees and should not be loaned or given to any other individual or community member at any time. Employees will complete a sign out form acknowledging their responsibilities associated with their building key.

Employees are responsible for their cards and should report a missing card immediately to the Maintenance Supervisor.

Upon completion of service (or completion of an athletic season) the employee will return the card to the Maintenance Supervisor who will deactivate the electronic clearance.

*This policy will replace legacy policy adopted on September 9, 2003*

First Reading: February 14, 2006

Adoption: March 15, 2006



# Willsboro Central School

## Request for Outside Key

Employee Name \_\_\_\_\_ Date \_\_\_\_\_

Reason for request or need for outside key:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I acknowledge receipt and responsibility for this outside building key. I will be responsible for opening the building and any group that I may be supervising during off school hours. I will return this key at the conclusion of my employment or season.

District Office Approval \_\_\_\_\_ Date \_\_\_\_\_

**KEY NUMBER** \_\_\_\_\_

Date Key Received \_\_\_\_\_ Signature of Employee \_\_\_\_\_

### KEY RETURNED

Date of Return \_\_\_\_\_ Maintenance Supervisor \_\_\_\_\_

## Outside Access to District Transportation

The Board of Education understands the value of coordinating and sharing services with other educational, municipal, and emergency entities. To this end, the District will make every effort to work cooperatively with these groups to maximize the benefit to the overall school community. This coordinating may include the provision or leasing of transportation equipment with Board of Education approval.

Any such use will be limited to municipal, educational, and emergency organizations as acceptable under New York State Education Laws 1501-b and 1709, Section 25.

The Board reserves the right of approval or refusal and will establish any charges and/or availability at its discretion. Each request will be evaluated individually on its merits and no decision will be pre-determinate or set a precedent for any future considerations.

**Note:** School transportation is defined as any and all vehicles, drivers, vehicle maintenance equipment or transportation facilities owned, contracted, and/or used by the district.

Reference: NYS Education Law 1501-b  
NYS Education Law 1709, Section 35 a-I

First Reading: February 14, 2006  
Adoption: March 15, 2006

## BUILDINGS AND GROUNDS MAINTENANCE AND INSPECTION

To accommodate the district's educational program, the Board of Education is committed to providing suitable and adequate facilities. To this end, proper maintenance and inspection procedures are essential. The Board directs the Superintendent of Schools to ensure that proper maintenance and inspection procedures are developed for every school building.

Consistent with federal and state law and regulations, the following items will be included in the district's buildings and grounds maintenance and inspection procedures:

### Comprehensive Maintenance Plan

A comprehensive maintenance plan for all major building systems will be instituted to ensure the building is maintained in a state of good repair. Such plan will include provisions for a least toxic approach to integrated pest management and establish maintenance procedures and guidelines which will contribute to acceptable indoor air quality. The plan shall be available for public inspection.

Procedures will also be established to ensure the safety of building occupants during maintenance activities including standards for exiting and ventilation, asbestos and lead protocols, noise abatement and control of chemical fumes, gases and other contaminants.

### Building Condition Surveys

Each occupied district building will be assessed every five years by a building condition survey. This survey will be conducted by a team that includes at least one licensed architect or engineer and will include a list of all program spaces and inspection of building system components for evidence of movement, deterioration, structural failure, probable useful life, need for repair and maintenance and need for replacement. Building condition survey reports will be submitted to the Commissioner by January 15, 2001 and January 15th of every fifth year thereafter.

### Annual Visual Inspections

A visual inspection of building system components in each occupied district building will take place annually except for years in which a Building Condition Survey is performed. The inspection will be conducted by a team including a local code enforcement official, the Facilities Director or his/her designee and a member of the Health and Safety Committee. The inspection will be completed by November 15th of each year and will be made available to the public.

A corrective action plan will be developed by a licensed architect or engineer if a deficiency exists in the building.

### Fire Safety Inspections

An annual inspection for fire and safety hazards will be conducted in accordance with a schedule established by the Commissioner of Education. The inspection will be conducted by a qualified fire inspector and the report will be kept in the district office. Any violation of the State Uniform Fire Prevention and Building Code shall be corrected immediately or within a time frame approved by the Commissioner.

### Safety Rating System

A safety rating keyed to the structural integrity and overall safety of each occupied school building will be provided on an annual basis in consultation with the Health and Safety Committee. Safety ratings will be based on the safety rating system developed by the Commissioner and will comply with all statutory and regulatory requirements.

Building Principals shall, on an on-going basis, undertake their own inspections of school buildings and grounds, searching for any dangerous or hazardous conditions and take immediate steps to remedy the problem.

Cross-Ref.: 7100, Facilities Planning  
8110, School Building Safety  
8115, Pesticides and Pest Management

Ref: 29 CFR § 1910 et seq (OSHA Hazard Communication)  
40 CFR Part 763 (Asbestos Hazard Emergency Response Act)  
Education Law §409-d (Comprehensive Public School Safety Program);  
§409-e (Uniform Code of Public School Buildings Inspections, Safety Rating and Monitoring); §807-a (Fire Inspections)  
Labor Law §§ 875-883(toxic substances)  
Public Health Law §4800-4808 (Right to Know, toxic substances)  
Environmental Conservation Law §33-0725 (Pesticides)  
6 NYCRR Part 325 (Pesticides)  
8 NYCRR §155.1(Educational Facilities); 155.4 (Uniform Code of Public School Buildings Inspection, Safety Rating and Monitoring); 155.8 (Fire and Building Safety Inspections)  
9 NYCRR Parts 600-1250 (Uniform Fire Prevention & Building Code)  
12 NYCRR Part 56 (Industrial Code Rule concerning asbestos)  
*Appeal of Anibaldi*, 33 Educ. Dep't Rep. 166 (1993) (district required to monitor student's physical symptoms when air quality caused health problems)  
*Guidelines for the Evaluation and Control of Lead-Based point Hazards in Housing*, U.S. Department of Housing and Urban Development, Washington D.C., June 1995)  
*IPM Workbook for New York State Schools*, Cornell Cooperative Extension Community IPM Program with support from New York State Dept. of Environmental Conservation, August 1998

Adoption date: September 9, 2003



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Cross-ref: 6100, Annual Budget  
7100, Facilities Planning  
7365, Construction Safety  
8110, School Building Safety  
8112, Health and Safety Committee  
8115, Pesticides and Pest Management

Ref: 29 CFR §§ 1910 et seq. (OSHA Hazard Communication)  
40 CFR Part 763 (Asbestos Hazard Emergency Response Act)  
Education Law §§ 409-d (Comprehensive Public School Safety Program);  
409-e (Uniform Code of Public School Buildings Inspections, Safety  
Rating and Monitoring); 807-a (Fire Inspections)  
Labor Law §§ 875-883(toxic substances)  
Public Health Law §§ 4800-4808 (Right to Know, toxic substances)  
Environmental Conservation Law § 33-0725 (Pesticides)  
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8 NYCRR §§ 155.1(Educational Facilities); 155.4 (Uniform Code of Public  
School Buildings Inspection, Safety Rating and Monitoring); 155.8 (Fire  
and Building Safety Inspections)  
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monitor student's physical symptoms when air quality caused health  
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Housing*, U.S. Department of Housing and Urban Development,  
Washington D.C., June 1995)  
*IPM Workbook for New York State Schools*, Cornell Cooperative Extension  
Community IPM Program with support from New York State Dept. of  
Environmental Conservation, August 1998

First Reading: October 13, 2015  
Second Reading: October 27, 2015  
Adoption date: October 27, 2015



## AUTHORIZED USE OF SCHOOL-OWNED MATERIALS AND EQUIPMENT

The Board of Education permits the use of district-owned materials and equipment (e.g., laptop computers, cell phones, audio-visual equipment, etc.) by Board members and employees of the district when such material and equipment is needed for district-related purposes.

The Superintendent of Schools, in consultation with the Treasurer, shall establish regulations governing the loan and use of such equipment. Such regulations must address:

- the individuals who may properly authorize the use of such material and/or equipment;
- the lack of authority of the borrower to use such material or equipment for private, non-business purposes;
- the responsibilities of the borrower for proper use, care and maintenance;
- that, regardless of condition or other factors, all loaned equipment must be returned to the district. No item may be sold to or purchased by the borrower unless such equipment has been returned to the district for evaluation and, if necessary, disposal in accordance with district policy and procedures.

All equipment shall be inventoried and a list shall be maintained of the date such equipment was loaned, to whom it was loaned, and the date of expected and actual return.

Individuals borrowing district-owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use, and shall be responsible for its safe return.

The Business Office shall maintain records of all equipment that is loaned for long-term use (e.g, school year, term of office, etc.) and shall review such list yearly.

First Reading: February 14, 2006

Adoption date: March 15, 2006

*This policy was is based on a sample provided by the New York State School Boards Association*

**Willsboro Central School**  
**LOAN OF SCHOOL EQUIPMENT AND/OR MATERIALS**

\_\_\_\_\_ is requesting to borrow the following  
equipment/materials  
Name of Borrower  
from Willsboro Central School on \_\_\_\_\_ and intends to return  
them on

Date

\_\_\_\_\_  
Date

It is understood and agreed that all equipment/materials listed below must be returned in the same or better condition than in which it was lent. If this is not the case, the borrower agrees to make full restitution for any and all damages to said equipment/materials to the Willsboro Central School.

Quantity

Items Borrowed\*\*

Serial Number

PURPOSE: (MUST BE RELATED TO PERFORMANCE OF ASSIGNED DUTIES)

\_\_\_\_\_  
Date

Signature of Borrower

\_\_\_\_\_  
Date

Signature of Superintendent

\*\*FOR COMPUTERS – HARD DRIVE MUST BE BLOCKED AND COMPUTER MUST BE TRANSPORTED IN A BOX.

## District Use of Cell Phones

The Board of Education recognizes that certain district employees may be required to carry district-owned cell phones in order to meet their job responsibilities. Such phones should be provided only when a less costly alternative (e.g., pager, radio) is not available or is not appropriate in the circumstances.

A list of any job titles requiring district-owned cell phones shall be maintained in the Business Office. All cellular telephone contracts shall be secured through the appropriate purchasing process (e.g., competitive bid, RFP process, or state contract price) and shall be subject to review and approval by the Superintendent.

Cell phones are to be used for school district business purposes only and anything other than incidental private use is prohibited. Failure to follow these guidelines may result in revocation of the phone and discipline of the employee.

As with any district-owned equipment, employees must take proper care of cell phones and take all reasonable precautions against damage, loss, or theft. Any damage, loss, or theft must be reported immediately to the Business Office. Employees are responsible for the safe return of district-owned cell phones, employees who use district-owned cell phones may be liable for damages or loss that occur during the period of its use.

At least once per year, the Business Office shall evaluate the cost and effectiveness of any district's cellular telephone plan.

Also, at least annually, the Business Office will recall all district cell phones for verification and re-issuance.

First Reading: January 10, 2006  
Adoption date: February 14, 2006

*This is based on sample policy from the New York State School Boards*

## **District Credit Cards/Credit Limits**

The Willsboro Central School Board of Education permits the use of district credit cards by certain school officials to pay for actual and necessary expenses incurred in the performance of work-related duties for the district. A list of those individuals that will be issued a district credit card will be maintained in the Business Office and reported to the Board each year at its re-organizational meeting in July. All credit cards will be in the name of the school district.

The district shall establish a credit line not to exceed \$5000 for a card issued and an aggregate credit limit of \$10,000 for all cards issued to the district.

The Board shall ensure that relationship between the district and the credit card company is such that the district preserves its right to refuse to pay any claim or portion thereof that is not expressly authorized, does not constitute a proper district charge, or supersedes any laws, rules, regulations, or policies otherwise applicable. In addition, the Board will ensure that no claim shall be paid unless an itemized voucher approved by the officer whose action gave rise or origin to the claim, shall have been presented to the Board and shall have been audited and allowed.

Credit cards may only be used for legitimate school district business expenditures. The use of credit cards is not intended to circumvent the district's policy on purchasing.

Users must take proper care of these credit cards and take all reasonable precautions against damage, loss, or theft. Any damage, loss, or theft must be reported immediately to the Business Office and to the appropriate financial institution. Failure to take proper care of credit cards or failure to report damage, loss or theft may subject the employee to financial liability.

Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature or violate the intent of this policy may result in credit card revocation and discipline of the employee.

Users must submit detailed documentation, including itemized receipts for commodities, services, travel and/or other actual and necessary expenses which have been incurred in connection with school-related business for which the credit card has been used. (The purchase of tobacco or alcoholic beverages is not acceptable at any time.)

The District Treasurer shall periodically, but no less than twice a year, monitor the use of each credit card and report any serious problems and/or discrepancies directly to the Superintendent and the Board.

The District through the Superintendent or District Treasurer shall, at any time, have the authority to recall any district credit card for immediate return to the Business Office.

The District will maintain credit limits on various business accounts (ie. Staples, Lowes, etc.) as required to conduct purchasing, not to exceed \$1500 per store account.

Cross-ref: 6700, Purchasing  
6830, Expense Reimbursement

Ref: Education Law §§1724(1); 2524(1) (itemized, audited, and approved vouchers required)

Opns. St. Compt. No. 79-202 (use of multi-purpose credit cards by municipal employees)

Opns. St. Compt. No. 79-494

Opns. St. Compt. No. 78-897 (gas credit cards)

First Reading: December 9, 2008

Second Reading: January 13, 2009

Adoption Date: January 13, 2009

Updated: March 26, 2013

**SCHOOL BUS SCHEDULING AND ROUTING**

The Head Bus Driver and the Superintendent of Schools shall establish bus routes. Authorized bus stops shall be located at convenient intervals in places where students may embark and disembark the buses, cross highways, and await the arrival of buses in the utmost safety allowed by road conditions.

Adoption date: September 9, 2003

**SCHOOL BUS SCHEDULING AND ROUTING REGULATION**

Bus routes will be established under the direction of the Superintendent of Schools in cooperation with the District Transportation Supervisor.

1. **Limitations.** Authorized bus stops will be located at convenient intervals in places where students may be loaded and unloaded, cross highways, and await the arrival of buses with the safety allowed by road conditions.
2. **Fixed Stops.** Fixed bus stops will be established using the following guidelines:
  - a. generally, dead-end and loop streets will not be serviced by school buses. Whenever possible, stops will be at the intersections of two streets;
  - b. 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;
  - c. the maximum of 25 students at a stop will be acceptable only where there is adequate waiting space away from heavy traffic areas. Approximately 10 to 15 students will be the usual number scheduled for pickup at any one point;
  - d. walking distances to pickup points may be varied according to grade level. Grade levels 1-5 will not be required to walk distances in excess of \_\_\_\_\_ mile(s) and grades 6-12 will not be required to walk distances in excess of \_\_\_\_\_ mile(s);
  - e. kindergarten children will be picked up and left at their places of residence (unless the school district and parents mutually agree to other stop(s)); and
  - f. an effort will be made to minimize crossing of the road by students.
3. **Side Roads.** Transportation will be provided on side roads that are maintained by town highway departments unless the lack of maintenance makes it unsafe for drivers and students to be traversing these roads.
4. **Examples of unsafe conditions** are flooding, road erosion, ice, snow and mud.
5. **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.
6. **Turnarounds.** Turnarounds will not be established unless adequate space is available and this space is properly maintained.
7. **Major Highways.** Transportation service will be provided to residents living along major highways.

8. District Map. Maps will be used to determine the transportation requirements necessary to satisfy the needs established by state law, Board policy, and voter mandate. This map will clearly show student location, loading and unloading locations, and routes traveled. The map will be reviewed annually.

Adoption date: September 9, 2003



**Willsboro Central School**

**Drug and Alcohol Testing of Bus Drivers**

**Policy 8414.5**

A. Purpose

To establish a District-based alcohol and drug testing program to help prevent accidents and injuries resulting from the misuse of alcohol and drugs by covered drivers of commercial motor vehicles in compliance with the Department of Transportation regulations and pursuant to the Omnibus Transportation Employee Testing Act 1991 (the Act) and 49 CFR Part 40.

B. Applicability

This policy applies to all District employees or applicants (both of whom are referred to herein as “covered drivers”) who have been extended a conditional offer of employment and who operate commercial motor vehicles and are subject to the commercial driver’s license (CDL) requirements established by the DOT.

C. Objectives

To establish rules and procedures to deter all illegal drug use, and deter on-duty, pre-duty and post-accident alcohol use, as well as on-duty alcohol impairment stemming from pre-duty use, for all covered drivers who perform safety sensitive functions;

To detect and eliminate the possibility that District covered drivers will perform safety-sensitive functions after testing positive for alcohol or drugs;

To comply with applicable federal and state laws, including the Omnibus Transportation Employee Testing Act of 1991;

To provide reasonable measures for the early detection of personnel not fit to perform activities within the scope of this policy;

To maintain a workplace free of drugs and alcohol; and

To inform employees through education, in service training and other appropriate forums, about illegal drugs, and alcohol abuse, their use, possession, distribution, and the effects of such substances;

#### D. Testing

There are several occasions when an individual will be subject to drug and alcohol tests pursuant to policy. Prior to the administration of the following tests, the District or its testing agent will notify the covered driver that the test is required under the Code of Federal Regulations.

The testing occasions shall include:

##### 1. Pre-duty testing

Pre-duty testing for drugs that the District will test for as part of the application process and prior to any covered driver's performance of a safety-sensitive function. The District will not allow any covered driver to commence the performance of any safety-sensitive function unless the drug testing reveals a verified negative test result.

The District may, in its sole discretion, forgo pre-duty testing where the exceptions promulgated by the regulations relating to drug and alcohol testing of covered drivers by their previous employer are satisfied although the general rule for new hires is a pre-employment test.

##### 2. Reasonable suspicion testing

Reasonable suspicion testing is alcohol and drug testing that the District will conduct when it has reasonable suspicion to believe that a covered driver has engaged in conduct prohibited by this policy. Reasonable suspicion must be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of a covered driver by any supervisor as determined by the District who is specially trained to recognize alcohol misuse or drug use. The observations may include indications of the chronic and withdrawal effects of controlled substances.

A written record shall be made of observations leading to reasonable suspicion, signed by the supervisor or person who made the observations, within twenty-four (24) hours of the observed behavior or before the results of drug test are released, whichever is earlier.

The District shall not administer a reasonable suspicion alcohol test more than eight (8) hours following a determination that reasonable suspicion exists to believe that the alcohol prohibitions of this policy have been violated. Covered drivers are subject to reasonable suspicion alcohol testing as follows: immediately prior to performing safety sensitive functions, while performing safety sensitive functions, or immediately following the performance of safety sensitive functions. Reasonable suspicion drug testing may be conducted at any time the covered driver is on duty for the district.

3. Random testing

Random testing is unannounced testing for alcohol and drugs administered in a statistically random manner throughout the year to covered drivers employed by the District in ratios as required by the DOT regulations, so that all covered drivers have an equal probability of selection each time a random test is administered.

Covered drivers are subject to random alcohol testing as follows: immediately prior to performing safety sensitive functions, or while performing safety sensitive functions, or immediately following the performance of safety sensitive functions. Random drug testing may be conducted at any time the covered driver is on duty for the district.

4. Post-accident testing

A post-accident test is a test for alcohol and drugs administered following an accident involving a commercial motor vehicle to each surviving covered driver:

- a. Who was performing safety sensitive functions with respect to the vehicle, if the accident involved the loss of human life; OR
- b. Who receives a citation under state or local law for a moving violation arising from the accident; AND
  1. If the accident resulted in one or more motor vehicles incurring substantial structural damages as a result of the accident; OR
  2. If the accident resulted in bodily injury to a person who as a result of the injury immediately receives medical treatment away from the scene of the accident.

The District will not administer a post-accident alcohol test more than eight hours following the accident and will not administer a post-accident drug test more than 32 hours following the accident. A covered driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the District to have refused to submit to testing. This shall not be construed to require the delay of necessary medical attention for injured individuals following an accident or to prohibit a covered driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

The results of a breath or blood test for the use of alcohol or a urine test for the use of drugs, conducted by federal, state, or local officials having independent authority for the test, shall be considered to meet the requirements of the policy concerning post-accident testing, provided such tests conform to applicable federal, state, or local requirements and that the results of the

test are obtained by the District. If such a test results in an alcohol concentration above 0.02, the driver shall be removed immediately from his/her performing safety sensitive position for at least 24 hours and shall not return until he/she is evaluated by a substance abuse professional, completes any other steps required by the SAP and takes a return to duty test.

5. Return to duty testing

- a. Return to duty testing is alcohol and/or drug testing conducted after a covered driver has engaged in prohibited conduct under this policy prior to the employee's return to the performance of a safety-sensitive function. The alcohol test result must indicate an alcohol concentration of less than 0.02 and/or a drug test must indicate a verified negative for illegal drugs.
- b. Urine observation collections require that a same gender observer check for prosthetic and other devices that could be used to cheat a drug test.
- c. The same gender observer shall also watch the employee urinate into the collection container.

6. Follow-up testing

- a. Follow-up tests are given following a determination by the Substance Abuse Professional (SAP) that a driver is in need of assistance in resolving problems associated with misuses of alcohol and/or drugs. This is an unannounced test, given at least six (6) times within twelve (12) months with the actual frequency and number of tests determined by the substance abuse professional (SAP), but in no event may the follow-up testing continue for a period beyond 60 months from the covered driver's return to duty. The substance abuse professional may terminate the requirement of follow-up testing at any time after the first six (6) tests have been administered if he or she determines that follow-up testing is no longer necessary.
- b. Covered drivers are subject to follow-up alcohol testing as follows: immediately prior to performing safety sensitive functions, or while performing safety sensitive functions, or immediately following the performance of safety sensitive functions. Follow-up drug testing may be conducted at any time the covered driver is on duty for the district.
- c. Urine observation collections require that a same gender observer check for prosthetic and other devices that could be used to cheat a drug test.
- d. The same gender observer shall also watch the employee urinate into the collection container.

E. Testing Procedures

The District shall retain an approved company to perform collection and testing, to ensure chain of custody requirements, and to ensure the correct employee is tested and matched with the correct test results. Such company will be required to follow the federal regulations to ensure compliance with the blind sample, calibration of the Evidential Breath Testing (EBT), laboratory certification and proper training of the Breath Alcohol Technician (BAT). Testing for alcohol and/or controlled substances will be taken on-site or at the laboratory, in a secure location that affords visual and aural privacy and with the proper safeguards to ensure the integrity of the specimens collected. Privacy during the collection of the urine sample shall not be available to employees reporting for return to duty testing or follow-up testing. The provision of paragraph D5 and D6 shall be applicable in those cases. The Drug and Alcohol Coordinator (see appendix) can be contacted to request the name of the company hired to perform the drug and alcohol testing services.

If the test comes back positive dilute, that shall be considered a positive verified test and the covered driver shall not be allowed to take another test. If the test comes back negative dilute for pre-employment testing, return to duty testing and follow-up testing, then the covered driver shall be required to take another test. If the test comes back cancelled, neither positive nor negative for drugs or alcohol, the employee shall not be allowed to perform safety sensitive functions. The District shall order a recollection in the case of a cancelled test for the purpose of retesting in the case of pre-employment, return to duty or follow-up testing. In the case of a random test that is cancelled, it is up to the Medical Review Officer (MRO) to determine if a re-test is required.

1. Alcohol

Alcohol testing will be administered by a trained and qualified BAT. The evidential breath testing device (EBT) used for testing shall meet the standards promulgated by the DOT and have a quality assurance plan developed by the manufacturer to insure proper calibration.

If the initial test reveals an alcohol concentration of 0.02 or greater, a confirmatory test must be performed. The confirmatory test result is the final test result for the purposes of this policy.

2. Drugs

A Department of Health and Human Services certified laboratory will perform drug testing on urine samples provided by covered drivers. The drugs for which tests will be conducted are: Marijuana (THC), Cocaine, Phencyclidine (PCP), Opiates, and

Amphetamines. The cutoff levels for these drugs will be those set forth in the DOT regulation.

3. Uncompleted Testing

If a screening or confirmation test cannot be completed, or if an event occurs that would invalidate the test, the Breath Alcohol Technician (BAT), shall, if practicable, begin a new screening or confirmation test, as applicable, e.g., using a new breath alcohol testing form with a new sequential test number.

F. Requirements Prior to Commencing Safety Sensitive Position

1. Pre-duty request for prior employment drug and alcohol testing

In the case of all new safety sensitive employees, the District shall request the following written information, after obtaining the prospective employee's written consent, from DOT regulated employers who have employed the perspective employee at any time during the two years prior to the date of the perspective employee's application or transfer:

1. Alcohol tests with a result of 0.04 or higher alcohol concentration
2. Verified positive drug test
3. Refusal to be tested
4. Other violations of DOT agency drug and alcohol testing; and
5. With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return to duty requirements.

The above listed information should be obtained and reviewed before the prospective employee commences performing any safety sensitive functions. However, the District has a 30 day grace period from the day the employee starts to perform safety sensitive functions in which to obtain or make and document a good faith effort to obtain this information. The District must not allow any employee to continue performing safety sensitive functions after 30 days if the District has not obtained or made and documented a good faith effort to obtain this information.

2. The District must ask the prospective employee whether he/she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee applied for but did not obtain safety sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two years.

If the prospective employee admits that he/she has tested positive or a refusal to test then the District may choose not to hire the prospective employee. However, if the District does choose to hire a prospective employee who has admitted that he/she has tested positive or refused to test, the District must not use the employee to perform safety sensitive functions, until and unless the employee documents successful completion of return to duty process.

G. Prohibited Conduct

1. No covered driver shall report for duty or remain on duty requiring the performance of safety sensitive functions while having an alcohol concentration of 0.02 or greater.
2. A covered driver shall not be on duty or operate a commercial motor vehicle while the covered driver possesses alcohol.
3. A covered driver shall not use or possess alcohol while performing safety sensitive functions.
4. No covered driver shall perform safety-sensitive functions within six (6) hours after using alcohol.
5. A covered driver required to take a post-accident alcohol test shall not use alcohol for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever is first.
6. A covered driver shall not report for duty or remain on duty requiring the performance of safety sensitive functions when the driver is using drugs, except when the use is pursuant to the instructions of a physician who has advised the driver that the drug does not affect the driver's ability to safely operate a commercial motor vehicle.
7. No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive for controlled substances unless the circumstances of article 8 are met (see below).
8. Independent of the requirements of the Act and the regulations promulgated thereunder, the covered driver must provide written notice from the physician to the Drug and Alcohol Coordinator that he or she is using controlled substances pursuant to the instructions of the physician that he or she advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.
9. A covered driver shall not refuse to submit to an alcohol or drug test required under this policy.
10. An applicant for employment may not refuse to sign a release authorizing the District to request from all former employers, where employee was a covered driver, his or her drug and alcohol testing records.

## H. Consequences for covered drivers

Pursuant to the Act and the regulations:

1. A covered driver who has an alcohol concentration of at least 0.02 shall be removed immediately from his/her performing safety sensitive position for at least 24 hours and shall not return until he/she is evaluated by a substance abuse professional, completes any other steps required by the SAP and takes a return to duty test.
2. A covered driver who has an alcohol concentration of at least 0.04 shall be removed immediately from his/her safety sensitive position and may not return until he or she is evaluated by a substance abuse professional, completes any other steps required by the SAP and takes a return to duty test.
3. A covered driver, who has a verified positive result on a drug test, shall be prohibited from performing safety sensitive functions and dismissal charges will commence.
4. A covered driver, who refuses to submit to a test, shall be prohibited from performing safety sensitive and dismissal charges will commence.
5. A covered driver may not perform safety-sensitive functions, if there exists a reasonable suspicion that the driver is under the influence of, or impaired by, alcohol as shown by the behavioral, speech, and performance indicators of alcohol misuse, until an alcohol test is administered and the driver's alcohol concentration measures less than .02 or 24 hours have elapsed following a determination that reasonable suspicion exists to believe that the alcohol prohibitions of this policy have been violated.
6. A covered driver may not perform safety-sensitive functions even if his or her alcohol concentration is less than 0.02, or the alcohol concentration is unknown, if the employer detects the presence of alcohol in the driver by other means.

Independent of the requirements of the Act and the regulations promulgated thereunder, a covered driver may not perform safety-sensitive functions, if there exists a reasonable suspicion that the driver is under the influence of, or impaired by drugs as shown by the behavioral, speech and performance indicators of drug abuse, until a drug test is administered and there is a verified negative result.

Independent of the requirements of the Act and the regulations promulgated thereunder, covered drivers who have been found to have violated the prohibited conduct under this policy will be immediately suspended from their safety-sensitive function without pay pending a complete review of the test results and what led to the test results, if appropriate. After review, if the covered driver was found to have an alcohol concentration between 0.02 and 0.04, he or she shall be required to be evaluated by a substance abuse professional, complete any other steps required by the SAP and take a return to duty test before returning to work.



I. Employee Notification

The District shall provide a copy of this policy to each covered driver and to his/her collective bargaining agent. Each covered driver is required to sign a statement certifying that he/she has received this information. The District shall maintain the original signed certification for the duration of the employee's employment or two (2) years, whichever is longer. The District will provide a copy of the certification to the covered driver upon request.

J. Savings Clause

If any provisions of this policy is, or shall at any time be contrary to the law, then such policy provision shall be considered modified or deleted so as to comply with the superseding legal requirements, without any effect on the remaining policy provisions.

Legal Ref: U.S. Constitution, 4<sup>th</sup> Amendment  
Omnibus Transportation Employee Testing Act of 1991, 49 USC §§ 31136; 31306  
Americans with Disabilities Act, 42 USC §§ 12111-12117  
49 CFR Parts 40, 382 and §§ 395.20 and 521(b)  
New York Vehicle and Traffic Law, §§509-1; 1192; 1193  
New York Labor Law, §201-d

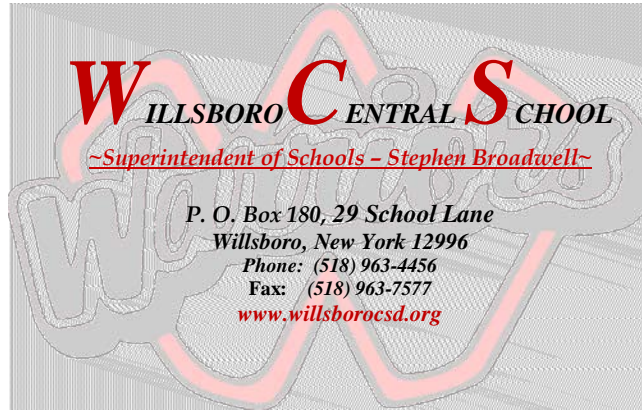
First Reading: January 22, 2013  
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Adoption Date: February 12, 2013

Dean of Students  
Charmaine Griffiths Flynn

CSE Chairperson  
Mark Robinson

Guidance Counselor  
Chris Ford

Athletic Director  
Michael Douglas



Board of Education  
Craig Jackson, President  
Bruce Hale, Vice President  
Phyllis Klein  
Jon Steeves  
Don Hollingsworth

Brandy Pierce, District Clerk  
Sheila Vanags, Treasurer

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**Acknowledgement of  
Policy# 8414.5 Drug and Alcohol Testing of Bus Drivers**

I have read the policy, understand, and will adhere to all the expectations of the Willsboro Central School District.

Driver or Applicant Name (Print): \_\_\_\_\_

Driver or Applicant Signature: \_\_\_\_\_

Date \_\_\_\_\_

## **CHARGING SCHOOL MEALS**

The Board of Education recognizes that on occasion, students may not have enough funds for a meal. To ensure that students do not go hungry, but also to promote responsible student behavior and minimize the fiscal burden to the district, the Board will allow students who do not have enough funds to “charge” the cost of meals to be paid back at a later date subject to the terms in this policy.

To comply with State guidelines and maintain a system for accounting for charged meals, regarding both full and reduced-price meals, the Board shall:

1. allow only regular reimbursable meals to be charged, excluding extras, à la carte items, and snacks (“competitive foods”);;
2. limit the number of charges to five per student per year and
3. use a computer-generated point of sale system, which identifies and records all meals as well as collects repayments.

Charged meals must be counted and claimed for reimbursement on the day that the student charged (received) the meal, not the day the charge is paid back. When charges are paid, these monies are not to be considered “à la carte” transactions, as a section on the daily cash report or deposit summary reads “charges paid.”

Students who have reached the limit of “charged” meals may be offered an “alternate” meal determined by the district. The district shall take into consideration extenuating circumstances. The cost of the alternate meal, though less than the regular meal, shall be added to the student’s account. Alternate meals shall be provided as discretely as possible, before a student obtains a regular meal.

Students eligible for free meals shall not be denied a reimbursable meal, even if they have accrued a negative balance from other cafeteria purchases. No student with unpaid charges will be prohibited from purchasing food if they have money that day.

A student who has abused this policy can be refused a meal. Such a refusal is not considered to be a violation of any state or federal laws concerning school food programs. However before denying any student a meal, school food authorities (SFAs) shall carefully consider the negative consequences of such an action. Refusing very young children or students with disabilities is prohibited by the Board.

If SFAs suspect that a student may be abusing this policy, written notice will be provided to the parent that if he/she continues to abuse this policy, the privilege of charging meals will be refused.

The district's payment system allows for automatic replenishment when a balance reaches a certain amount set by the parent/guardian. The district shall encourage parents/guardians to utilize this option.

Parents shall be discretely notified of student account balances regularly. When a student's account balance falls to \$10.00.

The district shall discretely notify parents of students regularly with negative balances of the application process for free and/or reduced price meals. If a parent regularly fails to provide meal money and does not qualify for free or reduced price meals, the district may take other activities as appropriate, including notifying the local department of social services if neglect is suspected.

The school district shall notify all parents/guardians in writing on an annual basis at the start of the school year and to families transferring during the year, outlining the requirements of this policy. The policy shall also be published in appropriate school and district publications. All staff involved in implementing and enforcing this policy shall also be notified of these requirements and their responsibilities.

#### Unpaid Meal Charges and Debt Collection

Unpaid meal charges are a financial burden to the district and taxpayers and can negatively affect the school program. Unpaid meal charges shall be considered "delinquent" as per the district's accounting practices. The district shall attempt to recover unpaid meal charges before the end of the school year. The district shall notify parents/guardians of unpaid meal charges at regular intervals, and may engage in collection activities. The district shall offer repayment plans, and may take other actions that do not result in harm or shame to the child, until unpaid charges are paid.

#### Account Balances

Remaining funds will be carried over to the next school year. When students leave the district or graduate, the district will attempt to contact the parent/guardian to return remaining funds. Parents/guardians may request that funds be transferred to other students (e.g., siblings, unpaid accounts). All transfer requests must be in writing. Unclaimed funds remaining after three months shall be absorbed by the school meal account.

#### Staff

Staff members are allowed to purchase food from the district's food services. However, all purchases must be paid for at the point of sale. Staff members are not allowed to charge meals to be repaid later.

Cross-ref: 8520, Free and Reduced Price Meal Services

Ref: 42 USC §1779 (Child Nutrition Act of 1966)  
42 USC §§1758(f)(1); 1766(a) (National School Lunch Act)  
2 CFR §200.426 (accounting for debt in federal programs)  
7 CFR §§210.9 210.12; 210.19; 220.13; 245.5 (accounting in federal school meal programs)  
Healthy, Hunger-Free Kids Act (Public Law 111-296), §143  
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*Student Meal Charge Policy*, NYSED Guidance Memo, (5/30/17), <http://www.cn.nysed.gov/content/student-meal-charge-policy>

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