

WEST BABYLON UNION FREE SCHOOL DISTRICT
WEST BABYLON, NEW YORK

REGULAR MEETING

BOARD OF EDUCATION
BOARD ROOM - ADMINISTRATION BUILDING

TUESDAY – JANUARY 22, 2013

AGENDA

The order of business at all regular meetings shall be as follows:

1. Call to order by presiding officer
2. Pledge of Allegiance to The Flag

[7:00 P.M. - Meeting Convenes Followed by Student
Presentation(s) and/or Executive Session]

[8:00 P.M. - Public Session Resumes Beginning with Item #3]

3. Approval of minutes of previous meeting(s): Regular Meeting: January 8, 2013
4. Statement of the Board and/or Superintendent
5. Statement of West Babylon Teachers' Association Representatives
6. Statement of School Administrators' Association Representatives
7. Statement of C.S.E.A. Representatives
8. Statement of Student Association Representatives
9. Statement of PTA Council Representatives
10. Statement of Residents re: agenda items [15 minutes-limited to 3 minutes per speaker]*
11. Report of the Superintendent and/or Educational Presentation:
 - A. Strategic Plan Update
 Mr. Anthony Cacciola, Superintendent
 - B. Athletic Uniform Inventory Management
 Mr. Anthony Spinelli, Director of Health, Physical Education & Athletics
12. Business Agenda [****Consent Agenda Items**]
 - A. **BOARD OF EDUCATION**
 - ** (R) Establishment of Senior High School Step Club (Res. #BE-1)
 - ** (R) Approval of School District to provide Health Services to West Babylon School District Resident Students for the 2012-2013 School Year (Res. #BE-2)
 - ** (R) Waiver of Use of Facilities Fees (Res. #BE-3)

- B. PERSONNEL**
 - ** (R) 12-P-12 Professional Personnel
 - ** (R) 12-C-12 Civil Service Personnel (Res. #PE-1)
- C. STUDENT SERVICES**
 - ** (R) Recommendations of the Committee on Special Education (Res. #SS-1)
- 13. Policy Review:
 - A. Board Review-Prohibited Student Conduct (Second Time Discussion) (File:5300.30)
 - B. Board Review-Public Conduct on School Property (Second Time Discussion) (File:5300.70)
 - C. Board Review-Purchasing (Second Time Discussion) (File:6700)
 - D. Board Review-Capital Project Change Orders (Second Time Discussion) (File:7335)
 - E. Board Review-Use of Credit Cards (Second Time Discussion) (File:8334)
- 14. Board of Education Committee Reports
- 15. Old Business
- 16. New Business: **Discussion: Public Use of Facilities Policy (File:1500)**
Mr. Anthony Spinelli, Director of Health, Physical Education & Athletics
Mr. Raymond Graziano, Plant Facilities Administrator
- 17. Follow-Up to Residents' Statements
- 18. Statements of Residents re: other district items [15 minutes-limited to 3 minutes per speaker]*
- 19. Adjournment [This should take place by 11:00 P.M.]

*Per Board Policy 1230: The Board of Education encourages participation of residents at open Board meetings. The President of the Board shall ask for brief statements from residents and set a time limit (three minutes per resident) on such statements. To allow for public participation, a period not to exceed 15 minutes shall be set aside during the first and last part of each Board meeting. The President shall be responsible for the orderly conduct of the meeting and shall rule on such matters as the time to be allowed for public discussion and the appropriateness of the subject being presented. The President shall have the right to discontinue any presentation which violates this policy. Residents wishing to speak should identify themselves, their address, any organization they may be representing at the meeting, and the topic they wish to discuss. Statements during the first part of the meeting will relate to agenda items. Statements during the second part of the meeting will relate to other district matters.

Follow-Up to Residents' Unanswered Questions

Date	Residents' Questions	Responses
January 8, 2013	-----	-----
December 11, 2012	-----	-----
November 27, 2012	-----	-----
November 13, 2012	-----	-----
October 30, 2012	Meeting cancelled due to Super Storm Sandy	Meeting cancelled due to Super Storm Sandy
October 11, 2012	-----	-----
September 24, 2012	Why are certain athletic teams having to wait to be taken home instead of the district providing a second bus to return the students to school?	Mr. Cacciola reviewed the request, to bring the first team home, with the Superintendent's Management Team. The district can make the accommodation for districts within close proximity to West Babylon as determined by Mr. Bianco.
September 11, 2012	<p>Re: Boys Varsity Soccer Team</p> <p>1. The Varsity team did not have game balls.</p> <p>2. The Varsity team does not have use of a field for Friday's game (9/14/12).</p>	<p>Per Mr. Anthony Spinelli, Director of Health, Physical Education & Athletics:</p> <p>1. An order is being placed on 9/12/12 for four game balls. These are scheduled to arrive ASAP. Game balls will be available for Friday's game (9/14/12).</p> <p>2a. As part of our long range field renovation program to improve the quality of the fields, our children play on, fields need to be closed for reconditioning purposes and to allow the turf to develop. We have worked out a tentative multi-year approach which impacts different teams at different times and will eventually allow all teams the fortitude to play on a good field.</p> <p>2b. In response to the closing of one field at the high school, we have set up a practice field at Tooker Avenue School and carefully arranged all games for the high school boys and girls program to avoid conflicts. In the event of inclement weather forcing us to play on the next available day, we are prepared to utilize the field inside the track, located at the Junior High School, as a back up.</p> <p>2c. Games will be played at either the High School or the turf field at Our Lady of Grace.</p> <p>2d. Specifically, this Friday's game (9/14/12) will be played at the High School.</p> <p style="text-align: right;">Continued</p>

Follow-Up to Residents' Unanswered Questions

Date	Residents' Questions	Responses
September 11, 2012	<p>Re: Boys Varsity Soccer Team</p> <p>3. The team does not have uniforms.</p>	<p>Per Mr. Anthony Spinelli, Director of Health, Physical Education & Athletics:</p> <p>3a. It was recently brought to my attention that there are not a sufficient number of varsity uniforms. I am in the process of investigating.</p> <p>3b. Until the uniform issue is resolved, the team will be wearing West Babylon blue uniforms for Friday's game (9/14/12).</p>
August 28, 2012	-----	-----
August 14, 2012	-----	-----
July 26, 2012	-----	-----
July 10, 2012	-----	-----

WEST BABYLON UNION FREE SCHOOL DISTRICT
WEST BABYLON, NEW YORK

REGULAR MEETING

BOARD OF EDUCATION
BOARD ROOM - ADMINISTRATION BUILDING

TUESDAY – JANUARY 22, 2013

RESOLUTIONS

BOARD OF EDUCATION

***BE-1

RESOLVED: that the West Babylon Board of Education approves the establishment of a Step Club at the Senior High School. Ms. Nicole DeLany will serve as an unpaid advisor.

***BE-2

RESOLVED: that the West Babylon Board of Education approves the following school district to provide health services to West Babylon School District resident students during the 2012-2013 school year:

Amityville Union Free School District

***BE-3

RESOLVED: that the West Babylon Board of Education waives fees and insurance for the West Babylon Main Street Organization's Drug Forum to be held in the Senior High School Performing Arts Center and Cafeteria A (date and time to be announced). The Main Street Organization is a not-for-profit community organization.

PERSONNEL

****#PE-1**

RESOLVED: that the following schedules, as attached, are approved:

<u>12-P-12</u>	Professional Personnel
<u>12-C-12</u>	Civil Service Personnel

STUDENT SERVICES

****#SS-1**

RESOLVED: that the Recommendations of the Committee on Special Education are approved.

WEST BABYLON UNION FREE SCHOOL DISTRICT

REGULAR MEETING - BOARD OF EDUCATION - TUESDAY - JANUARY 22, 2013

PERSONNEL

(R) Schedules: 12-P-12 Professional Personnel
 12-C-12 Civil Service Personnel



PROFESSIONAL PERSONNEL SCHEDULE

I. Professional Personnel Schedule 12-P-12

- A. Family Medical Leaves
- B. Regular Substitute Appointments
- C. Spring, 2013 Coaching
- D. Spring, 2013 Student Teachers/Observers/Intern
- E. 2012-2013 Per Diem Substitutes

CIVIL SERVICE SCHEDULE

II. Civil Service Schedule 12-C-12

- A. Family Medical Leave
- B. Leave of Absence Requests
- C. Resignation/Retirement
- D. Probationary Appointment
- E. 2012-2013 Per Diem Substitutes

SCHEDULE 12-P-12 Professional Personnel Schedule

Date of Meeting: January 22, 2013

Page 1 of 4 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Kelly, Barbara	Music Tchr.	HS		12/12/12 -	Family Medical Leave
Varsalona, Carol	Director of Lang. Arts & Testing	HS		1/17/13 -	Family Medical Leave
Second Semester, 2012-2013					
Seibert, Kaitlyn	Regular Substitute/ Elementary Tchr.	JK	Step A-1-1/ \$48,036. (prorate)	1/28/13-6/30/13, or earlier at district's discretion	
Crapo, Kristin	Regular Substitute/ Music Tchr.	FA/SB	Step A-1-1/ \$48,036. (prorate)	1/28/13-6/30/13, or earlier at district's discretion	
Shah, Krista	Regular Substitute/ Reading Tchr.	SB	Step A-8-1/ \$65,330. (prorate)	1/28/13-6/30/13, or earlier at district's discretion	
DeRosa, Kelly	Regular Substitute/ Special Ed. Tchr.	JH/HS	Step A-5-1/ \$57,644. (prorate)	1/28/13-6/30/13, or earlier at district's discretion	

SCHEDULE 12-P-12 Professional Personnel Schedule

Date of Meeting: January 22, 2013

Page 2 of 4 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
<u>Coaches:</u>					Spring, 2013
Witkowski, Brooke	JV Assistant	Lacrosse(G)	\$4,108.		
LaRocco, Caitlin	JV Head	Tennis(B)	\$4,108.		[repl. A. DeRuvo]
DeLany, Nicole	Varsity Head	Lacrosse(G)	\$6,388. (prorate)	3/10/13 - 4/19/13	[repl. C. Kilgus]
<u>Student Teachers/Observers:</u>					Spring, 2013
Campbell, Erin	Special Education	SB			
Craig, Catherine	Special Education	SB			
Fleming, Jared	Social Studies	JH/HS			
Huber, Alysson	Elementary	SA			
Lopez, Diana	Special Education	SB			
<u>Guidance Intern:</u>					Spring, 2013
*Grace, Callie		HS			
<u>Per Diem Substitutes:</u>					
Adamkiewicz, Felix		DW	\$90./day	2012-2013	Certification [physical ed.]
Cervini, Megan					[childhood ed.1-6]
Farrell, Gina					[business & marketing]

*Emergency Conditional Appointment

SCHEDULE 12-C-12 Civil Service Personnel Schedule

Date of Meeting: January 22, 2013

Page 3 of 4 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Brower, Kevin	Custodial Wrkr. I	FA		12/10/12 -	Family Medical Leave
Munch, Theresa	Paraprofessional (hall monitor)	HS		1/4/13 - 4/4/13	Leave of Absence
Caiati, Diane	Paraprofessional (hall monitor)	HS		1/23/13 - 4/23/13	Leave of Absence
Reese, Kelly	Paraprofessional (school monitor)	JK		1/14/13	Resignation
Sheehan, Karen	School Bus Driver	Trans.		1/19/13	Resignation to Retire
*Hyde, Angelique	Paraprofessional (school monitor)	JK	Step 1/ \$13.37/hr.	1/23/13	Probationary Appt.

*Emergency Conditional Appointment

SCHEDULE 12-C-12 Civil Service Personnel Schedule

Date of Meeting: January 22, 2013

Page 4 of 4 pages.

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NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
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Per Diem Substitutes:
Germano, Lisa
Reese, Kelly

		DW	\$9./hr.	2012-2013	Clerical/Paraprofessional
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Per Diem Substitute:
*Bianco, Jonathan

		DW	\$10./hr.	2012-2013	Custodian
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WEST BABYLON UNION FREE SCHOOL DISTRICT

REGULAR MEETING - BOARD OF EDUCATION - TUESDAY - JANUARY 22, 2013

POLICY

- A. Board Review-Prohibited Student Conduct (Second Time Discussion) (File:5300.30)
- B. Board Review-Public Conduct on School Property (Second Time Discussion) (File:5300.70)
- C. Board Review-Purchasing (Second Time Discussion) (File:6700)
- D. Board Review-Capital Project Change Orders (Second Time Discussion) (File:7335)
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DRAFT**5300.30****Prohibited Student Conduct**

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel and other members of the school community, and for the care of school facilities and equipment.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on educating students so that they may grow in self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences for their conduct.

Students may be subject to disciplinary action, up to and including suspension from school, when they:

- A. Engage in conduct that is disorderly. Examples of disorderly conduct include, but are not limited to:
1. Running in hallways.
 2. Making unreasonable noise.
 3. Using language or gestures that are profane, lewd, vulgar or abusive.
 4. Obstructing vehicular or pedestrian traffic.
 5. Engaging in any willful act which disrupts the normal operation of the school community.
 6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
 7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.
- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include, but are not limited to:
1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
 2. Lateness for, missing or leaving school without permission.
 3. Skipping detention.
- C. Engage in conduct that is disruptive. Examples of disruptive conduct include, but are not limited to:
1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
 2. Inappropriate public sexual contact.
 3. Display or use of personal electronic devices, such as, but not limited to, cell phones, I-pods,

digital cameras, in a manner that is in violation of district policy.

D. Engage in conduct that is violent. Examples of violent conduct include, but are not limited to:

1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so.
2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
4. Displaying what appears to be a weapon.
5. Threatening to use any weapon.
6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
7. Intentionally damaging or destroying school district property.

E. Engage in any conduct that endangers the safety, physical or mental health or welfare of others. Examples of such conduct include, but are not limited to:

1. Subjecting other students, school personnel or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.
2. Stealing or attempting to steal the property of other students, school personnel or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
4. Discrimination, which includes using race, color, creed, national origin, ethnic group, religion, religious practice, sex, gender (identity and expression), sexual orientation, weight or disability to deny rights, equitable treatment or access to facilities available to others.
5. Harassment, which includes a sufficiently severe action or persistent pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as ridiculing or demeaning. Harassment is also the creation of a hostile environment. (See policy, 0115, Student Harassment and Bullying Prevention and Intervention for a more complete definition.)
6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
7. Bullying, which may be a hostile activity which harms or induces fear through the threat of further aggression and/or creates terror. (See policy 0115 for a more complete definition.)
8. Hazing, which includes an induction, initiation or membership process involving harassment (see policy 0115 for a more complete definition).
9. Selling, using, distributing or possessing obscene material.
10. Using vulgar or abusive language, cursing or swearing.
11. Smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco.
12. Possessing, consuming, selling, *offering, manufacturing,* distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any *synthetic version thereof, whether specifically illegal or not,*

commonly referred to as “designer drugs” *which are substances designed and synthesized to mimic the intended effects and usages of, which are chemically substantially similar to, illegal drugs, which may or may not be labeled for human consumption.*

13. Inappropriately using or sharing prescription and over-the-counter drugs.
 14. Gambling.
 15. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
 16. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- F. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.
- G. Engage in any form of academic misconduct. Examples of academic misconduct include, but are not limited to:
1. Plagiarism.
 2. Cheating.
 3. Copying.
 4. Altering records.
 5. Assisting another student in any of the above actions.
- H. Engage in off-campus misconduct that interferes with, or can reasonably be expected to substantially disrupt the educational process in the school or at a school function. Examples of such misconduct include, but are not limited to:
1. Cyberbullying (i.e., inflicting willful and repeated harm through the use of electronic text).
 2. Threatening or harassing students or school personnel over the phone or other electronic medium.

Adoption date:

Public Conduct on School Property

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, “public” shall mean all persons when on school property or attending a school function including students, teachers and district personnel.

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of actual or perceived race, creed, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, *offer, manufacture,* distribute or exchange alcoholic beverages, controlled *or illegal* substances *or any synthetic versions (whether or not specifically illegal or labeled for human consumption)*, or be under the influence of either on school property or at a school function
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

B. Penalties

Persons who violate this code shall be subject to the following penalties:

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law § 3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law § 75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law § 75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 3 and 4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The Principal or his/her designee shall be responsible for enforcing the conduct required by this code.

When the Principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the Principal or designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the Principal or designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

Adoption date:

PURCHASING

6700

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

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

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

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

Opportunities shall be provided to all responsible suppliers to do business with the school district. Suppliers whose place of business is situated within the district may be given preferential consideration only when bids or quotations on an item or service are identical as to price, quality and other factors. Purchases will be made through available cooperative BOCES bids, state contracts of the Office of General Services or county contracts whenever such purchases are in the best interests of the district. In addition, the district will make purchases from correctional institutions and severely disabled persons through charitable or non-profit-making agencies, as provided by law.

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

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

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

Competitive Bidding

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

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

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

1. emergencies where time is a crucial factor;
2. procurements for which there is no possibility of competition (sole source items); or
3. professional services that require special skill or training (see policy 6741 for guidance on purchasing professional services).

Purchasing when Competitive Bidding Not Required

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

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

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

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

Exception to Competitive Bidding

Piggybacking (expires 8/1/2017 unless extended by legislation):

The district may purchase apparatus, materials, equipment and supplies, and contract for services related to the installation, maintenance or repair of those items, through the use of contracts let by the United States or any agency thereof, any state or any political subdivision or district therein, provided the contract was let in a manner that constitutes competitive bidding "consistent with state law, and is made available for use by other governmental entities.

Three Prerequisites:

1. *The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein. This includes NYS political subdivisions.*
2. *The contract must have been made available for use by other governmental entities.*
3. *The contract must have been let in a manner that constitutes competitive bidding consistent with state law". (GML §103 and related case law).*

Determining "Consistency with State Law"

- a. *Bids must be publicly solicited.*
- b. *Bids must be submitted as sealed bids or secured bids.*
- c. *Bid specifications must provide a common standard for bidders to compete fairly.*
- d. *Bid Award must be to the lowest bidder who materially and substantially meets the bid specifications and is determined to be a responsible bidder.*

Cost Savings Justification:

The district shall perform a cost-benefit analysis before utilizing this exception. The analysis should be used to demonstrate whether "piggybacking" is cost effective and should consider all pertinent cost factors, including any potential savings on the administrative expense that would be incurred if the district initiated its own competitive bidding process.

Documentation:

The district shall maintain copies of the contract, analysis of the contract to ensure it meets the three prerequisites stated herein, and cost savings analysis including consideration of other procurement methods.

General Purchasing Provisions

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

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

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

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

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

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

CAPITAL PROJECT CHANGE ORDERS

7335

The Board of Education wants to facilitate the timeliness of work associated with the capital construction projects authorized by the district's voters. As such, the Board recognizes the occasional need to approve changes in construction plans (change orders) as the work unfolds.

The Board authorizes the Superintendent of Schools and, in his/her absence, the Executive Director for Finance and Operations, to approve increases and decreases in the planned capital facilities project work (change orders) in an amount not to exceed \$50,000 per change. The Superintendent will present the change order to the Board as an information item at its next scheduled meeting. It is understood that change orders will be authorized by the administration only when necessary to maintain progress of the work and will not substantively change the scope of project plans.

Change orders which exceed \$50,000 will require prior Board approval.

Adoption date:

USE OF CREDIT CARDS

The Board of Education permits the issuance of a district credit card to the *District Clerk* [Superintendent] to pay for actual and necessary expenses incurred in the performance of work-related duties for the district. The credit card will be in the name of the *District Clerk* [Superintendent] and the school district.

The Board shall ensure 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. *The District Clerk must have a typed purchase order from the requestor, prior to using the credit card.*

The User must take proper care of the credit card 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 card 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.

The User 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 Executive Director for Finance and Operations shall establish regulations governing the issuance and use of the credit card. The cardholder shall be apprised of the procedures governing the use of the credit card and a copy of this policy and accompanying regulations shall be given to each cardholder.

The Executive Director for Finance and Operations shall periodically, but no less than twice a year, monitor the use of the credit card and report any serious problems and/or discrepancies directly to the Superintendent and the Board.

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)

Adoption date: December 13, 2011