

WEST BABYLON UNION FREE SCHOOL DISTRICT
WEST BABYLON, NEW YORK
REGULAR MEETING
BOARD OF EDUCATION
BOARD ROOM - ADMINISTRATION BUILDING
TUESDAY – FEBRUARY 25, 2014

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: February 11, 2014
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:

Annual Risk Assessment Report and Internal Audit Report on Life Insurance Benefits
Ms. Lisa Thomas-Hart and Ms. Alexandria Battaglia, R.S. Abrams & Co., LLC

12. Business Agenda [****Consent Agenda Items**]
 - A. **BOARD OF EDUCATION**
 - ** (R) Approval of School Districts to provide Health Services to West Babylon School District Resident Students during the 2013-2014 School Year (Res. #BE-1)
 - B. **PERSONNEL**
 - ** (R) 13-P-15 Professional Personnel
 - ** (R) 13-C-15 Civil Service Personnel (Res. #PE-1)

- C. **FINANCE**
 - ** (R) Acceptance of R. S. Abrams & Co., LLC Annual Risk Assessment Report and Internal Audit Report (Res. #FI-1)
 - ** (R) New York Real Property Tax Law Section 458-a Veteran Tax Exemption (Res. #FI-2)
 - ** (R) Acknowledgement of Claims Auditor’s Reports and Recommendations (Res. #FI-3)

- D. **FACILITIES**
 - ** (R) Declaration of Obsolete Equipment (Res. #FA-1)

- 13. Policy Review:
 - A. Board Review-School District Records (First Time Reading) (File:1120)
 - B. Board Review-Computer Use in Instruction (First Time Reading) (File:4526)
 - C. Board Review-Students and Personal Electronic Devices (First Time Reading) (File:5695)
 - D. Board Review-School District Records-Regulation (Revision) (File:1120-R)
 - E. Board Review-School District Records-Exhibit (Review) (File:1120-E)
 - F. Board Review-Computer Use in Instruction-Regulation (Review/Revision) (File:4526-R)

- 14. Board of Education Committee Reports

- 15. Old Business

- 16. New Business:
 - A. **Presentation of 2014-2015 Budget Draft No. 2**
 Mr. Anthony Cacciola, Superintendent
 Mrs. Jennifer Buscemi, Executive Director for Finance & Operations

 - B. **Discussion of Property Tax Levy Limit**
 Mrs. Jennifer Buscemi, Executive Director for Finance & Operations

- 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
February 11, 2014	-----	-----
January 28, 2014	Cost of Metal Detectors	Mr. Cacciola said he would request a quote from Intralogic for further consideration.
January 14, 2014	-----	-----
December 10, 2013	-----	-----
November 26, 2013	-----	-----
November 12, 2013	-----	-----
October 22, 2013	-----	-----
October 8, 2013	-----	-----
September 24, 2013	-----	-----
September 12, 2013	-----	-----
August 27, 2013	-----	-----
August 13, 2013	-----	-----
July 23, 2013	-----	-----
July 9, 2013	-----	-----

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WEST BABYLON, NEW YORK
REGULAR MEETING
BOARD OF EDUCATION
BOARD ROOM - ADMINISTRATION BUILDING
TUESDAY – FEBRUARY 25, 2014
RESOLUTIONS

BOARD OF EDUCATION

***BE-1

RESOLVED: that the West Babylon Board of Education approves the following school districts to provide health services to West Babylon School District resident students during the 2013-2014 school year:

East Islip Union Free School District

Half Hollow Hills Central School District

PERSONNEL

****#PE-1**

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

13-P-15

Professional Personnel

13-C-15

Civil Service Personnel

FINANCE

****#FI-1**

RESOLVED: that the West Babylon Board of Education accepts the annual Risk Assessment Report and Internal Audit Report on Life Insurance Benefits which were presented to the Audit Committee by Lisa Thomas-Hart and Alexandria Battaglia from R. S. Abrams & Co., LLC.

****#FI-2**

WHEREAS, New York Real Property Tax Law Section 458-a was amended to provide eligible veterans with a real property tax exemption from school taxes so long as the School District in which the real property is located, after public hearing, adopts a resolution authorizing the exemption;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the West Babylon Union Free School District, hereby authorizes the application of the Veteran Tax Exemption as contained in New York Real Property Tax Law Section 458-a, as amended, and such exemption shall be applicable to school taxes up to the Basic State Maximums.

****#FI-3**

RESOLVED: that the West Babylon Board of Education acknowledges receipt of the September, October, November, December 2013 and January 2014 claims auditor's reports and recommendations.

FACILITIES

***FA-1

RESOLVED: that the West Babylon Board of Education declares the following equipment, located at the Junior High School, obsolete:

Description	Model No.	Serial No.	WB Invoice No.	Location
ALTSPOT 1000w Quartz Follow Spotlight	803C/30501	1000q	N/A	JHS Stage
Capital Stage Lighting Follow Spotlight	901	N/A	N/A	JHS Stage
Capital Stage Lighting Follow Spotlight	901	N/A	N/A	JHS Stage
Vintage Roland Synthesizer, c. 1973	SH-1000	235045	N/A	JHS Room 116
Vintage 1960s Baldwin Upright Piano	Hamilton	171211	N/A	JHS Band Room
Vintage 1960s Baldwin Upright Piano	Hamilton	176343	N/A	JHS Band Room
Vintage Weber Baby Grand Piano	N/A	80573	80573/005223	JHS Stage
Vintage Winter Company Spinet Upright Piano	N/A	N/A	N/A	JHS Music Room
Vintage 1970s Wurlitzer Organ	Orbit II	1079496	000060	JHS Music Room
Upright Bass Mathias Thoma	90P	5986	10248	JHS Room 116
Vintage Tenor Saxophone, c. 1970s	King	331193	No. 1	JHS Room 116
GE Refrigerator	TBX21C1ZBRWW	LS-529126	N/A	JHS Nurse's Office

The equipment is outdated and it is not feasible to repair these items.

WEST BABYLON UNION FREE SCHOOL DISTRICT

REGULAR MEETING - BOARD OF EDUCATION - TUESDAY - FEBRUARY 25, 2014

PERSONNEL

(R) Schedules: 13-P-15 Professional Personnel
 13-C-15 Civil Service Personnel



PROFESSIONAL PERSONNEL SCHEDULE

I. Professional Personnel Schedule 13-P-15

- A. Family Medical Leaves
- B. A.C.T. Proctor
- C. Spring, 2014 Coaching
- D. Spring, 2014 Student Teacher/Observer/Intern
- E. 2013-2014 Per Diem Substitute

CIVIL SERVICE PERSONNEL SCHEDULE

II. Civil Service Personnel Schedule 13-C-15

- A. Leave of Absence Request
- B. Probationary Appointment
- C. Retirement
- D. 2013-2014 Per Diem Substitute

SCHEDULE 13-P-15 Professional Personnel Schedule

Date of Meeting: February 25, 2014

Page 1 of 2 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Lynch, Jaclyn	Elementary Tchr.	FA		1/24/14 -	Family Medical Leave
Shay, Meghan	Reading Tchr.	JK		2/10/14 -	Family Medical Leave
<u>A.C.T. Proctor:</u> Powers, Brian			\$22.30/hr.	2/8/14	6 hrs.
<u>Coach:</u> Adamkiewicz, Felix	JV Head	Softball	\$5,150.	Spring, 2014	
<u>Student Teacher/Observer:</u> D'Errico, Michelle	English	JH		Spring, 2014	
<u>Guidance Intern:</u> Hammond, Heather	Guidance Dept.	HS		Spring, 2014	
<u>Per Diem Substitute Teacher:</u> Seccafico, Sue Ann		DW	\$90./day	2013-2014	[cert: Mathematics 7-12]

SCHEDULE 13-C-15 Civil Service Personnel Schedule

Date of Meeting: February 25, 2014

Page 2 of 2 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Hausler, Judith	Paraprofessional (hall monitor)	HS		3/4/14 - 6/30/14	Leave of Absence
Biscardi, Lena	School Bus Monitor	Trans.		6/30/14	Resignation to Retire
Adams, Rosette	Food Service Wrkr. 'B'	JH	Step 1/ \$11.49/hr.	2/26/14	Probationary Appt.
<u>Per Diem Substitute:</u> Serediuk, Roman		DW	\$10./hr.	2013-2014	Custodian

WEST BABYLON UNION FREE SCHOOL DISTRICT

REGULAR MEETING - BOARD OF EDUCATION - TUESDAY - FEBRUARY 25, 2014

POLICY

- A. Board Review-School District Records (First Time Reading) (File:1120)
- B. Board Review-Computer Use in Instruction (First Time Reading) (File:4526)
- C. Board Review-Students and Personal Electronic Devices (First Time Reading)
(File:5695)
- D. Board Review-School District Records-Regulation (Revision) (File:1120-R)
- E. Board Review-School District Records-Exhibit (Review) (File:1120-E)
- F. Board Review-Computer Use in Instruction-Regulation (Review/Revision) (File:4526-R)

SCHOOL DISTRICT RECORDS

It is the policy of the Board of Education to inform members of the public about the administration and operation of the public schools in accordance with the Freedom of Information Law of the State of New York.

The Superintendent of Schools shall develop regulations ensuring compliance with the Freedom of Information Law and setting forth the procedures to be followed to obtain access to district records, and submit such regulations to the Board for approval. The Superintendent shall designate, with Board approval, a Records Access and Records Management Officer, pursuant to law.

Retention and Destruction of Records

The Board hereby adopts the Records Retention and Disposition Schedule ED-1 issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, which contains the legal minimum retention periods for district records. In accordance with Article 57-A, the district will dispose of only those records described in the schedule after they have met the minimum retention periods set forth in the schedule. The district will dispose of only those records that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond the established legal minimum periods.

The manner of destruction will be determined by the format of the record (i.e., paper, digital, etc.). In addition, destruction will be appropriately documented.

Litigation-Hold

The Superintendent will establish procedures in the event that the school district is served with legal papers. The Superintendent will communicate with applicable parties, including the school attorney and the records management official, to ensure that, when appropriate, a litigation-hold is properly implemented. The litigation-hold is intended to prevent the destruction or disposal of records that may need to be produced as part of discovery. It is the intention of the Board of Education to comply with applicable rules and regulations regarding the production of necessary documents, data, files, etc. The Board directs the Superintendent to institute such procedures to implement this policy.

The Superintendent or his/her designee, with assistance from the Records Management Officer, shall be responsible for developing and disseminating department-specific retention schedules and guidance to staff, as necessary, to ensure adherence to this policy.

Cross-ref: 8630, Computer Resources and Data Management

Ref: Public Officers Law §84 et seq. (Freedom of Information Law)
Education Law §2116
Arts and Cultural Affairs Law §57.11
Local Government Records Law, Article 57-A
Federal Rules of Civil Procedure, 16, 26
8 NYCRR Part 185 (Appendix I)

Adoption date: 12/08/2009

COMPUTER USE IN INSTRUCTION

The Internet is an electronic highway connecting thousands of computers all over the world and millions of individual subscribers. The key concept underlying the Internet is interconnectivity - something that will allow administrators, teachers, and more importantly, students to access an unparalleled array of communication and information resources. With access to computers and people all over the world also comes the availability of material that may not be considered to be of educational value in the context of the school setting.

BOCES and the West Babylon School District, to the best of their ability, have taken precautions to restrict access to controversial materials. However, on a global network it is impossible to control all materials and an industrious user may discover controversial information. However, West Babylon believes information and interaction available on this worldwide network far outweighs the possibility that users may procure material that is not consistent with the educational goals of the District.

Internet access is coordinated through a complex association of government agencies, and regional and state networks. In addition, the smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines. In general, this requires efficient, ethical, and legal utilization of the network resources. If a West Babylon School District user violates any of these provisions, his or her participation will be terminated and future access could possibly be denied. The signature(s) at the end of the Internet Use Agreement is (are) legally binding and indicate(s) the party (parties) who signed has (have) read the terms and conditions carefully and understand(s) their significance.

The Board authorizes student use of personal devices to access the district's computer network if the student complies with the district's policy 5695 – Bring Your Own Device, as well as the provisions of this policy and regulation. Failure to abide by this policy and regulation will result in revocation of access and possibly disciplinary action in accordance with the Code of Conduct.

Internet - Terms and Conditions

1. Acceptable Use - The purpose of the Internet is to support research and education in and among academic institutions in the United States by providing access to unique resources and the opportunity for collaborative work. The use of the Internet must be in support of education and research and consistent with the educational objectives of the West Babylon School District. Use of another organization's network or computing resources must comply with the rules appropriate for that network or computing resources must comply with the rules appropriate for that network. Transmission of any material in violation of any U.S. or state regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material; expressions of bigotry, racism, or hate; or material protected by trade secret. Use for commercial activities is generally not acceptable. Use for product advertisement or political lobbying is also prohibited.
2. Privileges - The use of the Internet is a privilege, not a right, and inappropriate use will result in the cancellation of those privileges. Each student who receives access will be held responsible for usage. Therefore, under no circumstances should confidential information be shared with anyone other than classroom teachers approved to serve as access officers. Each student will learn about the proper use of the district's network system from West Babylon faculty member. The BOCES system administrators, in cooperation with the West Babylon School District Superintendent or his/her designees, will deem what is inappropriate use and their decision is final. Also, the BOCES

system administrators may deny access at any time as required. The administration, faculty and staff of West Babylon School District may request the BOCES system administrator to deny, revoke or suspend specific user privileges.

3. Network Etiquette - Users are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to the following:
 - a. Be polite. Do not get abusive in your messages to others.
 - b. Use appropriate language. Do not swear, use vulgarities or any other inappropriate language. Illegal activities are strictly forbidden.
 - c. Do not reveal your personal address or phone number or that of other students or colleagues.
 - d. Note that electronic mail (e-mail) is not guaranteed to be private. People who operate the system do have access to all mail. Messages relating to or in support of illegal activities may be reported to authorities.
 - e. Do not use the network in such a way that you would disrupt the use of the network by other users.
 - f. All communication and information accessible via the network should be assumed to be private property.

See exhibit 4526-E-2 for the full list of user responsibilities.

4. Warranties – BOCES and/or the West Babylon School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. BOCES and/or the West Babylon School District will not be responsible for any damages suffered. This includes loss of data resulting from delays, non-deliveries, miss-deliveries, or service interruptions caused by its own negligence or a user's errors or omissions. Use of any information obtained via the Internet is at the user's own risk. BOCES and/or the West Babylon School District specifically deny any responsibility for the accuracy or quality of information obtained through its services.
5. Security - Security on any computer system is a high priority, especially when the system involves many users. If a user can identify a security problem on the Internet he/she must notify a Superintendent's designee. He/she may not demonstrate the problem to other users. Attempts to log on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the network and the Internet.
6. Vandalism - Vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy data of another user, Internet, and/or any of the above listed agencies or other networks that are connected to the Internet. This includes, but is not limited to, the uploading or creation of computer viruses, or any illegal or improper use of the network, Internet or accessed equipment.

Adoption date: 10/25/11

STUDENTS AND PERSONAL ELECTRONIC DEVICES

The Board of Education recognizes that there are personal electronic devices that have educational applications such as tablets, e-readers, calculators, voice recorders, digital cameras and music listening devices. In some instances a “smart phone” may include applications that permit these functions. These devices shall be allowed to be used in classrooms if the following criteria are met:

- *The student has successfully registered the device with the district, in accordance with district procedures.*
- *The teacher has authorized use of personal devices either in their classroom generally or for a particular exercise.*
- *The student uses the personal device to access the Internet or authorized applications through the district’s network, under the terms of policy 4526, Computer Use in Instruction.*

The Board acknowledges that cellular phones, pagers, and 2-way communication systems can be a positive means to facilitate communication; however, the display and/or use of such devices can cause disruption to the educational process.

Therefore, to prevent such disruption, the display and/or use by students of cellular phones (including “smart phones”), pagers, and 2-way communication systems and/or other electronic devices shall be prohibited from the time students arrive at school until the end of the regular school day, unless specifically permitted to be used by a teacher or administrator. Such devices must be turned off and stored out of sight during this time period. The district is not responsible for stolen, lost or damaged personal electronic devices.

In emergency situations, exceptions to the prohibition of the use of cellular phones, pagers, and 2-way communication systems may be granted by teachers or administrators.

Misuse of any of these electronic devices will result in its confiscation until the end of the school day, as outlined in the code of conduct. Some uses of personal electronic devices may constitute a violation of the school district code of conduct and in some instances, the law. The school district will cooperate with law enforcement officials as appropriate.

Cellular Telephones and Testing

In order to ensure the integrity of testing, in accordance with state guidelines, students are not allowed to bring cell phones or other electronic devices into classrooms or other exam locations during testing. The exception to this policy is if a teacher gives specific permission for a cell phone or other electronic device to be used during a classroom, non-state assessment.

Test proctors, monitors and school officials shall have the right to collect cell phones and other prohibited electronic devices prior to the start of the test and to hold them for the duration of the test taking time. Admission to the test will be prohibited to any student who has a cell phone or other electronic device in their possession and does not relinquish it.

Students with individualized education plans (IEPs), 504 Plans, or documentation from a medical practitioner that specifically requires the use of an electronic device may do so as specified.

Cross-ref: 4526, Computer Use in Instruction
5300, Code of Conduct

Ref: Price v. New York City Board of Education, 16 Misc.3d 543 (2007).

Adoption date:

SCHOOL DISTRICT RECORDS REGULATION

The following comprises the rules and regulations relating to the inspection and production of school district records:

I. Designation of Officers

1. The Records Access Officer and Records Management Officer shall be the District Clerk. She shall:
 - receive requests for records of the Board of Education and make such records available for inspection or copying when such requests are granted; and
 - compile and maintain a detailed current list by subject matter, of all records in the possession of the Board, whether or not available to the public.
 - develop and oversee a program for the orderly and efficient management of district records.

II. Definition of Records

1. A record is defined as any information kept, held, filed, produced or reproduced by, with or for the district in any physical form whatsoever, including but not limited to reports, statements, examinations, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, microfilms, computer tapes or disks, rules, regulations or codes.
2. The Records Access Officer will have the responsibility for compiling and maintaining the following records:
 - a. a record of the final vote of each member of the Board on any proceeding or matter on which the member votes;
 - b. a record setting forth the name, school or office address, title and salary of every officer or employee of the district; and
 - c. a reasonably detailed current list by subject matter of all records in possession of the district, whether or not available for public inspection and copying.
3. No record for which there is a pending request for access may be destroyed. However, nothing in these regulations shall require the district to prepare any record not possessed or maintained by it except the records specified in II(2), above.

III. Access to Records

1. Time and place records may be inspected: Records may be requested from, and inspected or copied at, the Office of the Records Access Officer, at 10 Farmingdale Road on any business day on which the district offices are open. Records may also be requested via e-mail at the following address: ajones@wbschools.org
2. Fees: The fee for documents up to 9 x 14 inches is 25 cents per page. For documents larger than 9 x 14 inches, tape or cassette records, or computer printouts, the cost will be based on the cost of reproduction or program utilized. Fees are subject to periodic review and change. However, no fee shall be charged for records sent via e-mail, the search for or inspection of records, certification of documents, or copies of documents which have been printed or reproduced for distribution to the public. The number of such copies given to any one organization or individual may be limited, in the discretion of the Records Access Officer.
3. Procedures: Requests to inspect or secure copies of records shall be submitted in writing, either in person, by mail or via e-mail, to the Records Access Officer.

4. All requests for information shall be responded to within five business days of receipt of the request. If the request cannot be fulfilled within five business days, the Records Access Officer shall acknowledge receipt of the request and inform requestor of the approximate date when the request will be granted or denied.
5. If a request cannot be granted within 20 business days from the date of acknowledgement of the request, the district must state in writing both the reason the request cannot be granted within 20 business days, and a date certain within a reasonable period when it will be granted depending on the circumstances of the request.
6. Denial of Access: When a request for access to a public record is denied, the Records Access Officer shall indicate in writing the reasons for such denial, and the right to appeal.
7. Appeal: An applicant denied access to a public record may file an appeal by delivering a copy of the request and a copy of the denial to the Superintendent within 30 days after the denial from which such appeal is taken.
8. The applicant and the New York State Committee on Open Government will be informed of the Superintendent's determination in writing within 10 business days of receipt of an appeal. The Superintendent shall transmit to the Committee on Open Government photocopies of all appeals and determinations.

IV. Records Exempted from Public Access

The provisions of this regulation relating to information available for public inspection and copying shall not apply to records that:

1. are specifically exempted from disclosure by state and/or federal statute;
2. if disclosed would constitute an unwarranted invasion of personal privacy;
3. if disclosed would impair present or imminent contract awards or collective bargaining negotiations;
4. are confidentially disclosed to the Board and compiled and maintained for the regulation of commercial enterprise, including trade secrets, or for the grant or review of a license;
5. are compiled for law enforcement purposes and which, if disclosed, would:
 - a. interfere with law enforcement investigations or judicial proceedings;
 - b. deprive a person of a right to a fair trial or impartial adjudication;
 - c. identify a confidential source or disclose confidential techniques or procedures, except routine techniques or procedures; or
 - d. reveal criminal investigative techniques or procedures, except routine techniques and procedures;
6. records which if disclosed would endanger the life or safety of any person;
7. records which are interagency or intra-agency communications, except to the extent that such materials consist of:
 - a. statistical or factual tabulations or data;
 - b. instructions to staff which affect the public;
 - c. final Board policy determinations; or
 - d. external audits, including but not limited to audits performed by the comptroller and the federal government;
8. records which are examination questions or answers that are requested prior to the final administration of such questions;
9. records which are computer access codes.

V. Prevention of Unwarranted Invasion of Privacy

To prevent an unwarranted invasion of personal privacy, the Records Access Officer may delete identifying details when records are made available.

An unwarranted invasion of personal privacy includes but shall not be limited to:

1. disclosure of confidential personal matters reported to the Board which are not relevant or essential to the ordinary work of the Board;
2. disclosure of employment, medical or credit histories or personal references of applicants for employment, unless the applicant has provided a written release permitting such disclosures;
3. sale or release of lists of names and addresses in the possession of the Board if such lists would be used for private, commercial or fund-raising purposes;
4. disclosure of information of a personal nature when disclosure would result in economic or personal hardship to the subject party and such records are not relevant or essential to the ordinary work of the Board; or
5. disclosure of items involving the medical or personal records of a client or patient in a hospital or medical facility.

Unless otherwise deniable, disclosure shall not be construed to constitute an unwarranted invasion of privacy when identifying details are deleted, when the person to whom records pertain consents in writing to disclosure, or when upon representing reasonable proof of identity, a person seeks access to records pertaining to him or her.

VI. Listing of Records

Pursuant to Section 87(3)(c) of the Public Officers Law, the current records retention schedule for school districts, published by the Commissioner of Education, shall serve as the list by subject matter of all records in the possession of the school district, whether or not available under the law.

VII. Litigation-Hold

The Superintendent will designate a "discovery" team, comprised of the School Attorney, the Coordinator of K-12 Student Data & Instructional Technology, the Records Access and Records Management Officer and other personnel as needed. The discovery team will convene in the event that litigation is commenced to plan to respond to the request for records. The Superintendent, with assistance from the Coordinator of K-12 Student Data & Instructional Technology, will ensure that measures are put in place to preserve applicable records.

Promulgated: 12/08/2009

APPLICATION FOR PUBLIC ACCESS TO RECORDS (Via Mail or E-Mail)

Note to the public: This form's language is optional but may enhance your use of the Freedom of Information Law. You may choose to utilize certain portions that are most applicable to your request. You may cut and paste the entire form into a new e-mail, read all provisions, and delete and/or modify those that do not apply. The subject line of your request should be "FOIL Request".

Requests should be made to:

Records Access Officer
10 Farmingdale Road
West Babylon, NY 11704
ajones@wbschools.org

Dear Records Access Officer:

1. Please e-mail/mail the following records if possible (include as much detail about the record as possible, such as relevant dates, names, descriptions, etc.):
2. Please inform me of the appropriate time during normal business hours for inspecting the following records prior to obtaining copies (include as much detail about the records as possible, including relevant dates, names, descriptions, etc.):
3. Please inform me of the cost of providing paper copies of the following records (include as much detail about the records as possible, including relevant dates, names, descriptions, etc.).
4. If all the requested records cannot be e-mailed/mailed to me, please inform me by e-mail/mail of the portions that can be e-mailed/mailed and advise me of the cost for reproducing the remainder of the records requested (\$0.25 per page or actual cost of reproduction).
5. If the requested records cannot be e-mailed/mailed to me due to the volume of records identified in response to my request, please advise me of the actual cost of copying all records onto a CD or floppy disk.
6. If my request is too broad or does not reasonably describe the records, please contact me via e-mail/mail so that I may clarify my request, and when appropriate inform me of the manner in which records are filed, retrieved or generated. If it is necessary to modify my request, and an e-mail/mail response is not preferred, please contact me at the following telephone number:
_____.

If for any reason any portion of my request is denied, please inform me of the reasons for the denial in writing and provide the name, address and e-mail address of the person or body to whom an appeal should be directed.

Name: _____

Address [if records are to be mailed]: _____

Adoption date: 12/08/2009

AGENCY RESPONSE TO REQUEST FOR RECORDS

Dear Applicant for Records:

We received your request for records pursuant to the Freedom of Information Law on:

 Date Received

1. Attached are electronic copies/paper copies of the records that you requested.
2. The records that you have requested to inspect will be made available for inspection on (date) _____ at (time) _____. After inspecting the records, you may request copies of selected pages, which we will provide to you on or about (date) _____. If paper copies are required, payment of a fee of \$.25 per photocopy will be charged.
3. The records requested cannot be located with reasonable effort and your request does not reasonably describe records in the possession of this agency. The information necessary to locate records or the manner in which records are filed, retrieved or generated by the agency in order for you to clarify your request is _____
4. This agency does not maintain or possess the records you have requested. [When possible, indicate to whom the request should be directed.]
5. The records sought can not be found after a diligent search.
6. This agency has determined that portions of your request can be denied based on the following [provide reason based on one or more exceptions appearing in §87(2) of the Freedom of Information Law]:

Accordingly, your request for records is granted in part and denied in part, and

- the requested records are attached. Certain portions have been redacted, and/or certain records have not been provided to you based on the explanation above.
- the records are not available electronically. Please remit \$ _____. Copies will be provided to you on or about _____.

You have 30 days from receipt of a denial of access to records or portions thereof to appeal to:

Name: Amy E. Jones
 Title: District Clerk/Records Access Officer
 Address: 10 Farmingdale Road, West Babylon, NY 11704
 E-mail Address: ajones@wbschools.org

7. This agency has determined that the records that you requested are not required to be made available to the public based on the following exceptions appearing in §87(2) of the Freedom of Information Law:

Accordingly, your request is denied.

You have 30 days from receipt of a denial of access to records to appeal to:

Name: Anthony Cacciola
Title: Superintendent
Address: 10 Farmingdale Road, West Babylon, NY 11704
E-mail Address: bburrows@wbschools.org

8. This agency has determined that it is unable to respond to your request at this time. Accordingly, on or before [insert date within the next 20 business days] _____, we will grant and/or deny access in whole or in part.
9. This agency has determined that it is unable to respond to your request in full within the next twenty business days for the following reasons [provide explanation as required by the Freedom of Information Law, §89(3)]:
Accordingly, on or before [insert date] _____, we will provide and/or deny access in whole or in part. Please inform me by reply e-mail if you would prefer that records be made available on a piecemeal basis if it is feasible to do so.
10. Because the records you have requested include a list of names and residence addresses, disclosure may constitute an unwarranted invasion of personal privacy pursuant to §89(2)(b)(iii) of the Freedom of Information Law. If you maintain that such records are not sought for commercial or fund-raising purposes, as a condition precedent to disclosure, please prepare the following statement on a separate sheet of paper, sign it, and mail it to the address indicated below.

I [insert name] _____ certify that the requested list of names and addresses will not be used for commercial or fund-raising purposes.

[Signature]

Send to:

Name: Amy E. Jones
Title: District Clerk/Records Access Officer
Mailing Address: 10 Farmingdale Road, West Babylon, NY 11704

11. Because the records you have requested pertain to yourself, but if released to the public would constitute an unwarranted invasion of your privacy, as a condition precedent to disclosure, please prepare the following statement on a separate sheet of paper, sign it, and mail it to the address indicated below, along with copy of your valid driver license or other acceptable form of identification.

I certify that my name is [insert name] _____,
that I reside at [insert address] _____, and
that I have attached a copy of my valid driver license or equivalent identification and that the requested records pertain to myself.

[Signature]

Adoption date: 12/08/2009

COMPUTER USE IN INSTRUCTION REGULATION

The following rules and regulations govern the use of the district's computer network system and access to the internet.

I. Administration

- The Superintendent of Schools shall designate a Coordinator of K-12 Student Data and Instructional Technology to oversee the district's computer network.
- The Coordinator of K-12 Student Data and Instructional Technology shall monitor and examine all network activities, as appropriate, to ensure proper use of the system.
- The Coordinator of K-12 Student Data and Instructional Technology shall be responsible for disseminating and interpreting district policy and regulations governing use of the district's network at the building level with all network users.
- The Coordinator of K-12 Student Data and Instructional Technology shall provide employee training for proper use of the network and will ensure that staff supervising students using the district's network provide similar training to their students, including providing copies of district policy and regulations governing use of the district's network.
- The Coordinator of K-12 Student Data and Instructional Technology shall ensure that all disks and software loaded onto the computer network have been scanned for computer viruses.
- All student agreements to abide by district policy and regulations and parental consent forms shall be kept on file in the district office.

II. Internet Access

- Students will be provided Internet access: during class time only; during the day when students are not in class; before or after school hours, or only during instructional time in a controlled environment.
- Students will be provided with individual access accounts.
- Students may have internet access: for educational purposes only/for educational and recreational/personal purposes; to news sites
- Student internet access may be restricted depending on the grade level.
- All users will be prohibited from: accessing social networking sites; playing online games; purchasing or selling anything online (unless authorized for district purposes); personal e-mail services; and watching videos online (unless authorized for a school purpose).
- Students *are not* to participate in chat rooms.
- Students *may not* construct their own web pages using district computer resources.
- Students will have individual (group) e-mail addresses.

III. Acceptable Use and Conduct

- Access to the district's computer network is provided for educational purposes and research consistent with the district's mission and goals.
- Use of the district's computer network is a privilege, not a right. Inappropriate use may result in suspension or revocation of that privilege.
- Each individual in whose name an access account is issued is responsible at all times for its proper use.
- All network users will be issued a login name and password. Passwords must be changed periodically.
- Only those network users with written permission from the principal or the Coordinator of K-12 Student Data and Instructional Technology may access the district's system from off-site (e.g. from home).

- All network users are expected to abide by the generally accepted rules of network etiquette. This includes being polite and using only appropriate language. Abusive or sexual language or images, vulgarities and swear words are all inappropriate.
- Network users identifying a security problem on the district's network must notify the appropriate teacher, administrator or the Coordinator of K-12 Student Data and Instructional Technology. Under no circumstance should the user demonstrate the problem to anyone other than the Coordinator of K-12 Student Data and Instructional Technology or employee being notified.
- Any network user identified as a security risk or having a history of violations of district computer use guidelines may be denied access to the district's network.

IV **Prohibited Activity and Uses**

The following is a list of prohibited activity concerning use of the district's computer network. Violation of any of these prohibitions may result in discipline or other appropriate penalty, including suspension or revocation of a user's network.

- Using the network for commercial activity, including advertising.
- Infringing on any copyrights or other intellectual property rights, including copying, installing, receiving, transmitting or making available any copyrighted software on the district computer network.
- Using the network to receive, transmit, or make available to others messages that are racist, sexist, abusive or harassing to others.
- Using another user's account or password.
- Attempting to read, delete, copy or modify the electronic mail (e-mail) of other system users and deliberately interfering with the ability of other system users to send and/or receive e-mail.
- Forging or attempting to forge e-mail messages.
- Engaging in vandalism. Vandalism is defined as any malicious attempt to harm or destroy district equipment or materials, data of another user of the district's network or of any of the entities or other networks that are connected to the Internet. This includes, but is not limited to, creating and/or placing a computer virus on the network.
- Using the network to send anonymous messages or files.
- Using the network to receive, transmit or make available to others a message that is inconsistent with the district's Code of Conduct.
- Revealing the personal address, telephone number or other personal information of oneself or another person.
- Using the network for sending and/or receiving personal messages.
- Intentionally disrupting network traffic or crashing the network and connected systems.
- Installing personal software or using personal disks on the district's computers and/or network without permission of the appropriate district official or employee.
- Using district computing resources for commercial or financial gain or fraud.
- Stealing data, equipment or intellectual property.
- Gaining or seeking to gain unauthorized access to any files, resources, or computer or phone systems, or vandalize the data of another user.
- Wastefully using finite district resources.
- Changing or exceeding resource quotas as set by the district without the permission of the appropriate district official or employee.
- Using the network while access privileges are suspended or revoked.
- Using the network in a fashion inconsistent with directions from teachers and other staff and generally accepted network etiquette.

V. No Privacy Guarantee

Students using the district's computer network should not expect, nor does the district guarantee privacy for electronic (e-mail) or any use of the district's computer network. The district reserves the right to access and view any material stored on district equipment or any material used in conjunction with the district's computer network.

VI. Sanctions

All users of the district's computer network and equipment are required to comply with the district's policy and regulations governing the district's computer network. Failure to comply with the policy or regulation may result in disciplinary action as well as suspension and/or revocation of computer access privileges.

In addition, illegal activities are strictly prohibited. Any information pertaining to or implicating illegal activity will be reported to the proper authorities. Transmission of any material in violation of any federal, state and/or local law or regulation is prohibited. This includes, but is not limited to materials protected by copyright, threatening or obscene material or material protected by trade secret. Users must respect all intellectual property rights and laws.

VII. District Responsibilities

The district makes no warranties of any kind, either expressed or implied, for the access being provided. Further, the district assumes no responsibility for the quality, availability, accuracy, nature or reliability of the service and/or information provided. Users of the district's computer network and the Internet use information at their own risk. Each user is responsible for verifying the integrity and authenticity of the information that is used and provided.

The district will not be responsible for any damages suffered by any user, including, but not limited to, loss of data resulting from delays, non-deliveries, miss-deliveries, or service interruptions caused by its own negligence or the errors or omissions of any user. The district also will not be responsible for unauthorized financial obligations resulting from the use of or access to the district's computer network or the Internet.

Further, even though the district may use technical or manual means to regulate access and information, these methods do not provide a foolproof means of enforcing the provisions of the district policy and regulation.

Promulgated: October 25, 2011