

January 8, 2013

'12-103

A REGULAR MEETING of the Board of Education of the West Babylon Union Free School District, of the Town of Babylon, Suffolk County, New York was held on TUESDAY, January 8, 2013, in the Board Room of the Administration Wing adjacent to the Senior High School.

Those present: Trustees James Bocca, Lucy Campasano, Wendy DeGaetano, Cathy Gismervik, Diane Klein, Diane Thiel, Peter Scarlatos, Stacy Villagran and Jennifer Wandasiewicz

Absent:

Also present: Mr. Anthony Cacciola, Superintendent of Schools; Mrs. Yiendhy Farrelly, Assistant Superintendent for Human Resources; Mrs. Christine Tona, Executive Director for Curriculum and Instruction; Mrs. Jennifer Buscemi, Executive Director for Finance & Operations; Mrs. Amy E. Jones, District Clerk; Mr. William C. Morrell, Attorney; and residents (audience of approx. 30).

The president opened the meeting at 7:01 p.m. and led those present in the salute to the flag.

Trustee Bocca seconded by Trustee Gismervik made a motion to go into Executive Session at 7:02 pm. to discuss contract negotiations, personnel and legal matters.

The motion was **CARRIED** by all present.

The meeting reconvened at 8:05 p.m.

Trustee Scarlatos seconded by Trustee Villagran made a motion to approve the minutes of the Special Meeting of December 4, 2012 and the Regular meeting of December 11, 2012.

The motion was **CARRIED** by all present.

Statement of the Superintendent and/or Board of Education:

President Diane Thiel wished everyone a happy New Year and turned the meeting over to Mr. Cacciola.

Mr. Cacciola wished everyone a happy and healthy New Year adding that much happened in 2012 and he hopes that 2013 will be better. He congratulated Assistant Superintendent Yiendhy Farrelly for recently earning her doctorate.

This morning Mr. Cacciola and Mrs. Thiel attended the high school's Poetry Out Loud competition at the high school. He congratulated first place winner Wasiaq Ahmad, second place winner Ariana Ramos, and third place winner Jason Meurlin. These students will go on to compete at Nassau Community College on February 25, 2013 with the hope of continuing to the regional and then national competitions. The top prize at the national competition is \$20,000. He wished the students good luck.

Mr. Cacciola noted that this week is Paraprofessionals' Recognition week. He thanked the district's Paraprofessionals for their work throughout the year.

Mr. Cacciola brought everyone update regarding what the district has done for security measures since the Sandy Hook School tragedy. Measures included; reviewing the district's emergency management plan; meetings with the district's crisis teams; confirming that the district is up to date and in compliance with the SAVE legislation; requiring all unoccupied doors to be locked; ensuring that in buildings that have monitors, they are checked before allowing entrance; and an overall heightened awareness of all surroundings. He said that the immediate reaction from some is that we need more security guards. However, often this offers a false sense of security. Mr. Cacciola said that the district is looking into installing a buzzer system in the business office, the administration building, the Junior High School and the High School. He said that Intralogic was present at the last Operations Committee meeting and they offered to do a threat vulnerability assessment of all of the buildings in the district. Once the assessment is complete, the Operations Committee will meet to discuss the outcome and suggestions. A 24 hour central monitoring station is a possibility being considered. He said that the district will move quickly, but with a plan.

Statement of West Babylon Teachers Association:

WBTA President Patt Squicciarini wished everyone a happy 2013 and added that the district is on a positive path with the security measures being implemented. She suggested installing a door lock system in which employees are supplied with ID cards that can be swiped to gain entry into buildings. This would allow the doors to be locked at all times. Mrs. Squicciarini requested that security measures also be implemented at sporting events to protect chaperones and students.

Mrs. Squicciarini said that in the beginning of the school year many were down about the changes being done to education and then Hurricane Sandy hit and all of that was put aside to help those in need. So, on a happier note, Mrs. Squicciarini spoke of several recent encounters with former

students, all of whom are doing well. They spoke of the positive impact their education at West Babylon has had on them. She noted that these former students are evidence of the ways in which the West Babylon School District is doing a good job and getting it right.

President Diane Thiel thanked Mrs. Squicciarini for ending on such a positive note.

Statement of West Babylon Administrators' Association:

WBAA President Ellie Levy spoke of the many wonderful things that are going on in the district. She said that students made snowflakes to send to the students at Sandy Hook. The students are making a winter wonder land. She added that even though many are facing challenging financial times, food donations continue to pour in even from those having a difficult time. She said that the WBAA is looking forward to working with the Board of Education through any challenges that may arise.

Statement of CSEA Representative: **None**

Statement of Student Association Representative: **None**

Statement of PTA Council Representative: **None**

Statement of Residents (Agenda Items):

Resident Raymond Cody addressed the district's policy 5300.30 regarding public conduct on school property and spoke about an incident that had recently happened. Because Mr. Cody's comments included speaking about specific staff members, President Diane Thiel requested Mr. Cody please share his comments in writing to the Board, as he was asked to do by the Superintendent at their recent meeting. After further discussion President Thiel asked that Mr. Cody please put his comments in writing to the Board.

Resident Joseph Wetzel and several students asked if they could hand a letter to the Board. President Thiel thanked the students for their courteous behavior and said that the Board welcomes their attendance at the meetings. Mr. Cacciola accepted the letter on behalf of the Board. A suggestion was also made that they contact the Superintendent to discuss their concerns.

Superintendent's Report/Educational Presentation: - **None**

Trustee Wandasiewicz seconded by Trustee Villagran made a motion to approve the **Consent Agenda**

The motion was **CARRIED** by all present

BOARD OF EDUCATION

#BE-1 through #BE-2

RESOLVED: that the following Junior High School clubs are approved for the 2012-2013 school year:

JHS School Club	Advisor	Student President	Student Treasurer
Student Council	Eileen Moran	Noela Franco	Hailey Santana
Yearbook Club	Greg Hartranft/ Joanne Thorschmidt	Natalie McIntosh	Linda Zimmerman

#BE-3 through #BE-4

RESOLVED: that the West Babylon Board of Education approves the following school districts to provide special education and related services to West Babylon School District resident students during the 2012-2013 school year:

- Seaford Union Free School District
- Half Hollow Hills Central School District

#BE-5

RESOLVED: that the President of the West Babylon Board of Education is authorized to sign an employment agreement with the Interim Elementary Principal with the effective start date of January 9, 2013, or earlier.

PERSONNEL

#PE-1

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

- 12-A-5 Board of Education
- 12-P-11 Professional Personnel
- 12-C-11 Civil Service Personnel

SCHEDULE 12-A-5, Board of Education Schedule

IV. The following administrator is authorized to represent the school district and the Board of Education, regarding special funding applications and/or legal compliance:

Dignity Act Coordinator - Yiendhy Farrelly [for staff]

SCHEDULE 12-P-11 Professional Personnel Schedule

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Hearns, Gabrielle	Foreign Language Tchr.	HS		12/17/12 -	Family Medical Leave
Gross, Maria Marta	Elementary Tchr.	JK		Second Semester, 2012-2013	Resignation [from LOA]
Mackenzie, MaryEllen	Special Education	JH/HS		Second Semester, 2012-2013	Leave of Absence
Anselona-Troisi, Donna	Elementary Tchr.	JK		Second Semester, 2012-2013	Leave of Absence [1 st extension]
Mostransky, Elissa	Reading Tchr.	SB		Second Semester, 2012-2013	Leave of Absence [2 nd extension]
Zuhlke-Perry, Lisa	Music Tchr.	FA/SB		Second Semester, 2012-2013	Leave of Absence [1 st extension]
Delaney, Wendy	Special Education	JH		Second Semester, 2012-2013	Returning from LOA
Liardi, Christine	Music Tchr.	TA/SA		Second Semester, 2012-2013	Returning from LOA
Mullin, Arlene	Interim Elementary Principal	TA	\$575./day	1/9/13, or sooner	[corrections]
<u>Salary Adjustments:</u>					
Phillips, Deanna			Step TA-3-4/ \$36,025.	9/1/12	
Granieri, Krista			Step A-8-3/ \$70,614.	9/1/12	
<u>A.C.T. Proctors:</u>					
Ruiz, Lawrence			\$22.13/hr.	12/8/12	5 hrs.
Iaquinto, Christine					6 hrs.
McArdle, Patrick					6 hrs.
Powers, Brian					6 hrs.
Dombo, Stephen					7 hrs.
Satriano, Paul	Test Supervisor				7 hrs.

SCHEDULE 12-P-11 Professional Personnel Schedule

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
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Mathematics/Science Regents Tutorials:			\$36.59/hr.		
McKenna, Theresa				1/15/13	[1.5 hrs. max.]
Rizzo, Laura				1/22/13	[1.5 hrs. max.]
Baranek, Stephen				1/22/13	[1.5 hrs. max.]
Mendoza, Aimee				1/23/13	[1.5 hrs. max.]
Kunzig, Christopher				1/16/13, 1/22/13	[2 hrs. max.]
DeLany, Nicole				1/16/13, 1/22/13	[2 hrs. max.]
Valensisi, Valerie				1/17/13	[2 hrs. max.]
Doyno, Ian				1/23/13	[2 hrs. max.]

Adult Education Instructors:			\$25./hr.	Spring, 2013	
Axelson, Gregory		Adult Fitness Program			
Enriquez, Jonathan		Adult Fitness - Substitute			
Baez, Rosalis		Spanish for Beginners			
Bianco, Maureen		Line Dancing: It's Not Just Country Anymore			
Crichton, Kim		Pilates			
		Iyengar Yoga			
		Qigong (Chee Gung)			
Hogan, Lisa		Meditation			
Dunlop, Kyle		Smart Phones and Social Media			
		Introduction to Microsoft Word			
		Introduction to Microsoft Excel			
Kenney, Linda		Mah Jongg			
LeClaire, Kathleen		Painting for Beginners or Those Who Wish to Refresh Their Skills			
Macinick, Cara		Healing from the Kitchen - Part I & II			
		Colors, Crystals and Chakras - Part I & II			
		Hearts in Harmony			
		"Your Stars are Numbered"			
Matti, Jane		Relationships 101 (For Single Women Only)			
Musac, Robert		Diamond Buyers Workshop			
Gorman, Bridget		Italian			
Powers, Joseph		Introduction to Guitar			
Merkler, Cindy		Zumba			
Loggia, Christina		The Passion Test			
Miragliotta, Frank		Basics of Picture Framing			
		Intermediate Mat-Cutting and the Art of Restoration			

Adult Education Consultants:				Spring, 2013	
The Baking Coach		Sugar Cookies		\$10./person	
		Two-Tiered Cakes		\$10./person	
		Irish Soda Bread/Scones		\$10./person	
		Creative Cupcake Course		\$10./person	
		Focaccia and Ravioli		\$10./person	
		Apple Pie Pops		\$10./person	
		Fondant Flower Fun		\$10./person	
		Agave Nectar		\$10./person	
		Biscotti and Cannoli		\$10./person	

SCHEDULE 12-P-11 Professional Personnel Schedule

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
U.S. Coast Guard Auxiliary		America's Boating Course		\$35.00/person	
U.S. Coast Guard Auxiliary		Great South Bay Piloting		\$100.00/person	
Dashkin, Howard		Beginner/Intermediate Salsa		\$40./person	
Notary Public Central, Inc.		Notary Public Course		\$50./person	
		Notary Signing Agent Course		\$50./person	
Fathi, Saul		The History of Islam and the Middle East		\$150./night	
		Saladin and the Crusades		\$150./night	
Greco, Linda - Suffolk Safety		Defensive Driving		\$28./person	
Hirschfield, Martin		Defensive Driving		\$30./person	
Creative Voice Development Group		Getting Paid to Talk		\$87.50/night	
Have Dummy Will Travel		Adult, Child and Infant CPR/AED		\$45./person	
		CPR for Professionals and Healthcare Providers		\$45./person	
		Basic First Aid		\$45./person	
		Pet First Aid & Disaster Preparedness		\$45./person	
Cirino, Vincent		Golf		\$40./person	
Kotch, Dennis		Writer's Workshop for Aspiring Authors		\$100./night	
Adult Education Volunteer Instructors:				Spring, 2013	
Kass, Steven		Elder Law and Estate Planning			
		Special Needs Planning			
Bergmann, Ira		The "10" Roadblocks to a Carefree Retirement			
		Income and Asset Conservation			
Esposito, Jan & Tony		How to Pay for College Without Going Broke			
Danaher, Meg		Social Security			
Espinoza, Shirley		Lick the Sugar Habit			
		Tummy Troubles			
		Nutrition Nature's Way			
Caramico, Jake		Money - It's Not How Much You Make, It's How Much You Keep			
Coaches:				Spring, 2013	
Royle, Daniel	JV Head	Lacrosse(B)	\$5,112.		[resignation]
Kunzig, Christopher	JV Head	Lacrosse(B)	\$5,112.		[repl. D. Royle]
Kunzig, Christopher	JV Asst.	Lacrosse(B)	\$4,108.		[resignation]
Axelson, Gregory	JV Asst.	Lacrosse(B)	\$4,108.		[repl. C. Kunzig]
Student Teachers/Observers:				Spring, 2013	
Caparso, Michael	Social Studies	HS			
DiMaio, Brianna	Social Studies	HS			
Frier, Donald	English	JH/HS			

SCHEDULE 12-P-11 Professional Personnel Schedule

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Klecak, Jackie	Special Education	TA			
Lazio, Jessica	Special Education	SA			
Littlefield, Angela	Mathematics/Special Ed.	HS			
Mando, Brian	Physical Education	TA/HS			
Miller, Justina	English	HS			
Penta, Brian	Elementary	SB			
Postiglione, Julianne	ESL	JH			
Smith, Caitlin	Special Education	HS			
Vallone, Joseph	Special Education	HS			

Guidance Interns:

Spring, 2013

Amato, Tiffany		JH			
*Hammond, Heather		HS			
Prieto, Alexandra		JH			

*Emergency Conditional Appointment

SCHEDULE 12-C-11 Civil Service Personnel Schedule

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Lorito, Thomas	Head Custodian	TA		9/5/12 -	Family Medical Leave
Duffy, Karen	Food Service Wrkr. 'B'	HS		12/7/12 - 6/30/13	Leave of Absence
Bianco, Maureen	Paraprofessional (special ed. aide)	JH		12/19/12 - 1/25/13	Leave of Absence
LoVerde, John	School Bus Driver	Trans.		12/19/12 - 2/8/13	Leave of Absence
Morrison, Adrienne	Food Service Wrkr. 'B'	JK		1/15/13	Resignation
Tomeo, Jesse	Auto. Mechanic II	Trans.	Step 1/ \$40,004. (prorate)	1/9/13	Probationary Appt.
Chang, Rose Ann	Paraprofessional (special ed. aide)	JH	Step 1/ \$13.37/hr.	1/9/13	Probationary Appt.
Spinelli-Herper, Nadine	Paraprofessional (school monitor)	FA	Step 1/ \$13.37/hr.	1/9/13	Probationary Appt.
*Senatore, Lisa	Paraprofessional (school monitor)	FA	Step 1/ \$13.37/hr.	1/9/13	Probationary Appt.

*Emergency Conditional Appointment

FINANCE

#FI-1

RESOLVED: that the West Babylon Board of Education acknowledges the receipt of insurance recoveries totaling \$2,166,726.93 from the New York Schools Insurance Reciprocal (NYSIR) for expenditures related to the reconstruction of South Bay Elementary School. These funds were added to the 2009-10, 2010-11 and 2011-12 budgets to cover the cost of salaries, equipment, materials, supplies, textbooks and lease expenditures totaling \$2,062,781.85. The balance of the funds received from NYSIR represents an overpayment of \$103,945.08. In accordance with NYSIR's request, this overpayment will be paid to Belfor Construction to offset monies owed to them from NYSIR for the cost of reconstructing the building.

#FI-2

RESOLVED: that the West Babylon Board of Education approves the following budget transfers:

ACCOUNT CODE	ACCOUNT CODE DESCRIPTION & TRANSFER EXPLANATION	FROM	TO
A2110.1310	Salary Adjustments & New Hires	\$105,000.00	
A1620.1600	Buildings & Grounds Custodial		\$70,000.00
A2810.1500	Salaries		\$35,000.00
	Guidance Counselors' Salaries		

#FI-3

RESOLVED: that the District hereby appoints Western Suffolk BOCES to represent it and to act as the lead agent in all matters related to the joint bidding for Provision of Electricity (Deregulation) RFP #12-83P; and that the District hereby authorizes Western Suffolk BOCES to place all legal advertisements for any required cooperative bidding in *Newsday*, which is designated as the official newspaper for Western Suffolk BOCES; and that this Agreement with the District shall be for a term of one (1) year as authorized by General Municipal Law §119-o.2.j.

POLICY REVIEW:

The following policies needed to be adopted this evening to keep the district in compliance.

Trustee Bocca seconded by Trustee Villagran made a motion to waive the three step process for policies 0100 and 0100-R

The motion was **CARRIED** by all present

Trustee Scarlatos seconded by trustee Gismervik made a motion to waive reading the policies.

The motion was **CARRIED** by all present

Trustee Scarlatos seconded by trustee Villagran made a motion to move the policy to third time adoption.

The motion was **CARRIED** by all present

Trustee Klein seconded by trustee Gismervik made a motion to adopt the policies.

The motion was **CARRIED** by all present

0100

EQUAL OPPORTUNITY

The Board of Education, its officers and employees, shall not discriminate in its programs and activities against any student, employee or applicant on the basis of race, color, national origin, creed, religion, marital status, sex, age, sexual orientation, disability or predisposing genetic characteristic. The district will provide notice of this policy in accordance with federal and state law and regulation.

This policy of nondiscrimination includes access by students to educational programs, counseling services for students, course offerings, and student activities, as well as recruitment and appointment of employees and employment pay, benefits, advancement and/or terminations.

The Board of Education, its officers and employees shall not discriminate against students on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex; sexual orientation or gender (including gender identity and expression).

A finding that an individual has engaged in conduct in violation of this policy may result in disciplinary action and/or filing of a report with third parties in the manner prescribed by the district code of conduct, the law or applicable contract.

Nothing in this policy shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction or activity based on a person's gender that would be permissible under the law, or to prohibit, as discrimination based on disability, actions that would be permissible under the law.

Annual Notification

At the beginning of each school year, the district shall publish a notice of the established grievance procedures for resolving complaints of discrimination to parents/guardians, employees, students and the community. The public notice shall:

1. inform parents, employees, students and the community that education programs, including but not limited to vocational programs, are offered without regard to actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex; sexual orientation, or gender (including gender identity and expression;
2. provide the name, address and telephone number of the person designated to coordinate activities concerning discrimination; and
3. be included in announcements, bulletins, catalogues, and applications made available by the district.

The Assistant Superintendent for Human Resources has been designated to handle inquiries regarding the district's non-discrimination policies. Contact information for the Assistant Superintendent for Human Resources is available on the district's website. Complaints of sexual harassment or discrimination are covered by policy 0110.

All complainants and those who participate in the investigation of a complaint in conformity with state law and district policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

The Board authorizes the Superintendent of Schools to establish such rules, regulations and procedures necessary to implement and maintain this policy.

Cross-ref: 0110, Sexual Harassment

5030, Student Complaints and Grievances

5300, Code of Conduct

9140.1, Staff Complaints and Grievances

- Ref: Age Discrimination in Employment Act of 1967 29 U.S.C. §621 et seq.
 Americans with Disabilities Act, 42 U.S.C. §12101 et seq.
 Title VI, Civil Rights Act of 1964, 42 U.S.C. §2000d et seq. (nondiscrimination based on race, color, and national origin in federally assisted programs)
 Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. (nondiscrimination based on race, color, and national origin in employment)
 Title IX, Education Amendments of 1972, 20 U.S.C. §1681 et seq. (nondiscrimination based on sex)
 §504, Rehabilitation Act of 1973, 29 U.S.C. §794
 Individuals with Disabilities Education Law, 20 U.S.C §§1400 et seq.
 Genetic Information Nondiscrimination Act of 2008 P.L. 110-233
 34 C.F.R. §§ 100.6, 104.8, 106.9, 110.25
 Executive Law §290 et seq. (New York State Human Rights Law)

Replaces in whole or in part former policies AC and ACA

Adoption date: 12/08/2009

0100-R

EQUAL OPPORTUNITY AND NONDISCRIMINATION REGULATION

The procedures set forth in this regulation do not supersede any protection complainants are provided under existing state or federal law.

Definitions:

1. Complainant shall mean an applicant, employee, student or vendor who alleges that they have been subjected to discrimination, which may be a violation of this policy, as well as a violation of federal or state law or associated regulations, which has affected him/her.
2. Complaint shall mean any alleged act of discrimination which may be a violation of this policy, which may also violate federal and state civil rights laws or associated regulations.
3. Compliance Officer shall mean the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities under the Civil Rights Act of 1964, Section 504 and the ADA. The district's compliance officer is: the Assistant Superintendent for Human Resources

The investigation and resolution of any complaints alleging an action prohibited by the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act or the ADA shall be dealt with in the following prompt, equitable and impartial manner:

A. Stage I--Compliance Officer

1. As soon as practicable, if possible within 30 days after the events giving rise to the allegation, the complainant shall file a complaint, preferably in writing using the district's complaint form, with the Compliance Officer. The Compliance Officer may informally discuss the complaint with the complainant. He/She shall promptly and thoroughly investigate the matter. All employees and students of the school district shall cooperate with the Compliance Officer in such investigation.
2. Within 15 days of receipt of the complaint, the Compliance Officer shall make a finding in writing that there has or has not been a violation of the Civil Rights Act, Section 504 of the Rehabilitation Act or the ADA. In the event the Compliance Officer finds that there has been a violation, he/she shall propose a resolution of the complaint.
3. If the complainant is not satisfied with the finding of the Compliance Officer, or with the proposed resolution of the complaint, the complainant may, within 15 days after he/she has received the report of the Compliance Officer, file a written request for review by the Superintendent of Schools.

B. Stage II--Superintendent of Schools

1. The Superintendent may request that the complainant, the Compliance Officer, student, or any member of the school district staff present a written statement to him/her setting forth any information that such person has relative to the complaint and the facts surrounding it.
2. The Superintendent shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statements supplementing their position in the case. Such hearing shall be held within 15 school days of the receipt of the appeal by the Superintendent.
3. Within 15 days of the hearing, the Superintendent shall render his/her determination in writing. Such determination shall include a finding that there has or has not been a violation of the Civil Rights Act, Section 504 of the Rehabilitation Act or the ADA, and if applicable, a proposal for equitably resolving the complaint.
4. If the complainant is not satisfied with the determination of the Superintendent or the proposed resolution, the complainant may, within 15 days after its receipt, file with the Clerk of the Board of Education, a written request for review by the Board.

C. Stage III--Board of Education

1. When a request for review by the Board has been made, the Superintendent shall submit all written statements and other materials concerning the case to the President of the Board.
2. The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within 15 school days of the receipt of the request of the complainant.
3. The Board shall render a decision in writing within 15 days after the hearing has been concluded.

Promulgated:

The following policies are on the agenda for First Time Reading

File: 5300.30	Prohibited Student Conduct
File: 5300.70	Public Conduct on School Property
File: 6700	Purchasing
File: 6700-R	Purchasing Regs (Review)
File: 7335	Capital Project Change Orders
File: 8334	Use of Credit Cards

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 mayor 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

5300.70

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-pro fit-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 (ERate), 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)

Adoption date:

PURCHASING REGULATION

6700-R

The following sets forth the procedures for the procurement of goods and services by the district:

I. Definitions

Best value: optimizing quality, cost and efficiency. The basis for best value shall reflect, whenever possible, objective and quantifiable analysis, and may also take into consideration small businesses or certified minority- or women-owned businesses as defined in State Finance Law §163.

Purchase Contract: a contract involving the acquisition of commodities, materials, supplies or equipment

Public Work Contract: a contract involving services, labor or construction

II. General Municipal 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. 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.

III. Competitive Bidding Required

A. Method of Determining Whether Procurement is Subject to Competitive Bidding

1. The district will first determine if the proposed procurement is a purchase contract or a contract for public work.

2. If the procurement is either a purchase contract or a contract for public work, the district will then determine whether the amount of the procurement is above the applicable monetary threshold as set forth above.

3. The district will also determine whether any exceptions to the competitive bidding requirements (as set forth below) exist.

4. *All advertised bids shall include the following statement required by General Municipal Law 103-g: "By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the state finance law. "*

B. Contract Combining Professional Services and Purchase

In the event that a contract combines the provision of professional services and a purchase, the district, in determining the appropriate monetary threshold criteria to apply to the contract, will determine whether the professional service or the purchase is the predominant part of the transaction.

C. Opening and Recording Bids; Awarding Contracts

The Executive Director for Finance and Operations will be authorized to open and record bids. Contracts will be awarded to the lowest responsible bidder *or a purchase contract bid of best value* (as recommended by the Executive Director for Finance and Operations), who has furnished the required security after responding to an advertisement for sealed bids. *In order to be considered a responsible bidder, entities must certify that they are not on the list created and maintained by the State Office of General Services cataloging significant investment in the Iranian energy sector. Such statement may be submitted electronically pursuant to General Municipal Law §103(J).*

Entities that cannot make this certification may only be awarded the bid if:

- 1. The entity's investment activities in Iran were made before April 12, 2012; the investment activities in Iran have not been expanded or renewed after that date; and the entity has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or*
- 2. The district makes a determination, in writing, that the goods or services are necessary for the district to perform its functions and that, absent such an exemption, the district would be unable to obtain the goods or services for which the contract is offered.*

D. Documentation of Competitive Bids

The district will maintain proper written documentation which will set forth the method in which it determined whether the procurement is a purchase or a public work contract.

E. Purchase of Instructional Materials

In accordance with Education Law the district shall give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats (i.e., any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as a accommodation for a disabled student enrolled in the district, including but not limited to Braille, large print, open and closed captioned, audio or an electronic file in an approved format.)

The district will establish and follow a plan to ensure that every student with a disability who needs his or her instructional materials in an alternative format will receive those materials at the same time that they are available to non-disabled students.

F. Leases of Personal Property

In addition to the above-mentioned competitive bidding requirements, section 1725 of the Education Law requires that the district will be subject to competitive bidding requirements for purchase contracts when it enters into a lease of personal property.

Documentation: The district will maintain written documentation such as quotes, cost-benefit analysis of leasing versus purchasing, etc.

G. Environmentally-Sensitive Cleaning and Maintenance Products

The district will purchase and utilize environmentally sensitive cleaning and maintenance products whenever feasible. The Executive Director for Finance and Operations will consult with the Green Guidelines provided by the Office of General Services. Any legal issues regarding the applicability of competitive bidding requirements will be presented to the school attorney for review.

H. Exceptions to Competitive Bidding Requirements

The district will not be subject to competitive bidding requirements when the Board of Education, in its discretion, determines that one of the following situations exists:

1. Emergency situations where:

- a. the situation arises out of an accident or unforeseen occurrence or condition;
- b. a district building, property, or the life, health, or safety of an individual on district property is affected; or
- c. the situation requires immediate action which cannot await competitive bidding.

However, when the Board passes a resolution that an emergency situation exists, the district will make purchases at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practicable under the circumstances.

Documentation: The district will maintain records of verbal (or written) quotes, as appropriate;

2. When the district purchases surplus or second-hand supplies, materials or equipment from the federal or state governments or from any other political subdivision or public benefit corporation within the state.

Documentation: The district will maintain market price comparisons (verbal or written quotes) and the name of the government entity;

3. When the Board separately purchases eggs, livestock, fish and dairy products (other than milk), juice, grains and species of fresh fruits and vegetables directly from producers or growers. The amount expended in any fiscal year by the district may not exceed an amount equal to fifteen cents multiplied by the number of days in the school year multiplied by the total enrollment of the district.

Documentation: The district will maintain documentation consistent with sections 114.3 of the Regulations of the Commissioner of Education;

4. When the Board separately purchases milk directly from licensed milk processors employing less than forty (40) people. The amount expended in any fiscal year by the district may not exceed an amount equal to twenty-five cents multiplied by the number of days in the school year multiplied by the total enrollment of the district or exceed the current market price.

Documentation: The district will maintain documentation consistent with section 114.4 of the Regulations of the Commissioner of Education;

5. When the district purchases goods, supplies and services from municipal hospitals under joint contracts and arrangements entered into pursuant to section 2803-a of the Public Health Law.

Documentation: The district will maintain the legal authorization, Board authorization and market price comparisons; or

6. When there is only one possible source from which to procure goods or services required in the public interest.

Documentation: The district will maintain written documentation of the unique benefits of the item or service purchased as compared to other items or services available in the marketplace; that no other item or service provides substantially equivalent or similar benefits; and that, considering the benefits received, the cost of the item or service is reasonable, when compared to conventional methods. In addition, the documentation will provide that there is no possibility of competition for the procurement of the goods.

7. When the district purchases professional services that require special skill or training, such as but not limited to, audit, medical, legal or insurance services, or property appraisals.

Documentation: The district will keep proper documentation in accordance with policy 6741.

8. Quotes 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. Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, as set forth below.

A. Methods of Documentation

1. Verbal Quotations: the telephone log or other record will set forth, at a minimum, the date, item or service desired, price quoted, name of vendor, name of vendor's representative;

2. Written Quotations: vendors will provide, at a minimum, the date, description of the item or details of service to be provided, price quoted, name of contact. For example, with regard to insurance, the district will maintain documentation that will include bid advertisements, specifications and the awarding resolution. Alternatively, written or verbal quotation forms will serve as documentation if formal bidding is not required.

3. Requests for Proposals: the district will utilize RFP's to engage professional services providers in accordance with policy 6741.

B. Purchases/Public Work: Methods of Competition to be Used for Non-Bid Procurements;

Documentation to be Maintained The district will require the following methods of competition be used and sources of documentation maintained when soliciting non-bid procurements in the most cost-effective manner possible:

1. Purchase Contracts up to \$20,000

a. Contracts from [\$100 to \$1,000] *\$2,501 to \$5,000:*

Three Verbal quotes or a written quote.

Documentation will include notations of verbal quotes.

b. Contracts in excess of [\$1,000] *\$5001 to \$20,000:*

Three Written quotes

2. Public Work Contracts up to \$35,000

a. Contracts in excess of [\$10,000] *\$20,001 to \$35,000:*

Three Written quotes

VI. Quotes Not Required When Competitive Bidding Not Required

The district will not be required to secure alternative proposals or quotations for those procurements *as permitted by state law:*

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.

VII. Procurements from Other than the "Lowest Responsible Dollar Offeror"

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.

VIII. Internal Control

The Board authorizes the Superintendent of Schools, with the assistance of the Executive Director for Finance and Operations, to establish and maintain an internal control structure to ensure, to the best of their ability, that the district's assets will be safeguarded against loss from unauthorized use or disposition, that transactions will be executed in accordance with the law and district policies and regulations, and recorded properly in the financial records of the district. Comments will be solicited from those administrators involved in the procurement process before enactment of the district's regulations regarding purchasing and from time to time thereafter. The regulations must then be adopted by Board resolution. All district regulations regarding the procurement processes will be reviewed by the Board at least annually.

January 8, 2013

'12-120

The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the district's regulations regarding procurement will not be grounds to void action taken or give rise to a cause of action against the district or any officer or employee of the district.
Promulgated:

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:

8334

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

The following policies are on the agenda for third time adoption

File #4205 - Program Evaluation Plan - formerly IFD

File #4310 - Basic Instructional Program Administrative Regulations - formerly IGA-R

File #4770 - Graduation Requirements - formerly IKF

File #5454 - Student Automobile Use - formerly JHFD

Trustee Villagran seconded by trustee Klein made a motion to adopt the policies.

The motion was **CARRIED** by all present

Program Evaluation Plan

File: 4205

Both staff and program renewal can be achieved through program evaluation. West Babylon's district-wide evaluation program is expected to achieve specific organizational goals and objectives. A program evaluation will:

1. Confirm the strengths of the program
2. Identify areas of concern
3. Lead to recommendations

All programs will be evaluated every four years. The schedule for evaluation should be consistent.

Year I

Computer Science
 Foreign Language
 Health
 Mathematics
 Physical Education
 Social Studies

Year II

Art
 Business
 Music
 Science
 Special Education/Student Services

Year III

English/ELA
 Family & Consumer Sciences
 Guidance
 Reading
 Technology

Year IV

Library Media
 Co-curricular Activities
 Evening Schools
 Extracurricular Activities
 Interscholastic Athletics
 Instructional Support Services

Adopted: 11/8/89

Reviewed: 5/22/95

Revised:

Basic Instructional Program

Administrative Regulation

File: 4310

The basic instructional program must include all courses of instruction required by Ed. Law, Commissioner's Regulations, and the Regents, as well as any other courses the Board of Education may determine to be appropriate. The Regents Action Plan resulted in more rigorous instructional program mandates than those recognized when our current policy was adopted.

The basic instructional program should be designed to provide an integrated course of study as well as the flexibility to meet individual student needs at each stage of development.

Kindergarten: Curricula will be aligned with the State Common Core learning standards that includes an early literacy and emergent reading program based on effective, evidence-based instructional practices which includes: background knowledge; phonological awareness; expressive and receptive language; vocabulary development; phonemic awareness; fluency; and comprehension. Learning experiences shall include: differentiated instruction to support the acquisition of new concepts and skills; materials and equipment which allow for active and quiet play in indoor and outdoor environments; instruction in the content areas of English language arts, mathematics, science, social studies and the arts, including dance, music, theatre and visual arts; that is designed to facilitate student attainment of the State learning standards and is aligned with the instructional program in the early elementary grades; opportunities for participation in inquiry-based activities and projects; opportunities to use a wide variety of information in print and electronic mediums; instruction in physical education pursuant to section 135.4 (c)(2)(i) of this Title; and instruction on health

January 8, 2013

'12-122

and nutrition topics for students in pre-kindergarten and health education for students in kindergarten pursuant to section 135.3(b) of this Title. Procedures shall be developed to ensure the active engagement of parents and/or guardians in the education of their children.

Grades 1 through 6: Curricula will be aligned with the State Common Core learning standards in mathematics, English language arts, including reading, writing, listening and speaking for purposes of information and understanding, literary response and expression, critical analysis and evaluation, and social interaction, with attention given to comprehension, vocabulary, word study, spelling, grammar, usage and punctuation; social studies, including geography and United States history; the arts, including visual arts, music, dance and theatre; career development and occupational studies; where student need is established, bilingual education and/or English as a second language; and health education, physical education and family and consumer sciences. In addition, students in grades three through six are required to take the NYS Assessments in ELA and Mathematics and students in grade four are required to take the NYS Assessment in Science.

Grades 7-8: Students completing grade 8 must have 2 units (180 minutes of instruction per week during the school year or the equivalent) of English, social studies, science and math, and 1/2 unit of art, music, and health education, as well as required physical education. Students completing 8th grade must also have 1 unit of technology education and 3/4 of a unit of home and career skills. The equivalent of 1 period per week of library and information skills is required in grades 7 and 8. All districts are now required to offer instruction in at least one foreign language no later than grade 8 and continuing through grade 12. All students, except certain youngsters with handicapping conditions who are exempt from the second language requirement, must complete at least 2 units of a foreign language by the end of ninth grade. Students who pass an approved second language proficiency exam by the end of ninth grade will receive 1 unit of academic credit in second language instruction. Students in grades seven and eight are required to take the NYS Assessments in ELA and Mathematics and students in grade eight are required to take the NYS Assessment in Science.

High School: The basic instructional program should address student needs during the high school years as well as help students prepare for plans after graduation. Instructional offerings must afford all students the opportunity to complete courses of study that will meet requirements for a Regents diploma. Students are to have the opportunity to take Regents courses in grades 9-12 and, when appropriate, in grade 8. Students may opt to earn a local diploma.

Other Instruction: At various times throughout students' courses of study, Ed. Law requires instruction in certain additional subjects including patriotism and citizenship; health education regarding alcohol, drugs, and tobacco abuse; AIDS; highway safety and traffic regulations; fire drills and fire and arson prevention; conservation of natural resources of the state; the flag and certain legal holidays; and for students in grades 1-8, the humane treatment of animals and birds, New York State history and civics; and for students in grade 8 and above, instruction in the state and federal institutions and the Declaration of Independence.

Remedial Instruction: Remedial instruction must be provided to students who score below a point designated by the Commissioner on screening tests, to enable them to score above the state reference point on the appropriate student evaluation program tests, preliminary competency tests, or to pass the appropriate RCTs.

Students with Handicapping Conditions: Students with handicapping conditions must have access to the full range of programs and services to the extent that such programs and services are appropriate to provide the opportunity for such students to meet diploma requirements.

Substitution of Courses: As a general rule, public schools may substitute other courses of study rather than use the recommended State Syllabus; however, the substitution of any course of study for the regular state courses require prior approval by SED if credit is offered in high school towards a diploma. Appropriate SED Syllabi must be used in certain other instances, however; for example, in the second required unit of credit in math and/or science, upon the student's failure of required tests. The use of a State Syllabus may also be required for individual schools identified through CARs as being in need of assistance.

Source: Law and Management Policies for Schools, New York State School Boards Association.

10/15/91

Revised:

Students need a minimum of 22 credits to earn a High School diploma.

A. Minimum Graduation Requirements:

Course	Regents Diploma	Advanced Designation Regents
English Language Arts	4	4
Social Studies	4(a)	4(a)
Mathematics	3(b)	3(b)
Science	3(b)	3(b)
Health	0.5	0.5
The Arts	1	1
Languages Other Than English	1(d)	1(d)
Physical Education	2	2
Sequence Courses, Electives	3.5	3.5(f)
Total Required	22	22

B. Examinations:

Examination	Regents Diploma	Advanced Designation Regents
Comprehensive English	1	1
Global History & Geography	1	1
US History & Government	1	1
Mathematics	1	2 or 3
Science	1	2 (g)
Languages Other Than English	(h)	1 (i)
Total Required	5(i)	7, 8, or 9

- (a) Four credits required, including 1 unit in American History and ½ unit each in Participation in Government and Economics.
- (b) Students may meet the learning standards in technology either in a course in technology education or through an integrated course combining technology with mathematics and/or science. A commencement-level course in technology education may be used as the third unit of credit in science or mathematics, but not both.
- (c) The Arts are defined as dance, music, theatre, and visual arts.
- (d) Students with a disability may be excused from the requirement for one unit of credit in LOTE if so indicated on the Individualized Education Program (IEP). Students must receive LOTE instruction no later than the beginning of Grade 8 and complete 2 units of study by the end of grade 9.
- (e) To earn the advanced designation, the student must complete one of the following: two additional units in a language other than English (3 LOTE credits total); career and technical education (5 credit CTE sequence); or the Arts (5 credit sequence). Students with disabilities who are exempt from the LOTE requirement as indicated on the IEP may earn the advanced designation as long as the required number of credits to graduate are met.
- (f) Sequence courses and/or electives may include LOTE, CTE, and the Arts.
- (g) A total of two Regents Examinations in science, with at least one in life science and at least one in physical science.
- (h) Students who complete Checkpoint A of the syllabus and two units of study in a language other than English no later than the end of Grade 8 must pass either the State or locally developed second language proficiency examination in order to earn one unit of credit toward the high school diploma.
- (i) If so indicated on the IEP, students with a disability may be excused from completing the additional LOTE units and the corresponding Regents examination. Students completing a sequence of not less than 5 units of credit in CTE or the Arts are not required to complete the additional two units of LOTE or to pass either the Regents examination, State approved alternative or locally developed Checkpoint B examination in that language to earn a Regents Diploma with Advanced Designation.
- (j) Students who successfully appeal one Regents examination score within three points of the 65 passing score and who meet the other

requirements of the appeals process specified in CR 100.5(d)(7) will earn a Regents diploma.

C. Occupational Education

In order to provide intensive training in vocational and technical areas, the school district shall participate as fully as possible in the area vocational and technical education school conducted by the Board of Cooperative Educational Services.

Revised:

Student Automobile Use

File: 5454

Student parking on school grounds is a privilege granted to students in good standing who agree to obey school rules related to parking and the Code of Conduct. Students who violate school parking regulations and/or the Code of Conduct shall lose this privilege.

Students must apply for a permit to park on school grounds.

Students may park only in designated areas and may not use their cars for any purpose during school hours except when excused to participate in the open lunch program for seniors only.

Students attending BOCES programs must use school bus transportation to and from the site of the BOCES program.

The building principal and staff will enforce Board of Education policy regarding student automobile use to and from BOCES by publicizing and agreement form signed by each student and his/her parent/guardian.

Violations of the policy of the Board of Education will result in consequences determined by the building principal.

Cross Reference:

Code of Conduct

Revised:

COMMITTEES:

Operations: The January 3, 2013 Operations Committee Report is on file in the District Clerk's Office.

OLD/NEW BUSINESS:

Board Retreat: Mr. Cacciola explained that the Board traditionally holds a retreat in the winter. In the past these retreats were held off-site. In light of the fiscal challenges he suggested that they be held in district on off Board meeting evenings, or on a Saturday. After some discussion the following dates/times were determined for the Board retreats:

Thursday, February 21, 2013 - 6:00 p.m. — 9:30 p.m. and Tuesday, March 5, 2013 (following the Operations Committee meeting) 6:00 p.m. — 9:30 p.m.

Diane Thiel said that she is working on confirming a date to honor Owen Johnson at a future Board meeting.

PTA recognition — The Board will host at the February 6, 2013 PTA Council Meeting.

Mrs. Tona said that the SAT Prep course has been going well and would like to see it continue. She asked the Board to again waive the facilities use fee for one to two more sessions. After some discussion Trustee Villagran seconded by Trustee Wandasiewicz made a motion to waive the facilities use fees for the SAT Prep course.

The motion was **CARRIED** by all present

Trustee Campasano asked about the \$480 fee that is charged to "for profit" groups per event. She said that it was brought to her attention that one group did not pay and that is a loss of approximately \$12,000 to the district. She asked if there is any way to recoup these fees. After discussion, it was determined that since the district entered into an agreement with the group and no fee was established, the fees cannot be recouped. After further discussions, Trustee Campasano asked for either a change to the policy or enforcement of the policy. Trustee Scarlatos offered to personally review the rosters to ensure the 90% rule is being followed to have fees waived. Mr. Cacciola said that he will ask Mr. Graziano to attend the January 22, 2013 Board meeting with Mr. Spinelli and have them explain the procedure for use of fields.

Statement of Residents:

January 8, 2013

'12-125

Before turning the meeting over to residents, President Thiel requested that residents adhere to the 3 minutes to speak per person policy and refrain from speaking about personnel.

Resident Raymond Cody spoke about outside teams using the gyms over West Babylon teams. He spoke about a letter he received 4 days ago, after meeting with the Superintendent. After further discussion President Thiel again requested that Mr. Cody please put his comments in writing to the Board to allow them to assess the situation. She said that the Board has not seen the letter about which Mr. Cody is speaking. She said that the Board would like to see both his comments in writing and a copy of the letter he received.

Resident Nicole Mendolia said that she has spoken with both Mrs. Levy and Mrs. Farrelly about her concerns after the Sandy Hook incident. She thanked them both for hearing her. She said that the proposed plans for security measures sound excellent. She would still like to see additional guards in the district as a deterrent; even if only temporarily while the other measures are being implemented. It was explained to Mrs. Mendolia that the students' safety is of the utmost concern to the Board and many measures of security have been implemented already. As a safety precaution the Board will not divulge all of the measures taken. She was assured that the district hears her concern and is pro-active when it comes to security.

Trustee Scarlatos seconded by Trustee Bocca made a motion to adjourn at 9:27 p.m.

The motion was **CARRIED** by all present

Attested to: _____
District Clerk