

**6:00 p.m. – BUDGET WORK SESSION**  
**6:30 p.m. – BOARD MEETING**

REMSEN CENTRAL SCHOOL  
BOARD OF EDUCATION MEETING  
ELEMENTARY SCHOOL MEDIA CENTER  
TUESDAY, JANUARY 11, 2022 – 7:00 PM

AGENDA

- 1.0 Call to Order
- 2.0 Public Participation
  - 2.1 Questions & Concerns from the Public
- 3.0 Consent Agenda
  - 3.1 Preliminary Actions
  - 3.2 Business Operations
- 4.0 Reports to the Board of Education
  - 4.1 Elementary Principal's Report
  - 4.2 High School Principal's Report
  - 4.3 Athletic Director's Report
  - 4.4 Facilities Report
  - 4.5 Transportation Report
- 5.0 Old Business
  - 5.1 Board of Education Policies – Section 5000 – Support Operations
- 6.0 New Business
  - 6.1 Committee on Special Education
  - 6.2 Phase II B Capital Project Bid Award
- 7.0 Personnel
  - 7.1 Notice of Intent to Retire
  - 7.2 Notice of Intent to Retire
  - 7.3 Resignation
  - 7.4 Appointment of Long Term Substitute Teacher
  - 7.5 Appointment of Substitute Teacher
- 8.0 Information & Correspondence
  - 8.1 Letter from National Association of Agricultural Educators
- 9.0 Board Forum

10.0 Executive Session for Superintendent's Mid -Year Informal Evaluation and

	Matters that will imperil the public safety if disclosed
	Any matter that may disclose the identity of a law enforcement agent or informer
	Information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed.
	Proposed, pending, or current litigation
	Collective negotiations pertaining to the _____ Union pursuant to article 14 of the Civil Service Law
X	The medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.
	The preparation, grading, or administration of exams
	The proposed acquisition, sale, or lease of real property or the proposed acquisition, sale, or exchange of securities, but only when publicity would substantially affect the value of these things.
	Discussing student records made confidential by federal law (FERPA or IDEA)
	Hearing an appeal of a student suspension
	Hearing an appeal of an employee grievance
	Seeking legal advice from our attorney, which is made privileged by law

11.0 Adjournment

**6:00 p.m. – BUDGET WORK SESSION**

**6:30 p.m. – BOARD MEETING**

REMSEN CENTRAL SCHOOL DISTRICT

BOARD OF EDUCATION MEETING

SUPERINTENDENT’S MEMORANDUM

ELEMENTARY SCHOOL MEDIA CENTER

TUESDAY, JANUARY 11, 2022

1.0 Meeting Call to Order – Mrs. Mary Lou Allen, Board President, will call the meeting to order at 6:30 p.m. Pledge of Allegiance recited by all present.

2.0 Public Participation - We are about to convene into the public comment period of our meeting. Any district resident wishing to speak during public session is required to sign in, stating your full name, address, contact information and the topic that you wish to discuss. If you have not signed in and you wish to speak, the District Clerk will bring the sign-in sheet over to you at this time.

We will insist that all speakers and members of the audience maintain civility and respect. The board will now entertain public comments for up to a maximum of 30 minutes. Each individual speaker will be allotted three minutes. Please be reminded that written comments or concerns to be shared with the Board may also be submitted or emailed to the district clerk, Mrs. Catherine Chandler or to the Superintendent, Mr. Timothy Jenny at any time.

2.1 Questions and Concerns from the Public

3.0 Consent Agenda – RECOMMENDED ACTION – A single motion to approve the following routine items:

3.1 Preliminary Actions

- A. Approval of Minutes – December 14, 2021 ENC. 3.1A
- B. Additions to and Approval of Agenda

3.2 Business Operations

- A. Warrants for Payment ENC. 3.2A
- B. Treasurer’s Report – October and November, 2021 ENC. 3.2B
- C. Budget Status Report – October and November, 2021 ENC. 3.2C
- D. Revenue Status Report ENC. 3.2D
- E. Appropriation Status Report ENC. 3.2E
- F. Budget Transfers ENC. 3.2F

4.0 Reports to the Board of Education

- 4.1 Elementary Principal’s Report ENC. 4.1
- 4.2 High School Principal’s Report ENC. 4.2
- 4.3 Athletic Director’s Report ENC. 4.3
- 4.4 Facilities Report ENC. 4.4
- 4.5 Transportation Report ENC. 4.5
- 4.6 “Test to Stay” Plan Report

5.0 Old Business

- 5.1 Board of Education Policies – Section 5000 – Support Operations -  
“RESOLVED, that the Board of Education approve Section 5000 –Support  
Operations board policies, as included in your packet.” ENC. 5.1

6.0 New Business

- 6.1 Committee on Special Education – RECOMMENDED ACTION – Approve the  
Following “RESOLVED, that the Board of Education accept recommendations of  
the Committee on Special Education from meetings held on December 15, 2021,  
January 4, 2022, January 5, 2022 and accept recommendations of the Committee  
on Preschool Special Education from meetings held on January 6, 2022.”  
Please be reminded that discussion of a specific IEP should be referred to  
Executive Session. ENC. 6.1

- 6.2 Phase II B Capital Project Bid Award – RECOMMENDED ACTION – Approve  
the following: “RESOLVED, that the Board of Education award General  
Construction Contract for the Capital Project Phase IIB to the low bidder, Richard  
E. Alexander Co., Inc., March, NY in the following amount: Base Bid:  
\$50,480.00; Total Bid-\$50,480.00.” ENC. 6.2

7.0 Personnel

- 7.1 Notice of Intent to Retire – RECOMMENDED ACTION – Approve the  
following: “RESOLVED, that the Board of Education accept Notice of Intent to  
Retire of Nancy Gleasman, effective June 30, 2022.” ENC. 7.1

- 7.2 Notice of Intent to Retire – RECOMMENDED ACTION – Approve the  
following: “RESOLVED, that the Board of Education accept Notice of Intent to  
Retire of Kimberly A. Kershaw, effective June 30, 2022.” ENC. 7.2

- 7.3 Resignation – RECOMMENDED ACTION – Approve the following:  
“RESOLVED, that the Board of Education accept resignation of Alyssa  
Losowski, effective January 30, 2022.” ENC. 7.3

- 7.4 Appointment of Long-Term Substitute Teacher – RECOMMENDED ACTION -  
Approve the following: “RESOLVED, that the Board of Education appoint  
Hunter Brown of Whitesboro, NY as long term substitute for Laura Boyd, from  
approximately February 18 – May 16, 2022.” ENC. 7.4

- 7.5 Appointment of Substitute Teacher - RECOMMENDED ACTION – Approve the  
following: “RESOLVED, that the Board of Education appoint Noah Thompson  
of Remsen, NY as substitute teacher.” ENC. 7.5

8.0 Information & Correspondence

- 8.1 Letter from National Association of Agricultural Educators ENC. 8.1

9.0 Board Forum

10.0 Executive Session – Superintendent’s Mid -Year Informal Evaluation and

	Matters that will imperil the public safety if disclosed
	Any matter that may disclose the identity of a law enforcement agent or informer
	Information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed.
	Proposed, pending, or current litigation
	Collective negotiations pertaining to the _____ Union pursuant to article 14 of the Civil Service Law
X	The medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.
	The preparation, grading, or administration of exams
	The proposed acquisition, sale, or lease of real property or the proposed acquisition, sale, or exchange of securities, but only when publicity would substantially affect the value of these things.
	Discussing student records made confidential by federal law (FERPA or IDEA)
	Hearing an appeal of a student suspension
	Hearing an appeal of an employee grievance
	Seeking legal advice from our attorney, which is made privileged by law

11.0 Adjournment



## SUPPORT OPERATIONS

### DISTRICT-WIDE SAFETY PLANS AND BUILDING-LEVEL EMERGENCY RESPONSE PLANS

#### I. Statement of Policy

##### A. Plan Adoption and Re-Adoption

As required by State law, the Board of Education (the Board) has adopted a comprehensive District-Wide School Safety Plan and a Building Level Emergency Response Plan regarding crisis intervention and emergency response and management for each building in the Remsen Central School District (the District), and reviews and updates those plans annually by September 1<sup>st</sup> of each succeeding year.

##### B. Chief Emergency Officer

The Superintendent is designated as the District's Chief Emergency Officer. The Chief Emergency Officer is responsible for coordinating communication between school staff and law enforcement and first responders, ensuring staff understanding of the district-level safety plan, and ensuring the annual review and updating of each building-level emergency response plan.

#### II. District-Wide School Safety Plan

##### A. Safety Team

The Board of Education shall appoint a District-Wide School Safety Team, which shall include, but not be limited to, representatives of the school board, teacher, administrator, and parent organizations, school safety personnel, student and other school personnel including bus drivers and monitors as needed to develop a comprehensive District-Wide Safety Plan.

##### B. Contents of Safety Plan

The District-Wide Safety Plan shall include, at a minimum, all the elements required by Commissioner's Regulation 155.17(c)(1) and Education Law §2801-a (2). The plan shall provide that each district superintendent, during a local or State emergency, shall act as the chief communication liaison for all education agencies within the supervisory district territorial limits.

DISTRICT-WIDE SAFETY PLANS AND BUILDING-LEVEL  
EMERGENCY RESPONSE PLANS

## C. Review and Update

1. The District-Wide School Safety Plan is reviewed and updated at least annually by the District-Wide School Safety Team, which shall make recommendations to the Board concerning appropriate amendments to the Plan.
2. The District-Wide Safety Plan must be made available for public comment at least thirty (30) days prior to adoption by the Board of any proposed amendments to the Plan. The Board may adopt ~~the an amended~~ District-Wide Safety Plan only after at least one public hearing has been held.

## D. File with Commissioner of Education

A copy of the Board Approved District-Wide Safety Plan and any amendments to the Plan shall be filed with the Commissioner of Education no later than thirty (30) days after adoption of approval by the Board, but no later than October 1<sup>st</sup> of each year.

## III. Building-Level Emergency Response Plan

## A. Response Team

1. The Principal of each school building shall appoint a Building Level Emergency Response Team, which shall include but not be limited to representatives of teacher, administrator, and parent organizations, school safety personnel, other school personnel, including bus drivers and monitors, community members, local law enforcement officials, local ambulance, fire officials or other emergency response agencies, and any other representatives the Board deems appropriate.
2. The Building-Level Emergency Response Team shall develop a school emergency response plan, which shall be kept confidential and shall not be disclosed except to authorized school staff and law enforcement officers.

B. Contents of Response Plan

The Building-Level Emergency Response Plan shall include at a minimum all the elements required by Commissioner's Regulation 155.17(c)(1) and Education Law §2801-a (2). The plan shall provide that each district superintendent, during a local or State emergency, shall act as the chief communication liaison for all education agencies within the supervisory district territorial limits.



DISTRICT-WIDE SAFETY PLANS AND BUILDING-LEVEL  
EMERGENCY RESPONSE PLANS

C. Review and Update

The Building-Level Emergency Response Plan is reviewed and updated at least annually by the Building-Level Emergency Response Team.

D. File with Law Enforcement

A copy of each Building-Level Emergency Response Plan and any amendment shall be filed with appropriate local law enforcement officials and with the State Police within thirty (30) days after adoption but no later than October 1<sup>st</sup> 15<sup>th</sup> of each year.

IV. Implementation and Training

A. Notice to Commissioner

The Superintendent shall notify the Commissioner as soon as possible whenever the emergency plan or building level safety plan is activated and results in the closing of a school building in the District, except that closures due to routine snow emergencies will not be reported.

B. Staff Training

1. All District and school staff shall receive annual training by September 15<sup>th</sup> of each school year, or within thirty (30) days of hire, whichever is sooner, on the emergency response plan.
2. This safety training shall include components of violence prevention and mental health.
3. The Superintendent shall be responsible for making the necessary certification of this training to the State Education Department.

C. Annual Information for Students and Staff

The Superintendent shall provide written information, by October 1<sup>st</sup> of each school year, to all students and staff about emergency procedures.

D. Emergency Drill

The District shall, at least once every school year, conduct one test of its emergency procedures.

DISTRICT-WIDE SAFETY PLANS AND BUILDING-LEVEL  
EMERGENCY RESPONSE PLANS

V. Response to Student Conduct

School personnel have primary responsibility for responding to student misconduct that violates, or may violate the District's Code of Conduct. Law enforcement personnel should be asked to intervene only when intervention by school personnel would create an unreasonable risk to the school personnel or other persons, including the offending student, or when the additional training, techniques, and equipment available to law enforcement personnel is necessary to prevent additional injury to affected persons, including the offending student, or to restore order.

[Each District that already employs, contracts with or otherwise retains law enforcement of public or private security personnel (including SROs and SPOs) should include the following section. Other Districts may want to include the following section to provide a roadmap for future actions:]

VI. Contracts With Law Enforcement or Other Security Agencies

A. Board Responsibility

The Board is responsible for determining whether, when, and to what extent District funds shall be used to engage the assistance of law enforcement or other security agencies, and the proper role of those personnel in the schools. When the Board decides to secure the assistance of law enforcement or other security agency personnel, it shall do so by contract, memorandum of agreement, or other legally binding agreement.

B. Development of a School Security Services Agreement

1. The contract or memorandum of agreement for the procurement of law enforcement or other security agency services shall be developed with input from a working group consisting of representatives of: the Board, parents/guardians, students, school administrators, teachers, other school personnel, collective bargaining units, parent/guardian and student organizations, community members, probation officers, prosecutors, defense counsel, and courts that are familiar with school discipline matters. Whenever feasible, the representatives of the school community shall be drawn from the District-Wide Safety Team.
2. When the District enters into an agreement for the procurement of school security services, the agreement shall include, but not be limited to, the following elements:

SUPPORT OPERATIONS

DISTRICT-WIDE SAFETY PLANS AND BUILDING-LEVEL  
EMERGENCY RESPONSE PLANS

- a. define the relationship between the District and the contracted school security personnel;
  - b. coordinate with the District's Code of Conduct.
  - c. delegate to school personnel the role of school discipline; and
  - d. define the roles and responsibilities of the law enforcement or security personnel within the school community.
3. A school security services agreement approved by the Board shall be incorporated into the District-Wide Safety Plan and published with the Plan.

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Remsen Central School District

Legal Ref: NYS Education Law §2801-a; 8 NYCRR 155.17, Safe Schools Against Violence in Education Act (SAVE); NYS Fire Prevention and Building Code; and NYSED Manual of Planning Standards

Adopted: 07/10/01

Revised: 04/25/17, \_\_\_\_\_

## SUPPORT OPERATIONS

### FIRE AND EMERGENCY DRILLS AND BUS EMERGENCY DRILLS

#### I. Fire and Emergency Drills

- A. The administration of each school building of the Remsen Central School District (the District) shall provide instruction for and training of students, through fire and emergency drills, in procedures for leaving the building in the shortest possible time and without confusion or panic. Fire and emergency drills shall be conducted in accordance with Section 807 of the New York State Education Law.
1. Fire and emergency drills shall be held at least twelve (12) times in each school year, eight (8) of which shall be held between September first and December thirty-first of each such year.
  2. Eight (8) of the twelve (12) required drills shall be evacuation drills, four (4) of which shall be through the use of the fire escapes on buildings where fire escapes are provided or through the use of identified secondary means of egress. Four (4) of the twelve (12) required drills shall be lock-down drills.
  3. At least two (2) additional drills shall be held during summer school in buildings where summer school is conducted, and one (1) of such drills shall be held during the first week of summer school.
  4. Students must also be instructed at one of the drills about procedures to be followed if a fire occurs during a lunch period or assembly, provided however, that such additional instruction may be waived where a drill is held during the regular school lunch period or assembly.
- B. A written record shall be kept indicating the date and time each drill is conducted.
- C. The fire department and/or Alarm Monitoring Company responsible for the respective school building(s) should be notified immediately prior to each drill.
- D. The Building Principal or ~~his/her~~ designee shall require those in charge of after-school programs, attended by any individuals unfamiliar with the school building, to announce at the beginning of such programs the procedures to be followed in the event of an emergency.
- E. The Superintendent shall ~~insure~~ ensure that the annual fire inspection required by Education Law Section 807-a is conducted and that any necessary reports are filed and notices are published as required by the statute and applicable regulations of the Commissioner.

## SUPPORT OPERATIONS

FIRE AND EMERGENCY DRILLS AND BUS EMERGENCY DRILLS

- F. The Superintendent shall ~~insure~~ ensure that the instruction in fire and arson prevention required by Section 808 of the Education Law is provided to students in the District.

## II. Bus Emergency Drills

- A. The Board of Education directs the administration to conduct a minimum of three (3) emergency drills to be held on each school bus during the school year. The first drill is to be conducted during the first seven days of school, the second drill between November 1 and December 31 and the third drill between March 1 and April 30.
- B. Each drill shall include instruction in all topics mandated by the Education Law and the Commissioner's Regulations and shall include, but need not be limited to, the following:
1. Safe boarding and exiting procedures;
  2. The location, use and operation of the emergency door, fire extinguishers, first aid equipment and windows as a means of escape in case of a fire or accident;
  3. Orderly conduct as bus passengers.
- C. Students who ordinarily walk to school shall also be included in the drills.

## III. Implementation

The Superintendent is authorized to promulgate administrative regulations to implement the terms of this policy. Such regulations shall be consistent with the District-Wide School Safety Plan and each Building level Emergency Response Plan. Those administrative regulations shall ensure that written information is distributed regarding emergency procedures to all staff and students by October 1 of each school year; an annual drill to test the emergency response procedures under each Building Level Emergency Response Plan takes place; and the District-Wide and Building Level Emergency Response Plans are updated each year, by September 1, as mandated pursuant to law and regulation.

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Remsen Central School District

Legal Ref: NYS Education Law Sections §§ 807, 807-a, 808, 2801-a and 3623; 8 NYCRR §§ 155.17, 156.3

Adopted: 02/09/82

Revised: 12/15/92, 04/25/17, \_\_\_\_\_

SUPPORT OPERATIONS

SHORT-TERM WORKER ASBESTOS NOTIFICATION

I. Statement of Policy

The Asbestos Hazard Emergency Response Act (AHERA) requires schools to inform all non school ~~Remsen Central School District (the District)~~ employees who perform short-term work in a school building, such as electricians, plumbers, and telephone repair workers, of the locations of any known or assumed asbestos-contained building materials (ACBM) in the school building.

II. Asbestos Designee

It is the policy of the ~~Remsen Central School~~ District that an individual be designated in each building to meet with short-term workers upon their arrival to inform them of the location of any known or assumed asbestos-containing building materials (ACBM).

- III. A. It shall be the responsibility of the ~~Remsen Central School~~ District's asbestos designee to —ensure that each building has a designated person to meet with short-term workers prior to or upon their arrival.
- B. Information provided to short-term workers should include a floor plan of the building, with the location of any known or assumed ACBM highlighted, and clear instruction about where work should and should not be performed.
- C. The designated individual shall document that this process has taken place and the date (See Regulation #5003.1).
- D. Copies of any documentation shall be retained in the ~~Remsen Central School~~ District's asbestos management plan.

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Remsen Central School District

Legal Ref: The Asbestos Hazard Emergency Response Act (AHERA), Section §763.84(d)

SUPPORT OPERATIONS

SHORT-TERM WORKER ASBESTOS NOTIFICATION

Adopted: 03/21/95  
Revised: 04/25/17, \_\_\_\_\_

# Regulation

Draft 10/26/2021  
5003.1

SUPPORT OPERATIONS

ASBESTOS HAZARD EMERGENCY RESPONSE ACT  
SHORT-TERM NOTIFICATION FORM

Remsen Central School District: \_\_\_\_\_

School Building Name: \_\_\_\_\_

Building Address: \_\_\_\_\_  
\_\_\_\_\_

Building Telephone Number: \_\_\_\_\_

LEA-Asbestos Designee Name: \_\_\_\_\_

Short-Term Worker's Name and Job Title: \_\_\_\_\_  
\_\_\_\_\_

Short-Term Worker's Company Name and Address: \_\_\_\_\_  
\_\_\_\_\_

Short-Term Worker's Company Telephone Number: \_\_\_\_\_

As required by the Asbestos Hazard Emergency Response Act (AHERA) Section 763.84(d),

\_\_\_\_\_ has been notified by  
(name of short-term worker)

\_\_\_\_\_ of the location of all known or assumed  
(name of school employee)

asbestos-containing building material in the above-noted school building.

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Signature of the LEA-Asbestos Designee

Today's Date: \_\_\_\_\_

Signature of the Short-Term Worker

Today's Date: \_\_\_\_\_

Remsen Central School District

Approved by the Superintendent: 03/21/95, 04/25/17, \_\_\_\_\_



SUPPORT OPERATIONS

PESTICIDE ALTERNATIVES AND NOTIFICATION

I. Statement of Policy

- A. The Remsen Central School District (the District), in accordance with Section 409-k of the NYS Education Law, prohibits the use of pesticides on playgrounds (including playground equipment), turf, athletic or playing fields, except as described in Part II of this policy.
- B. The Superintendent shall designate an appropriate staff member as the Integrated Pest Management (IPM) Coordinator to implement notices required by policy, and maintain appropriate records.

II. Exceptions

- A. This prohibition of the use of pesticides does not apply to indoor use of pesticides or pesticide application to buildings and structures (e.g. school buildings, garages).
- B. Pesticides may be applied when the Board of Education (the Board) has determined that emergency conditions justify use.
- C. The following types of pesticides and alternatives are allowable on playing fields and playgrounds:
  - 1. Antimicrobial pesticides and products as defined in the Federal Insecticide, Fungicide, and Rodenticide Act;
  - 2. Aerosol products with a directed spray in containers of eighteen (18) fluid ounces or less when used to protect individuals from an imminent threat from stinging and biting insects, including venous-venomous spiders, bees, wasps and hornets;
  - 3. Non-volatile insect or rodent bait in tamper resistant containers;
  - 4. Boric acid and disodium octaborate tetrahydrate;
  - 5. Pesticides classified as exempt material by the U. S. Environmental Protection Agency (EPA) under 40 CFR part 152.25;
  - 6. Horticultural oils and soaps that do not contain synthetic pesticides or synergists.

PESTICIDE ALTERNATIVES AND NOTIFICATION

## III. Pesticide Application

- A. Persons applying pesticides must be certified, licensed, trained and knowledgeable in the ~~principals~~ principles and practices of Integrated Pest Management (IPM). Applications must follow state regulations.
- B. The use of pesticides must be approved by the IPM Coordinator and Superintendent of Schools.
- C. Whenever possible, the application of non-exempt pesticides will be conducted when the building will be unoccupied for a continuous 72-hour period following the application.
  - 1. If it is not possible to have the building remain unoccupied for a continuous 72-hour period then a secondary option may involve an application when the building will be unoccupied for a 48-72 hour period.
  - 2. If it is determined that extreme emergency conditions of pest infestation pose an immediate threat to the health and safety of students and staff an application may be authorized to be conducted when the building is unoccupied for less than 48-hours. The Superintendent will review an emergency condition recommendation, from the Supervisor of Buildings and Grounds, for authorization.

## IV. Notification

- A. Initial Annual Notice - At the commencement of each school year and summer school session, the District will provide the following information to all staff and parents/guardians ~~persons in parental relation~~:
  - 1. A statement that pesticide products may be used periodically throughout the school year or summer school session;
  - 2. A statement that the District is required to maintain a list of staff and ~~persons in parental relation~~ parents/guardians who wish to receive forty-eight hour prior written notification of pesticide applications at relevant facilities, and instructions on how to register with the District to be on such a list for notification; and
  - 3. The name of the District representative and contact phone number to obtain further information.

PESTICIDE ALTERNATIVES AND NOTIFICATION

- B. If a student enrolls after the beginning of the school year or summer school session, such written notification must be provided within one week of the student's enrollment.
- C. Pesticide Application Summary Reports - The District will provide a written summary of pesticide applications to all staff and parents/guardians ~~persons in parental relation~~ within two (2) days of the end of winter and spring recess or summer school session, and within ten (10) days of the end of the school year of any pesticide applications that occurred during the time period since the previous notice was given.
1. Written summary reports will provide information for the period covered since the previous written summary report. Whenever possible summary reports will be part of existing communication with staff and parents/guardians. Additionally, notices will be placed in public places where staff and student notices are normally posted.
  2. Written summary reports will contain the following information:
    - a. the date and location of pesticide applications at the relevant facility,
    - b. the product name(s) and the EPA product registration number,
    - c. a reminder that the District is required to maintain a list of staff and parents/guardians ~~persons in parental relation~~ who wish to receive forty-eight hour prior written notification of pesticide applications and instructions on how to register with the District to be on such a list for prior notification,
    - d. how to obtain further information about the products being applied, including any warnings that appear on the label of the pesticides that are pertinent to the protection of humans, animals or the environment, and
    - e. the name of the District's representative and the contact phone number to obtain further information about the application.
- D. 48-Hour Application Notice – During the course of the school year or summer session, the District will issue 48-hour advance notification of each non-exempt pesticide application to staff and parents/guardians ~~persons in parental relation~~ who have requested it and who are maintained on the list relevant to the facility

SUPPORT OPERATIONS

PESTICIDE ALTERNATIVES AND NOTIFICATION

unless the building will be unoccupied for a continuous 72-hour period. Written notification shall include, at a minimum, the following information:

1. the specific date and location of the application at the relevant facility (outdoor applications may include two alternative dates in case the application cannot be made due to weather conditions);
2. the product name and EPA pesticide registration number;
3. the name and phone number of the District representative to contact for additional information;
4. the following statement:

“This notice is to inform you of a pending pesticide application to a school facility. You may wish to discuss with the designated District representative what precautions are being taken to protect your child from exposure to these pesticides. For this information contact the District Risk Management Specialist. Further information about the product(s) being applied, including any warnings that appear on the label of the pesticide(s) that are pertinent to the protection of humans, animals, or the environment, can be obtained by contacting the National Pesticide Information Center (NPIC) Telecommunications Network Information Line toll free at 1-800-858-7378 or email [npic@ace.orst.edu](mailto:npic@ace.orst.edu) or the New York State Department of Health Center for Environmental Health Information Line toll free at 1-800-458-1158.”

E. Emergency Pesticide Application

Upon the Board of Education approving emergency pesticide application, the person making the application will notify the commissioner of the department of health, using the form developed by the commissioner for that purpose.

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Remsen Central School District

Legal Ref: NYS Education Law Section §§ 409-h and 409-k

Adopted: 04/25/17

Revised: \_\_\_\_\_

## SUPPORT OPERATIONS

### AUTOMATED EXTERNAL DEFIBRILLATION (AED) POLICY

#### I. Statement of Policy Introduction

In order to enhance the safety of staff, students and visitors at our facilities, ~~the certain~~ Remsen Central School District (the District) adopts this policy governing the placement and use of Automated External Defibrillators (AEDs) on District property and at certain District functions.

#### II. Training

This policy and its accompanying regulations are designed to assure that the District personnel who operate Automated External Defibrillators (“AED”) are properly trained, that all AED equipment is maintained in good operating condition, and that all New York Laws, rules and regulations are strictly adhered to by the District.

- A. Only those District employees who are trained to use AED’s in accordance with the laws of the State of New York shall be authorized to use the District AEDs. All authorized personnel shall be familiar with and trained to use the specific model of AED units owned by the District.
- B. All authorized personnel must successfully complete a training course in the operation of AED designed by a nationally recognized organization approved by the New York State Department of Health for the purpose of training people in the use of AEDs.
- C. The District shall select an approved training course for designated AED users.

#### III. Location of AED Unit(s)

- A. The New York State Education Law and Commissioner’s Regulations require that each school district or board of cooperative educational services shall provide and maintain on-site in each instructional school facility functional cardiac automated external defibrillator equipment for use during emergencies. Each such facility shall have sufficient automated external defibrillator equipment available to ensure ready and appropriate access for use during emergencies.
- B. In determining the quantity and placement of automated external defibrillators, consideration shall be given to:
  - 1. the number of students, staff and other individuals that are customarily or reasonably anticipated to be within such facility; and

SUPPORT OPERATIONS

AUTOMATED EXTERNAL DEFIBRILLATION (AED) POLICY

2. the physical layout of the facility, including but not limited to:
  - i. locations of stairways and elevators;
  - ii. number of floors in the facility;
  - iii. location of classrooms and other areas of the facility where large congregations of individuals may occur; and
  - iv. any other unique design features of the facility.
  
- C. The District has three (3) AED Units, which are to be available at the following locations:
  1. Elementary School – on wall outside Main Office
  2. High School – On wall across from Main Office
  3. High School Gymnasium
  
- D. If the District elects to change the location or number of AEDs, this Policy shall be amended to reflect such changes.

IV. AED Requirements

- A. The New York State Education Law requires public school officials and administrators responsible for public school facilities to ensure the presence of at least one staff person who is trained pursuant to Public Health Law Section 3000-b(3) (a), in the operation and use of an AED:
  1. Whenever an instructional school facility is used for a school-sponsored or school-approved curricular or extracurricular event or activity, or
  2. Whenever a school-sponsored athletic contest or school-sponsored competitive athletic event is held at any location.
  
- B. Where a school-sponsored athletic contest or competitive athletic event is held at a site other than a public school facility, the public school officials must assure that AED equipment is provided on-site.
  
- C. Each automated external defibrillator device shall be approved by the Food and Drug Administration for adult use and/or for pediatric use, as appropriate for the population reasonably anticipated to be served by such device, and shall be used according to the manufacturer's instructions with due attention provided to operating procedures, maintenance and expiration date.

AUTOMATED EXTERNAL DEFIBRILLATION (AED) POLICY

## V. Emergency Health Care Provider

- A. As an AED provider, the District must identify a physician or hospital knowledgeable and experienced in emergency cardiac care to serve as an emergency health care provider (EHCP) and participate in a collaborative agreement. This policy and its accompanying regulations are deemed to be incorporated into each collaborative agreement to which the District becomes or is a party. In many instances, the District's school physician may serve as the emergency health care provider.
- B. The District has entered into a collaborative agreement with the following Medical Director:
- Dr. Christopher Alinea of Slocum Dickson Medical Group  
315-798-1400
- C. If the identity of the Medical Director changes, the District shall enter into a collaborative agreement with the new Medical Director, and shall submit the new collaborative agreement to the Mid-State Regional EMS Council.

## VI. Liability

Pursuant to Section 917 of the Education Law and Sections 3000-a and 3000-b of the Public Health Law, any public access defibrillation provider, or any employee or other agent of the provider who, in accordance with the law, voluntarily and without expectation of monetary compensation renders emergency medical or first aid treatment using an AED to a person who is unconscious, ill or injured shall be liable only pursuant to Section 3000-a of the Public Health Law.

## VII. Written Notices

- A. The ~~School~~ District will provide written notice to 911 and/or community equivalent ambulance dispatch entities of the availability of AED services at the District.
- B. The ~~School~~ District will file a copy of the "Notice of Intent to Provide PAD" (DOH 4135, Regulation #~~5100.3~~ 4054.3 with the Mid-State Regional Emergency Medical Services Council (REMSCO), along with a copy of the collaborative agreement with the EHCP.

SUPPORT OPERATIONS

AUTOMATED EXTERNAL DEFIBRILLATION (AED) POLICY

VIII. Quality Improvement Program

- A. As required by the New York State Health Department, the ~~School~~ District will participate in a regionally ~~approval~~ approved Quality Improvement Program, the details of which can be obtained from the following location:

Mid-State Regional Emergency Medical Services Council  
~~2521 Sunset Avenue~~  
Faxton-St.Luke's Healthcare  
14 Foery Drive  
Utica, New York ~~13502-13501~~  
(315) 738-8351  
(315) 738-8981 fax  
(888) 225-6642 www.midstateems.org

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Renssen Central School District

Legal Ref: NYS Education Law, ~~Sections § 207 and~~ 917, 8 NYCRR 136.4

Adopted: 12/12/02

Revise: 04/25/17, \_\_\_\_\_



# Regulation

Draft 10/26/2021

5100.1

## SUPPORT OPERATIONS

### AUTOMATED EXTERNAL DEFIBRILLATION (AED)

- I. Training
  - A. All authorized personnel must maintain on file with the Remsen Central School District (the District) a written certification card or other written evidence satisfactory to the District, establishing such authorized person's successful completion of an approved AED training course.
  - B. All such certifications must be current and still effective under the standards of the organization that has approved the course to which such certification relates, and only authorized personnel with certifications effective at the time of use of any AED may use the District's AED.
  - C. The District will provide ongoing training in the use of AED's for its authorized personnel to the extent recommended by the organization that has approved the training courses attended by District authorized personnel.
- II. Maintenance and Inspection of AED Unit(s)
  - A. All AED units shall be kept protected in their cases, as supplied by the manufacturer, and shall be kept in a clean, warm, and dry location at all times when not in use.
    - 1. Daily Inspections: Buildings and Grounds Supervisor shall conduct, or direct a subordinate employee to conduct, a visual inspection of each AED to determine whether any of the self-diagnostic tests and the special service indicator lights (if equipped) indicate that attention is required.
    - 2. Monthly Inspections: At any building at which an AED unit is located shall, on the first business day of each month, inspect the AED unit stationed at such building, and shall note on a monthly safety inspection report to be submitted to Buildings and Grounds Supervisor the status of the AED location at such facility.
    - 3. Bi-Annual Inspections: Buildings and Grounds Supervisor, and/or the District maintenance supervisor shall inspect each AED unit as part of the cost of the bi-annual safety inspections conducted by them in the ordinary course of District procedures.
  - B. Each inspection shall include observation of all self-diagnostic indicators on the equipment, as well as verification that each unit is complete, clean and in good operating condition.

AUTOMATED EXTERNAL DEFIBRILLATION (AED)

- C. If a problem is detected in any such inspection, or if some attention otherwise seems warranted, then the AED unit should be serviced or attended to immediately. The person inspecting the unit and detecting problems or any other need for attention shall promptly notify the Business Manager Administrator at ~~315-831-3797 Ext. 4221~~ 315-205-4300 Ext. 4251 to report the results of the inspection, immediately upon completion of the inspection. The School Business ~~Executive~~ Administrator will immediately arrange for repair of the unit.
- D. In the event that such service or attention so warrants, arrangements must be made immediately to have a replacement AED unit provided until the AED unit is serviced or repaired and is again fully functional.
- IV. In the Event of Emergency
- A. **IN THE EVENT OF ANY EMERGENCY, IMMEDIATELY CALL 911.**
- If more than one district employee is present in the course of an emergency situation, then one employee shall contact 911 while the trained employee assists or stays with the victim.
- B. An internal communication/notification system should be established to assure early notification of a cardiac arrest (victim's collapse).
- V. After the Arrival of Medical Assistance
- A. After emergency medical service assistance has reached the location of the emergency, the District employee or employees who have been attending to the emergency situation shall remain at the scene to assist the emergency medical service personnel.
- B. If the accident or emergency victim must be transported from the facility with the AED unit, the District's employee must determine to which hospital the victim will be taken. Inquiry should be made of the ambulance or other emergency vehicle operator. If that information is not available, then such employee shall contact the Emergency Medical Services provider's office to determine where that emergency vehicle or ambulance took that victim. The District's employees shall not follow the ambulance.
- C. The District and the Emergency Health Care Provider (EHCP) with which the District has entered into a collaborative agreement related to this Program must file reports with respect to each incident involving use of an AED. Therefore, it is imperative that the information be retrieved after any AED unit's use.

AUTOMATED EXTERNAL DEFIBRILLATION (AED)

- D. In any situation in which any District AED remains at the scene after it is used, personnel should immediately secure it. When a unit is removed from the premises, the employee involved in the incident and assisting EMS and the victim should provide all relevant information to the District Administrative Offices, so that the administrative office personnel may retrieve the AED unit.
- E. All incidents involving the use of AED shall be reviewed by the EHCP.

## III. Documentation Requirements

In the event that any AED is used, the following steps are required:

1. The authorized personnel using same should complete an incident report;
2. The District's Medical Director must be notified promptly, and provided with all relevant data; and
3. The employee must prepare a report to submit the data to the MidState Regional Emergency Medical Services Council: 1750 Genesee Street Faxton-St. Luke's Healthcare, 14 Foery Drive, Utica, New York 13501 13502: Telephone: (315) 738-8351, Fax (315) 738-8981, Email: [www.midstateems.org](http://www.midstateems.org).

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Remsen Central School District  
Approved by the Superintendent 04/25/17, \_\_\_\_\_

# Regulation

Draft 10/26/2021

5100.2

SUPPORT OPERATIONS

## AUTOMATED EXTERNAL DEFIBRILLATION COLLABORATIVE AGREEMENT (AED)

Collaborative Agreement pursuant to Public Health Law §3000-b  
Between the Remsen Central School District and \_\_\_\_\_, MD

Dear Dr. \_\_\_\_\_ :

When signed by you and the Superintendent of Schools below, this letter will constitute our agreement with respect to the matters set forth below. We agree as follows:

As you know, ~~our school~~ the Remsen Central School District (the District), in connection with its proposed Public Access Defibrillation ("PAD") Program, is required by law to have a "collaborative agreement" with an "emergency health care provider" (which we will refer to as "Medical Director"), as those terms are used in Section 3000-b of the Public Health Law and Section 917 of the New York State Education Law.

The ~~School~~ District believes that its proposed PAD Program is an extremely important service to provide to its staff, students, and visitors and is pleased that you have expressed an interest in serving as the Medical Director for the PAD Program.

**Annexed hereto, and incorporated into this agreement by this reference, are the written practice protocols, policies, and procedures that will govern the School District's proposed PAD Program.**

You have represented to the District that you have knowledge and experience in the delivery of emergency cardiac care, and that you will participate in the regional quality improvement program pursuant to Subdivision 1 of Section 3004-a of the Public Health Law, and will otherwise satisfy your obligations as the Medical Director under relevant provisions of the Public Health Law.

The ~~School~~ District hereby retains you, and you agree to be retained by the District, as the Medical Director for the PAD Program. Either party may terminate this agreement at any time, upon thirty (30) days' prior written notice; provided however, that the District may terminate the Agreement immediately in the event that you cease to qualify for any reason as the Medical Director under applicable laws, rules and regulations.

Kindly acknowledge your understanding of agreement to the foregoing by signing the space provided below.

We greatly appreciate your assistance.

Sincerely,

Superintendent

Acknowledged and agreed to by:

\_\_\_\_\_, MD

License #

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Remsen Central School District

Approved by the Superintendent: 04/25/17, \_\_\_\_\_

## SUPPORT OPERATIONS

NEW YORK STATE DEPARTMENT OF HEALTH  
Bureau of Emergency Medical Services and Trauma Services

**Notice of Intent to Provide  
Public Access Defibrillation**

Original Notification  Update

**Entity Providing PAD**

Name of Organization	Agency Code	( ) Telephone Number
Name of Primary Contact Person		E-Mail Address
Address		( ) Fax Number
City	State	Zip

**Type of Entity** (please check the appropriate boxes)

<input type="checkbox"/> Ambulance	<input type="checkbox"/> Restaurant	<input type="checkbox"/> Private School
<input type="checkbox"/> Business	<input type="checkbox"/> Fire Department/District	<input type="checkbox"/> College/University
<input type="checkbox"/> Construction Company	<input type="checkbox"/> Police Department	<input type="checkbox"/> Physician's Office
<input type="checkbox"/> Health Club/Gym	<input type="checkbox"/> Local Municipal Government	<input type="checkbox"/> Dental Office or Clinic
<input type="checkbox"/> Recreational Facility	<input type="checkbox"/> County Government	<input type="checkbox"/> Adult Care Facility
<input type="checkbox"/> Industrial Setting	<input type="checkbox"/> State Government	<input type="checkbox"/> Mental Health Office or Clinic
<input type="checkbox"/> Retail Setting	<input type="checkbox"/> Public Utilities	<input type="checkbox"/> Other Medical Facility (specify)
<input type="checkbox"/> Transportation Hub	<input type="checkbox"/> Public School K-12	<input type="checkbox"/> Other (specify)

**PAD Training Program** CPR AED training program must meet or exceed current ECC Standards.

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**Automated External Defibrillator**

Manufacturer of AED Unit	Is the AED Pediatric Capable? <input type="checkbox"/> Yes <input type="checkbox"/> No	Number of Trained PAD Providers	Number of AEDs
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**Emergency Health Care Provider**

Name of Emergency Health Care Provider (Hospital or Physician)	Physician NYS License Number	( ) Telephone Number
Address		( ) Fax Number
City	State	Zip

**Name of Ambulance Service and 911 Dispatch Center**

Name of Ambulance Service and Contact Person	( ) Telephone Number
Name of 911 Dispatch Center and Contact Person	County

**Authorization Names and Signatures**

CEO or Designee (Please print)	Signature	Date
Physician or Hospital Representative (Please print)	Signature	Date

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SUPPORT OPERATIONS

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA)

I. Statement of Policy

The Remsen Central School District (the District) recognizes its obligation to comply with applicable provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and its corresponding regulations.

II. HIPAA Compliance

By way of a formal Board resolution adopted on April 25, 2017 (~~enter date of board resolution~~), the Board of Education designated itself a “hybrid entity” for the purposes of HIPAA compliance. The specific operations that are deemed to be subject to HIPAA’s privacy rules are:

1. Health Insurance through Herkimer County BOCES Consortium,
2. Flexible Spending Account through Oneida-Herkimer-Madison BOCES.

III. Protected Health Information

For the purposes this policy and HIPAA compliance, the term “protected health information” (PHI) does not include employment records that the District maintains in its capacity as an employer and education and certain other records subject to, or defined in, the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g.

IV. Duty of the Superintendent

The Superintendent will identify a HIPAA Compliance Officer to ensure full HIPAA compliance. The HIPAA Compliance Officer will implement safeguards to protect the privacy of PHI and will address complaints of HIPAA violations.

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Remsen Central School District  
Legal Ref: 45 CFR 169.405(a).  
Adopted: 12/09/03  
Revised: 04/25/17, \_\_\_\_\_

Policy is Required  
SCHOOL WELLNESS POLICY

I. Policy

The Remsen Central School District (the District) participates in USDA Child Nutrition programs including the National School Lunch Program (NSLP) and School Breakfast Program (SBP) and supports a healthy environment where children learn and participate in positive dietary and lifestyle practices.

II. Goals for Nutrition Promotion and Education, Physical Activity and other School Based Activities

A. Nutrition Promotion and Education

The primary goal of nutrition promotion and education is to influence lifelong eating behaviors in a positive manner. To achieve this goal, the District has established these operating standards:

1. Students in grades Pre-K through 12 receive nutrition education that follow applicable New York State Standards, is interactive, and teaches the skills students need to adopt healthy eating behaviors.
2. Students receive consistent nutrition messages through health posters, signage or displays.
3. District health education curriculum standards and guidelines include both nutrition and physical activity.
4. Staff limit the use of food as a reward or punishment in school.
5. Staff who provide nutrition education will have appropriate training.

B. Physical Activity

The primary goals and characteristics of quality physical education and physical activity are to provide opportunities for every student to develop the knowledge and skills for specific physical activities; maintain physical fitness; reduce sedentary time; learn about cooperation, fair play and responsible participation that meets the needs of all students (at all levels of physical ability); and gain an appreciation for lifelong physical activity through a healthy lifestyle. To achieve these goals, the District has established these operating standards:

1. The District will have a Board of Education (the Board) approved Physical Education Plan on file with the New York State Education Department that

Policy is Required  
SCHOOL WELLNESS POLICY

meets or exceeds the requirements set forth in Section 135.4 of the Commissioner's Regulations. All students will be required to fulfill the physical education requirements as set forth in the regulations of the Commissioner of Education as a condition of graduating from the District.

2. Physical activity shall be included, when possible, during the school day.
3. Students will not be denied participation in recess or other physical activities during the school day as a form of discipline or for classroom make-up time.
4. Students will have opportunities for physical activity through a range of before and/or after school programs including, but not limited to, intramurals, and interscholastic athletics.

C. Other School-Based Activities

1. Dining Environment

The District will:

- a. Provide a clean, safe meal environment for all students;
- b. Provide enough space and serving area to ensure that all students have access ~~for~~ to school meals.
- c. Make available free potable water in schools, so that students may obtain water at mealtime and throughout the day.
- d. Encourage all students to participate in the school meals/cafeteria program and protect the identity of students who qualify for free and reduced price meals.

2. Consistent School Activities and Environment

The District will:

- a. Provide opportunities for on-going professional training for food service staff and teachers in the areas of nutrition and physical education.
- b. Promote efforts to keep school physical activity facilities open for use by students and community outside regular school hours.
- c. Encourage school and community members to serve as role models in practicing and promoting a healthy life style.
- d. Support initiatives regarding self-help and other Food and Nutrition Services programs.
- e. Encourage parents/guardians to send in healthy alternatives for classroom celebrations.



## POLICY

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### SUPPORT OPERATIONS

Policy is Required

### SCHOOL WELLNESS POLICY

- f. Utilize a system of student payment that ensures all eligible students have access to free/reduced meals in a non-stigmatizing manner.

#### III. Nutritional Guidelines

- A. The District will develop standards and nutrition guidelines for all foods and beverages sold to students on the school campus during the school day that are consistent with Federal regulations for school meal nutrition standards and the Smart Snacks in School nutrition standards.
- B. The District will develop standards and nutrition guidelines per each school district building for all foods and beverages provided but not sold, to students during the school day (e.g., in classroom parties, classroom snacks brought by parents/guardians, or other foods given to students).
- C. Fundraisers conducted during the school day will meet, or exceed, the nutritional requirements listed in the Healthy, Hunger-Free Kids Act “Smart Snacks in Schools” Rule and no fundraising foods and beverages will be sold until the end of the last lunch period. Fundraisers conducted outside of the school day will be encouraged to promote the sale of healthy foods items, non-food items, and events involving physical activity. Participation with local businesses for fundraisers is encouraged.
- D. For purposes of this section, the school day means the period from the midnight before the start of student attendance to 30 minutes after the end of the official school day.

#### IV. Marketing and Advertising

Marketing and advertising of foods and beverages on school campuses during the school day will be consistent with nutrition education and health promotion. Schools will restrict food and beverage marketing to the promotion of those foods and beverages that meet the nutrition standards set forth by the Healthy-Free Kids Act “Smart Snacks in Schools” Rule.

#### V. Guidelines for Reimbursable School Meals

The District will ensure that reimbursable school meals meet the program requirements and nutrition standards set forth in Federal Regulations (7 CFR Part 210 and 220).

#### VI. Community Involvement and Wellness Leadership

The Superintendent will designate a Wellness Committee by October 15<sup>th</sup> of each school year with members chosen from the public, parents/guardians, students, school food service workers, teachers, administrators, Board of Education members and support staff personnel. The Wellness Committee will review the policy and make recommendations to the Superintendent as needed.

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SUPPORT OPERATIONS

Policy is Required  
SCHOOL WELLNESS POLICY

VII. Implementation and Evaluation of Policy

Under the direction of the Superintendent or designee as designated by the Superintendent in writing, the District will be responsible for the following:

- A. Periodically assess whether the ~~school~~ District is meeting the requirements of this policy.
- B. Inform and update the public (including parents/guardians, students and others in the community) about the content and implementation of this policy.
- C. On a triennial basis, measure and make available to the public an assessment of the implementation of the policy including:
  - 1. Compliance with the policy;
  - 2. How well the policy compares to model wellness policies; and
  - 3. Description of the progress made in attaining the goals of the policy.
- D. Retain basic records demonstrating compliance with the policy, to include:
  - 1. The written wellness policy;
  - 2. Documentation demonstrating compliance with community involvement requirements;
  - 3. Documentation of the triennial assessment of the wellness policy;
  - 4. Annual local wellness policy progress reports for each school; and
  - 5. Documentation to demonstrate compliance with the public notification requirements.
- E. Reinforce policy goals with school staff as needed.

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Remsen Central School District

Legal Ref: NYS Education Law Sections §§ 915, 1709 and (23); National School Lunch Act 1946 as amended (42 USC 1751-1760); Child Nutrition Act 1966; Child Nutrition and WIC Reauthorization Act of 2004 (PL 108-265) Section § 204 of the; Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296) added Section Richard B. Russell National School Lunch Act (42 USC 1758b) § 9A; to the Smart Snacks in School Rules 2014; 8 NYCRR 135.4; 7 CFR 210.11; 7 CFR Parts 210 and 220.

Adopted: 11/13/18

Revised: \_\_\_\_\_

## FREE AND REDUCED MEALS

- I. ~~The Remsen Central School District will administer the free and reduced meals program, in accordance with the regulations prescribed by New York State and the federal government and will develop specific procedures and guidelines in accordance with these regulations.~~
- II. ~~The administration will communicate information on the free and reduced meals program to all the parents of students in the School District.~~
- III. ~~The District is committed to ensuring that federal reimbursements, children's payments and other non-designated nonprofit food service revenues do not subsidize meals for adults. The District therefore adheres strictly to a "no charge" meal purchase policy for adults. Adults must pay for school meals in advance of or at the time of their receipt of the school meal.~~

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Remsen Central School District

Legal Ref: National School Lunch Act of 1946, 42 USC § 1751 et seq.; NYS Education Law Section 1709(23); 8 NYCRR 114; May 2006 Memorandum from SED Coordinator Frances N. O'Donnell to Food Service Directors/Managers.

Adopted: 08/83

Revised: 12/15/92, 11/14/06, 04/25/17

# Policy

Draft 10/26/2021

SUPPORT OPERATIONS

5201 Replaces Policies 5201, 5201.1 & 5202

**POLICY IS REQUIRED**

## SCHOOL FOOD SERVICE PROGRAM AND MEAL CHARGE POLICY

### I. Statement of Policy

- A. The Remsen Central School District (the District) participates in the United States Department of Agriculture (USDA) Child Nutrition Programs including the National School Lunch Program (NSLP) and School Breakfast Program (SBP) and operates the District's program within the requirements of the federal and state regulations and guidelines applicable to the programs.
- B. The District shall apply for funding under the Community Eligibility Provision (CEP) for each school year for which CEP is available and the District meets the eligibility criteria.
1. If the District receives funding pursuant to CEP then meals will be provided to all students without cost to the student, consistent with all regulations applicable to CEP and the amount of funding received. Records shall be maintained in the form necessary to ensure the District's compliance and continued eligibility.
  2. If the District does not receive CEP funding for a particular school year, free and reduced price meals shall be provided to students in accordance with this Policy, as set forth below.
- C. The District's Food Service Program shall be managed so that the nonprofit school food service account does not operate at a deficit, and so that subsidies from the general fund are limited.
- D. The District provides each student with the student's meal of choice for that school day from the available reimbursable meal choices for such school day, if the student requests one, unless the student's parent or guardian has specifically provided written permission to withhold a meal.
- E. The District recognizes that the responsibility for payment of meal charges rests with a student's parent or guardian and not the student. Therefore, when a student's meal account is delinquent, as described in this Policy, communications regarding correcting the delinquency shall take place only with the parent or guardian and not with the student, and the student shall not be shamed or treated differently than a student whose meal account is not delinquent.
- F. ~~[OPTIONAL] To the extent consistent with prudent fiscal operation of the Food Service Program and sound nutritional practices, the BOCES Food Service Kitchen Manager shall attempt to purchase at least thirty percent of the total food cost for the School Lunch Service Program from New York State farmers;~~

POLICY

Draft 10/26/2021

SUPPORT OPERATIONS

5201 Replaces Policies 5201, 5201.1 & 5202

**POLICY IS REQUIRED**

SCHOOL FOOD SERVICE PROGRAM AND MEAL CHARGE POLICY

~~growers, producers, or processors, and shall take the necessary steps to apply for all State-funded subsidies when that goal is met.~~

II. Eligibility for Free and Reduced Meals

A. To extend the benefit of the program to all eligible students, the District will communicate to families the eligibility for free and reduced meals, the procedures for applying and the district's policies and procedures regarding meal charges set forth in this Policy.

1. At the beginning of each year, information letters shall be sent to households of children attending the school to inform families about the Child Nutrition Programs and that free or reduced price meals or free milk may be available to children, and the procedures for applying for enrollment in the program.
2. The letters may be distributed by regular mail, e-mail addressed to the parent or guardian, or included in information packets provided to students.
3. The information provided to each family at the beginning of each school year shall include a printed application for enrollment in the Federal free and reduced price lunch program, or instructions on how to file an electronic application and instructions on how to obtain a paper application at no cost.
4. The information provided at the beginning of each school year shall identify the District's **BOCES Food Service Kitchen Manager**, provide that person's contact information, and inform families that they may contact that person to request assistance in applying for Federal free and reduced price lunch benefits.
5. When a student owes money for at least five meals, the District will take the following steps to explore the student's eligibility for Federal free and reduced price lunch benefits:
  - a. make all reasonable attempts to determine if the student is directly certified as eligible for free meals;
  - b. make at least two attempts (in addition to the packet sent home at the beginning of the year) to reach the student's parent or guardian;
  - c. encourage the parent or guardian to complete the application for Federal free and reduced price lunch benefits, and offer assistance in completing that application;

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SUPPORT OPERATIONS

5201 Replaces Policies 5201, 5201.1 & 5202

**POLICY IS REQUIRED**

SCHOOL FOOD SERVICE PROGRAM AND MEAL CHARGE POLICY

- d. determine if there are other issues within the household that have caused the student to have insufficient funds to purchase a school meal; and
  - e. offer any other assistance that is appropriate.
6. If the District becomes aware that a student whose parent or guardian has not submitted an application for free or reduced price lunch or milk benefits is eligible for those benefits, the **BOCES Food Service Kitchen Manager** shall complete and file an application on behalf of the student, in accordance with the procedures set forth in 7 C.F.R. 245.6(d).
- B. A household may apply for benefits at any time during the school year.
1. Only one application is required for all children in the household.
  2. No application is necessary if the household was notified by the District that all children have been directly certified. If the household is not sure if their children have been directly certified, they should contact the **BOCES Food Service Kitchen Manager**
  3. A student's status as eligible for free and reduced price meals shall carry over into the next school year for thirty (30) days from the start of school attendance.
  4. A student that transfers from a Community Eligibility Provision (CEP) or Provision 2 (P2) participating school to a non-participating school shall be deemed eligible for free and reduced price meal benefits for thirty (30) days or until a new eligibility determination is made, whichever occurs first.

III. Meal Payments and Deferred Payments (Meal Charge)

- A. Students may charge meals in accordance with the following rules:
1. Students are expected to pay for meals at the school's published meal rate each day. Families are expected to maintain funds in accounts to minimize the possibility that a child may be without meal money on any given day.
  2. Students may charge complete reimbursable meals only.
  3. All students will be provided with meal charge opportunities pursuant to this policy, regardless of whether they receive full price, reduced price, or free meals.

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SUPPORT OPERATIONS

5201 Replaces Policies 5201, 5201.1 & 5202

POLICY IS REQUIRED

SCHOOL FOOD SERVICE PROGRAM AND MEAL CHARGE POLICY

4. When the balance on a student's meal card or other lunch account program is exhausted, the District will provide the student with the student's meal of choice from the available reimbursable meal choices for that school day, if the student requests one, unless the student's parent or guardian has specifically provided written permission to withhold a meal.
5. No student with a negative meal card or other lunch account program account balance will be allowed to charge any a la carte items, including snacks, extras, or beverages.
6. The information provided at the beginning of each school year shall include an explanation of the District's Policy on charging meals, and shall provide each parent or guardian with a procedure for notifying the District that their student should not be allowed to charge meals.

- B. The District is committed to ensuring that Federal reimbursements, children's payments and other non-designated nonprofit food service revenues do not subsidize meals for adults. The District, therefore, adheres to a "no charge" meal purchase policy for adults.

IV. Communication of Policy to Families, Students, and Staff

- A. This Policy will be submitted to the Commissioner and then posted on the District's website.
- B. The District will communicate this policy to parents/guardians in writing at the start of each school year and upon enrollment during the school year through [the student handbook, newsletter, letter, and website].
- C. The District will provide this policy to all school staff responsible for enforcement, including but not limited to, school food service professionals for collecting payment for meals at the point of service, staff involved in notifying families of low or negative balances, school social workers, school nurses, the homeless liaison, other staff members assisting children in need (or who may be contacted by families with unpaid meal charges), and any staff involved in enforcing any other aspects of this policy.
  1. The District's liaison for providing services to homeless, foster, and migrant students shall coordinate with the BOCES Food Service Kitchen Manager to ensure that these students are eligible to receive free meals in accordance with Federal law.

POLICY

Draft 10/26/2021

SUPPORT OPERATIONS

5201 Replaces Policies 5201, 5201.1 & 5202

POLICY IS REQUIRED

SCHOOL FOOD SERVICE PROGRAM AND MEAL CHARGE POLICY

2. Time shall be provided on one or more Superintendent Conference Days to provide staff with training with respect to this Policy and the District's procedures for implementing it. Staff shall be informed that it is the District's Policy to decrease student distress or embarrassment when a meal account is delinquent, and that no staff member is to: publicly identify or stigmatize a student who cannot pay for a meal or who owes a meal debt by any means, including wearing a wrist band or hand stamp; require a student who cannot pay for a meal or who owes a meal debt to do chores or other work to pay for a meal; require that a student throw away a meal after it has been served because of the student's inability to pay for the meal or because money is owed for earlier meals; take any action directed at a student to collect unpaid school meal fees; or discuss any outstanding meal debt in the presence of other students.

V. Nonprofit School Food Service Account (NSFSA)

A. When outstanding student charges accrue \$\_\_\_\_\_ resulting from nonpayment for school meals, a letter and this Policy will be forwarded by mail or email from the BOCES Food Service Kitchen Manager notifying the parent/guardian of the insufficient account balance. This notification may include a repayment schedule for unpaid meal charges. These outstanding meal charges shall be classified as delinquent debt.

1. The District's collection efforts shall include communications only with the parent or guardian, not the student.
2. The District will take the following steps to collect delinquent amounts from a parent or guardian:
  - a. The BOCES Food Service Kitchen Manager shall notify the parent or guardian that the student's meal card or account balance is exhausted and meal charges are due. This notice shall include a proposed repayment schedule.
  - b. If after fifteen business days from the notice provided by the BOCES Food Service Kitchen Manager the parent or guardian has not responded, or the response has not corrected the problem or established an acceptable repayment plan, then a second notification shall be sent to the parent or guardian, with a copy of this Policy, from the [Superintendent or Business Official] or Assistant Superintendent for Business.
3. The District will not charge interest or finance charges and will not utilize a debt collector, as defined in Federal law (15 U.S.C. 1692a).



POLICY

Draft 10/26/2021

SUPPORT OPERATIONS

5201 Replaces Policies 5201, 5201.1 & 5202

POLICY IS REQUIRED

SCHOOL FOOD SERVICE PROGRAM AND MEAL CHARGE POLICY

- B. The District shall continue efforts to collect delinquent debt until the June 30th following the school year during which the debt was incurred or for a period of twelve months after the last partial payment was made against the debt, whichever is later. When this collection period has expired, any remaining delinquent debt will be classified as bad debt for purposes of the District's accounts. Bad debt will be written off into accordance with the District's usual accounting procedure.
- C. Delinquent debt is not an allowable cost to the nonprofit school food service account and cannot be absorbed by that account at the end of the school year or carried forward to the next school year. The District will, therefore, subsidize the nonprofit school food service account for all unpaid meals by June 30<sup>th</sup> of each school year using nonfederal funds. However, the District reserves the right to continue debt collection efforts to the next school year.

VI. Breakfast Program

- A. When a District school is identified by the State Education Department as meeting the threshold that seventy percent or more of the students attending the school qualify for free or reduced price lunch meals, the District shall provide a breakfast program at that school in compliance with state law; provided that, if the Superintendent, in consultation with the BOCES Food Service Kitchen Manager determines that the District meets the requirements for a waiver of this requirement, then the Superintendent may apply to the Commissioner of Education for such a waiver.
- B. When the District provides a mandated breakfast program, the Superintendent shall determine the service delivery model that best suits District students, after consulting with teachers, parents/guardians, students, and members of the community. Notice will be provided to parents and guardians of students at the affected school that the District will be providing breakfast after the start of the instructional day and the service delivery model being implemented.

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Remsen School District

Legal Ref: 7 CFR 210.12, 245.5 and 245.6(d); 15 USC 1692a; 42 USC 1758(b)(2)(A); Education Law §908; Ch. 537 of the Laws of 1976 as amended by Ch. 56 of the Laws of 2018; Healthy, Hunger-Free Kids Act, Public Law 111-296, § 143; May 2006 Memo from SED's Frances N. O'Donnell to Food Service Directors/Managers; August 2005 Memo from USDA titled "*Establishing A Meal Charge Policy*"; July 8, 2016 Memo from USDA titled "*Clarification on Collection of Delinquent Meal Payments*", May 1, 2018 Memo from SED titled "*New York State Legislation – Prohibition Against Meal Shaming*."

Adopted: 4/25/2017

Revised: \_\_\_\_\_

# Remsen Central School District

## SUPERINTENDENT'S REGULATION

**Delete 10/26/2021**  
5201.1

### SUPPORT OPERATIONS

#### FREE AND REDUCED PRICE LUNCHES

- ~~I. The Superintendent is designated to determine the eligibility for free lunches. He/she will be advised when necessary by the cafeteria manager, the school nurse, and members of the faculty.~~
- ~~II. Eligible children for free lunches will be those who appear undernourished and who are from financial indigent families. A free school lunch will automatically be given to children who come from families meeting the established family income scale.~~
- ~~III. Children may become eligible on a temporary basis by reason of family unemployment, illness, or other emergency which may temporarily lower the family finances.~~
- ~~IV. A written application for free school lunches signed by the parent or guardian shall be sent to the Superintendent on behalf of the students needing free lunches. The aforementioned criteria will be applied, facts verified, and opinions solicited from the nurse, cafeteria manager, and teacher where necessary. The application for free school lunch shall be treated as confidential.~~
- ~~V. There will be no distinguishment between children who receive free lunches and those who pay. Only the Superintendent, teacher and cafeteria ticket manager will have the knowledge of who is receiving a free lunch.~~
- ~~VI. Appeals from decisions in individual cases may be taken directly to the members of the Board of Education at a regular meeting.~~

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Approved by the Superintendent: ~~04/25/17~~

Adopted: ~~12/15/92~~

SUPPORT OPERATIONS

MEAL CHARGE POLICY

- I. ~~The Remsen Central School District participates in Child Nutrition Programs and therefore adopts this meal charge policy to ensure consistency in its practices with respect to student meal charges.~~
- II. ~~Students may charge meals in accordance with the following rules:~~
  - A. ~~Students may charge complete meals only.~~
  - B. ~~All students will be provided with meal charge opportunities pursuant to this policy, regardless of whether they receive full price, reduced price, or free meals.~~
  - C. ~~All students in grades K through 12 who have a negative balance will not be allowed to purchase snacks, extras, drinks other than milk, or anything other than a complete meal, even if they have cash in hand. Students can choose to put that cash on the account, or keep it, but they will not be permitted to purchase the item.~~
- III. ~~The District is committed to ensuring that federal reimbursements, children's payments and other non-designated nonprofit food service revenues do not subsidize meals for adults. The District therefore adheres to a "no charge" meal purchase policy for adults.~~
- VII. ~~The District will communicate this policy to parents and students by newsletter and website.~~

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Remsen Central School District

Legal Ref: ~~May 2006 Memo from SED's Frances N. O'Donnell to Food Service Directors/Managers; August 2005 Memo from SED titled "Establishing A Meal Charge Policy."~~

Adopted: ~~04/25/17~~

## SUPPORT OPERATIONS

### INVENTORY

#### I. Statement of Policy

~~A perpetual inventory of all personal property shall be maintained. The~~ Business Administrator shall be responsible for maintaining a continuous and accurate inventory of personal property and equipment owned by the Remsen Central School District (the District).

- H. A. All valuable personal property having a unit resale value of \$250.00 or more shall be inventoried once annually.
- B. All other personal property shall be inventoried at least once every two years.
- C. Personal property shall mean all tangible personal property of the ~~Remsen Central School~~ District that is not consumable and has a useful life of one year or more, including but not limited to equipment, supplies, parts, vehicles and materials, provided that such term shall not include buildings or other real property or equipment which is permanently affixed to real property, or leases, notes or other written instruments.

#### II. Procedures

- A. Procedures shall be established to ensure that any equipment received or transferred is logged in, its physical location identified and properly labeled with a numbered inventory tag.
- B. Procedures shall be established to ensure that inventories of all other personal property are consistent with the requirements of Section I of this policy.

#### III. Transportation

It will be the responsibility of the ~~Coordinator of Buildings and Grounds/Transportation Supervisor~~ Bus Dispatcher to maintain an up-to-date inventory of all automotive parts, bus parts, equipment and tools. The records will be kept on computer file available for review upon request.

- A. A perpetual parts inventory shall be maintained daily.
- B. Two (2) physical inventories will be completed by the end of the months of December and June of each year, with spot checks by section as determined by the ~~Transportation Supervisor~~ Bus Dispatcher.

INVENTORY

- C. By the end of June of each year, a separate inventory of all equipment and tools will be taken.

IV. Obsolete Equipment

- A. Building administrators and support staff are responsible for identifying obsolete or surplus equipment. A listing shall be forwarded to the Business Office each year by July 1<sup>st</sup>.
- B. A determination by the Superintendent of Schools shall be made of which equipment are obsolete and cannot be salvaged or utilized effectively or economically by the ~~school~~ District. Following approval by the Board of Education, such equipment shall be sold through bid procedures, if possible, for the highest possible price.

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Remsen Central School District

Adopted: 12/15/92

Revised: 06/14/05, 04/25/17, \_\_\_\_\_

SUPPORT OPERATIONS

LOAN OF DISTRICT EQUIPMENT

- I. The Board of Education (the Board) does not support the loaning of Remsen Central School District (the District) equipment to any profit organization. However, the loaning of equipment to a non-profit organization such as a municipality, church or community organization for instructional purposes is permitted by the Board of Education.
- II. Before a District-owned piece of equipment is to be loaned, the following guidelines must be followed:
  1. The "Request to Borrow Equipment" form (Regulation 5301.1) must be completed by the person requesting to borrow equipment, and it must be submitted to the appropriate Building Principal.
  2. If approval is given by the Building Principal, the equipment may be picked up at the appropriate building during regular office hours.
  3. The person borrowing the equipment must return the equipment on the date specified on the request form, to the appropriate building office during regular office hours.
  4. Upon receiving the returned equipment, the Building Principal must check the equipment and indicate the date returned on the request form. The request form shall remain on file.
- III. The borrowing organization will be responsible for any damages that occur during the time borrowed.

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Remsen Central School District

Adopted: 08/08/78, 12/15/92

Revised: 04/25/17, \_\_\_\_\_

# Regulation

Draft 10/26/2021  
5301.1

SUPPORT OPERATIONS

## REQUEST TO BORROW EQUIPMENT

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Date: \_\_\_\_\_

Signature, Person Requesting: \_\_\_\_\_

List Equipment Requested: \_\_\_\_\_

Date(s) to be Used: \_\_\_\_\_ Date to be returned: \_\_\_\_\_

Reason for Request: \_\_\_\_\_

Approval: \_\_\_\_\_ Disapproval: \_\_\_\_\_

Returned: \_\_\_\_\_  
Date

Copies:

Person requesting  
Original in office file

The organization borrowing Remsen Central School District equipment will be held responsible for any damages that occur during the time the equipment is borrowed.

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Remsen Central School District

Approved by the Superintendent: 12/15/92, 04/25/17, \_\_\_\_\_

## LOAN OF COMPUTER SOFTWARE TO NON-PUBLIC SCHOOLS

### I. Requesting the Loaning of Computer Software

- A. — It is the responsibility of the non-public school administrator to inform the Remsen Central School District (the District) of the total number of pupils enrolled in the school as of the first day of October, the school year preceding the one for which the request is made. It is also the responsibility of the non-public school administrator to identify the computer software programs the pupils need and to convey this information to the Remsen Central School District. All requests should be submitted to the Remsen Central School District in a timely fashion.
- B. — The form for the loan of computer software programs to pupils enrolled in non-public schools must be presented to the Superintendent of Schools. While the written request may be submitted by the individual pupils or groups of pupils to the District, it is recommended that the pupils of the non-public schools submit their request through the non-public school administrator(s). The most efficient way to handle the request is generally for the non-public school administrator to collect the individual pupil requests and submit them with the enrollment figure directly to the Remsen Central School District.
- C. — The request for new computer software programs should not exceed the sum of state aid times the number of pupils enrolled in the non-public school in the base year. The computer software program requested for loan to non-public schools should be compatible with computers in the non-public school, but there is no necessity for them to be compatible with computers in the public school.

### II. Restrictions

Only those software programs which do not contain material of religious nature may be purchased by the public school District. The computer software programs purchased under this legislation remain the property of the Remsen Central School District and such ownership is indicated on each item by the means of a label. The district is not required to loan software programs purchased prior to this legislation or purchased with other funds.

### III. Cost

All material acquired pursuant to this legislation is to be loaned free and on an equitable basis to pupils in both public and non-public schools. The Remsen Central School District will not charge for transportation, shipping, handling or administrative cost related to the funds appropriated under this legislation. Such costs must be counted as ordinary contingent expenses.



LOAN OF COMPUTER SOFTWARE TO NON-PUBLIC SCHOOLS

Adopted: ~~07/03/84~~

Revised: ~~12/15/92, 04/25/17, \_\_\_\_\_~~

## DISPOSITION OF OBSOLETE TEXTBOOKS

The Building Principal of each school shall determine equally the title and number of textbooks which are no longer used for instructional purposes. ~~in his/her building.~~ The Building Principal will prepare a list of such textbooks setting forth the number and title of each publication and first share this list with teachers ~~in his/her~~ within the building to determine other possible uses. Remaining books shall be reported to the District's Business Manager. The Business Manager of the District shall furnish a copy of such list to the Superintendent of Schools. Such textbooks shall be offered free of charge to students, community groups and/or volunteer groups.

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Remsen Central School District

Adopted: 12/15/92

Revised: 04/25/17, \_\_\_\_\_

**DELETE NOT REQUIRED POLICY/NOT COMMON POLICY - IN FAMILY COURT**

**ACT 758-a**

SUPPORT OPERATIONS

5304

SCHOOL VANDALISM AND RESTITUTION RESTITUTION FOR DAMAGES

~~I. Vandalism~~

~~The Board of Education (the Board) of the Remsen Central School District (the District), recognizing that acts of vandalism are crimes against the school District and the community which supports our schools, and hereby declares that all acts of vandalism against school District property will be publicly prosecuted to the fullest extent possible under the law.~~

~~A. It shall be the responsibility of the Superintendent to establish and carry out the written regulations which will:~~

- ~~1. Identify those staff members who will be responsible for the effective administration of the regulations.~~
- ~~2. Provide a basis for the fullest possible cooperation between the school District and those agencies responsible for the protection, apprehension, and prosecution of vandals.~~
- ~~3. Provide full and complete reporting of all acts of vandalism to the Board of Education in public session, both on an annual basis and in special cases of unusual or costly acts of vandalism without jeopardizing the responsible individual's right to a proper and legal defense when apprehended for such crimes.~~
- ~~4. Recommend to the Board of Education any action which the Board may appropriately take to reduce the incidence of vandalism and protect the property of the district as well as the persons who lawfully occupy such property.~~

~~II. Restitution~~

~~The Remsen Central School District will seek restitution for loss and/or damages sustained by the District because of malicious mischief, vandalism, burglary and/or other wrongful acts by adults and/or juveniles.~~

~~A. Adults who are apprehended can be held responsible for payment for any loss or damage. Parents or guardians of juveniles over the age of twelve (12) and under the age of eighteen (18) are responsible for vandalism loss and damages not~~

## SUPPORT OPERATIONS

SCHOOL VANDALISM AND RESTITUTION RESTITUTION FOR DAMAGES

~~exceeding \$1,000 caused by their children. Legal procedures may be instituted if the Superintendent so recommends.~~

1. ~~After the proper authorities have been notified of any loss of or damage to District property, he/she the Building Administrator will be assigned to investigate the incident and determine the cost involved in repairing the damage. Cost estimates for replacing stolen equipment are obtained from the appropriate office.~~
2. ~~At the conclusion of his/her the investigation, the Building Administrator will contact the parents/guardians and apprise them of their legal responsibility. They will be notified in writing of the amount of loss or damage sustained by the District.~~
3. ~~A routine procedure will be followed for any necessary follow-up measures to secure restitution from the responsible party or parties.~~

- ~~B. Restitution payments will be made by juveniles or their parents/guardians to the Business Manager, and their accounts will be credited accordingly. Students of legal age will be held responsible for their own payments. If necessary, provisions may be made for payment in several installments. Accounts not paid in full within a specified time will be processed for legal action. Students who have not fulfilled their obligations may be denied attendance at graduation ceremonies or the issuance of transcripts.~~
- ~~C. Moneys received at a school from a student or parent/guardian in restitution for loss or damages will be forwarded to the Business Office to ensure proper credit.~~

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Remsen Central School District  
 Legal Ref: Family Court Act 758-a  
 Adopted: 04/13/82  
 Revised: 12/15/92, 04/25/17, \_\_\_\_\_

# Policy

~~Delete 10/26/2021 – Contractual – in CSEA~~

## **Contract**

SUPPORT OPERATIONS

5305

### SECURITY CHECKS (WEEKENDS AND HOLIDAYS)

- ~~I. — Duties for security checks, dances, ballgames, etc. on other than regular school days will be rotated among the custodial and janitorial staff on the present basis. If more than one person is needed, the staff will be advised.~~
- ~~II. — Security checks will be made at odd hours on dates needed and will be conducted in conjunction with special events at school, if any. The Sunday security check however will be conducted sometime Sunday P.M. to allow for any repairs to equipment before school opening.~~
- ~~III. — That the Head Custodian, all Custodians and all Cleaners in addition to the regular work week will be assigned on a rotational basis by the Superintendent or his designee to perform security check on weekends and holidays. Said security checks shall be 1 1/2 hours per day.~~

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Remsen Central School District

Adopted: 12/15/92

Revise: 04/25/17

# Regulation

Delete 10/26/2021 – Contractual – in CSEA

Contract

SUPPORT OPERATIONS

5305.1

## SECURITY CHECKS-LIST

- I. Security checks will consist of the following:
1. Check boiler room for heat in operation.
    - a. Check for any alarms sounding
    - b. Check boiler water temperature – between 160 deg. – 190 deg.
    - c. Check water level pressure gauge – 20 PSI
  2. Enter each room and check windows, heat (winter), lights, lock door.
  3. Kitchen -- check coolers and freezers for correct operation, all other equipment off.
  4. Emergency lights – OFF - not ON unless power off. No visible leaks in roof or plumbing.
  5. Check all exterior doors of buildings to be locked, look for vandalism.
  6. Garage (old storage building) Entrance door locked, overhead doors locked, lights off.
  7. Bus Garage Building locked, outside vehicles secure and plugged in (winter), look for vandalism.
  8. Bring in garbage cans that were used from a Saturday or Sunday function.
  8. In event of malfunctions of school equipment, boiler, freezers, coolers, etc. which the person on building check is unable to repair, notify Head Custodian, and or Facilities Supervisor.
  9. In event of discovery of any break-in or problems which should involve Police action, call 911, and report the issue, then call Facilities Supervisor.

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Remsen Central School District

Approved by the Superintendent: 04/25/17

Adopted: 12/15/92

# Regulation

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Delete 10/26/2021 – Contractual – in CSEA

**Contract**

SUPPORT OPERATIONS

5305.1

SECURITY CHECKS-LIST

SUPPORT OPERATIONS

Policy is Required  
INTERNET SAFETY POLICY

I. Statement of Policy

- A. Although the Remsen Central School District (District) recognizes the value of the internet as an educational tool, it also understands that information with no redeeming social value is accessible through the internet.
- B. A. The District has developed and will enforce this Internet Safety Policy in compliance with the Children’s Internet Protection Act (CIPA) and the Neighborhood Children’s Internet Protection Act (NCIPA).
- B. In addition, the District maintains its “Purpose, Use and Administration of District Digital Information Systems” which governs the acceptable use of the Internet by students and employees.

II. Access to the Internet using the District’s computer equipment is subject to the following restrictions:

A. Filtering.

Filtering software will be used to block minors’ access to:

1. visual depictions that are (a) obscene, (b) child pornography, or (c) harmful to minors;<sup>1</sup> and
2. Internet sites which, in the Board’s determination, contain material which is “inappropriate for minors.” (See item B. below.)

Adult access to visual depictions that are obscene and/or child pornography will also be blocked. However, the Superintendent or ~~his/her~~ designee may disable the software to enable access to blocked sites for bona fide research or other lawful purposes.

B. Matter Inappropriate for Minors.

The Board will (from time to time when needed) determine by resolution what Internet material is “inappropriate for minors” in the District. This determination will be based on community standards.

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<sup>1</sup> The terms “obscene”, “child pornography”, “harmful to minors,” and “matter inappropriate for minors,” used throughout the policy, are defined in the Children’s Internet Protection Act and the Neighborhood Children’s Internet Protection Act (Public Law 106-554). See Appendix A.



## SUPPORT OPERATIONS

INTERNET SAFETY POLICY

- C. Safety of Minors When Using Direct Electronic Communications.
1. In using the computer network and Internet, minors are not permitted to reveal personal information such as home addresses, telephone numbers, their real last names or any information which might allow someone they are communicating with online to locate them. No minor may arrange a face-to-face meeting with someone they ~~he/she~~ "meets" on the computer network or Internet without ~~his/her~~ their parent's/guardian's permission.
  2. Before utilizing any electronic communications (including but not limited to electronic mail and "chat rooms") in any instructional setting, students will be taught that they must disclose to their teacher any message they receive that is inappropriate or makes them feel uncomfortable. They must also be taught that they must never agree to meet with someone they have met online without their parent's or guardian's approval.
- D. Unauthorized Access and Other Unlawful Activities. It is a violation of this Policy to:
- a. use the District's computer network or the Internet to gain unauthorized access to other computers or computer systems, or to attempt to gain such unauthorized access;
  - b. damage, disable or otherwise interfere with the operation of computers, computer systems, software or related equipment through physical action or by electronic means; and/or
  - c. violate state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or any other applicable law or municipal ordinance.
- E. Unauthorized Disclosure and Dissemination of Personal Identification Information Regarding Minors. Personally identifiable information concerning minors may not be disclosed or used in any way on the Internet (e.g., on the District's web page or otherwise) without the permission of a parent or guardian. If a student is 18 or over, the permission may also come from the student himself/herself.

## III. Regulations and Dissemination.

The Superintendent is authorized to develop and implement regulations consistent with this policy. The Superintendent will also be responsible for disseminating the policy and associated regulations to ~~school~~ District personnel and students.

INTERNET SAFETY POLICY**Appendix A**

Generally speaking, “**obscenity**” is defined as any work that an average person (applying contemporary community standards) would find, taken as a whole, appeals to a prurient interest. The work also must depict or describe, in a patently offensive way, sexual conduct as specifically defined in state law. Moreover, the work, taken as a whole, has to lack serious literary, artistic, political or scientific value (See 18 U.S.C. §1460 and the cases interpreting that statute.)

“**Child pornography**” is defined as:

...any visual depiction, including a photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical or other means, of sexually explicit conduct, where (a) the production of visual depiction involves the use of a minor [someone under the age of 18] engaging in sexually explicit conduct; (b) such visual depiction is or appears to be, of a minor engaging in sexually explicit conduct; (c) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or (d) such visual depiction is advertised, promoted, presented, described or distributed in such manner that conveys the impression that the material is or contains a visual depiction of a minor engaging in sexually explicit conduct. (18 U.S.C. §2256[8]).

The phrase “**harmful to minors**” is defined as:

... any picture, image, graphic image, file, or other visual depiction that (a) taken as whole and with respect to minors [defined here as anyone under the age of 17], appeals to a prurient interest in nudity, sex or excretion; (b) depicts, describes, or presents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (c) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors. (Public Law 106-554, §1703{b}{2}.)

The phrase “**matter/material inappropriate for minors**” must be defined by a determination by the Board applying local community standards. (Public Law 106-554, §1732[1][2].)

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Remsen Central School District

Legal Ref: The Children’s Internet Protection Act (CIPA); The Neighborhood Children’s Internet Protection Act (NCIPA) (Public Law 106-554)

Approved: 01/08/02

Revised: 04/25/17, \_\_\_\_\_

PURPOSE, USE AND ADMINISTRATION OF DISTRICT  
DIGITAL INFORMATION SYSTEMS

I. Scope of Policy

- A. Digital information systems are important to achieving the Remsen Central School District's (the District) educational goals and conducting business operations in an efficient manner. The Board of Education's (the Board) goal is to provide students and staff with digital technology tools that are appropriate to support the District's instructional goals and operational needs, consistent with a wise use of the District's financial resources.
- B. When used in this Policy, the term "digital information systems" includes computers of any size and form factor (including smartphones and tablets), network servers, routers, cables, interactive whiteboards, video conferencing equipment, switches, and software that is owned, leased, or licensed by the District, or that the District has the use of through a cooperative educational services agreement (CoSer), and that is used to create, modify, store, or transmit information in a digitized form.
- C. This Policy applies to the use of all District-managed devices, including mobile devices such as laptop computers and digital tablets, whether the equipment is used by staff, students, or members of the public. References to District-managed devices shall include devices owned by the District and devices that may continue to be owned by the BOCES but are assigned to the District for use within the District under District supervision.
- D. This Policy also applies to the use of digital devices that are not District-managed devices but are used to access and connect to the District's network, whether the device is owned or used by a staff member, student, or member of the public.
- E. Anyone who uses any part of the District's digital information systems is expected to comply with the standards of use set forth in this Policy, whether that person is a staff member (employees and volunteers), student, contractor, or member of the public (including parents/guardians and community members).
- F. In addition to the standards set forth in this Policy for use of the District's digital information systems, users of those systems must comply with all other Board-adopted policies and related regulations, including but not limited to, the Code of Conduct, the Internet Safety Policy, and the Equal Opportunity and Nondiscrimination Policy.

## SUPPORT OPERATIONS

PURPOSE, USE AND ADMINISTRATION OF DISTRICT  
DIGITAL INFORMATION SYSTEMS

## II. District Accountability for Use of Digital Information Systems

- A. The Board recognizes the District's responsibility to monitor the use of its digital information assets to ~~insure~~ ensure that those assets are used for their intended purposes, and that the use of those assets does not expose the District to unnecessary risk. The Superintendent shall develop procedures and operating protocols that provide for the periodic review of access logs and filtering logs for the purpose of identifying possible misuse of the District's assets.
- B. The District reserves the right to inspect the contents of any digital files, folders, images, or other digital information created, modified, stored, or transmitted using the District's digital information assets.
1. The only information that should be created, modified, stored, or transmitted using the District's digital information systems is information that is necessary to or supportive of the District's education program or business operations. Individuals do not have an expectation of personal privacy in any information created, stored, or transmitted by the individual using the District's digital information systems. This includes any passwords to an individual's personal internet accounts that the individual chooses to store on the District's digital information systems.
  2. The Superintendent shall ~~insure~~ ensure that staff, students, and the public are periodically advised that any information created, modified, stored, or transmitted using the District's digital information systems may be examined by the District for such reasons as to ~~insure~~ ensure that the systems are being properly used, or to comply with obligations under laws such as the Freedom of Information Law (FOIL), the Family Educational Rights and Privacy Act (FERPA), and litigation discovery procedures.
- C. The District is not responsible for the quality, availability, accuracy, nature, or reliability of Internet service beyond the point at which the District's digital information systems connect to the Internet. Not all information found on the Internet is accurate or reliable, and each user is responsible for verifying the integrity and authenticity of information that the user finds on the Internet.
- D. The District maintains its digital information systems for the sole purpose of delivering its educational program and conducting its business operations, and the digital information system shall not be deemed to be a public forum or limited public forum.

PURPOSE, USE AND ADMINISTRATION OF DISTRICT  
DIGITAL INFORMATION SYSTEMS

III. Responsible Use of Digital Information Systems

- A. Instructional and non-instructional staff are provided with access to the District's digital information systems for the purpose of performing their work duties. Use of the systems for any other purpose may be classified as unacceptable work performance, and may be subject to counseling or discipline consistent with applicable laws and collective bargaining agreements. Limited personal use for such purposes as brief communication with family members may be acceptable, but staff members should keep in mind that any data created by personal use remains subject to review by the District.
- B. Students are provided with access to the District's digital information systems for the purpose of completing instructional assignments under the guidance of a teacher. Use of the systems in a manner that does not comply with the standards in this Policy or another policy, or guidance issued by the Superintendent or other administrator or teacher, may result in disciplinary action consistent with the District's Code of Conduct.
- C. Members of the public may access the District's digital information systems to support a child's education (e.g., Parent Portal to access grades), to communicate with staff, or for personal reasons (e.g., WiFi access while in the school building). The Superintendent, in consultation with the Director of Instructional Technology, shall develop and implement procedures and protocols so that members of the public are reasonably advised of their responsibility to adhere to the standards set forth in this and other Board Policies, and are reasonably advised that information created, modified, stored, or transmitted through the District's digital information systems is not considered private, except to the extent explicitly provided by law.
- D. Users must not engage in conduct that may compromise the security of the District's digital information systems.
1. A user may not access the systems with any password other than the password given to the user by the authorized District staff member.
  2. A user may not disclose the user's assigned password to anyone except a District staff member authorized to have access to that user's password.
  3. A user may not download or install any program, app, content, or other software that has not been approved for installation by the District.
  4. A user may not circumvent, or attempt to circumvent, any computer security measure implemented by the District or required by any service provider or program as a condition for using a service or program.

PURPOSE, USE AND ADMINISTRATION OF DISTRICT  
DIGITAL INFORMATION SYSTEMS

5. A user may not download, create, or distribute a virus, Trojan horse, adware, or other malware, or add files to or delete files that change the function or operation of the digital information systems.
- E. Users must understand and respect the capacity of the digital information systems and the need to accommodate other users. Therefore, users shall not engage in activities that use a disproportionate share of the system's assets, such as creating or disseminating commercial advertising, political fundraising, mass mailings (unless pre-approved school-related purposes), or playing online games that have not been incorporated into course material.
- F. Users must respect the rights of other individuals regarding content those individuals have created. A user cannot download or use content in violation of copyright laws, including music, movies, artwork, photographs, and programs.
- G. Users may not access, upload, download, or distribute pornographic material, obscene material, or sexually explicit material.
- H. Users may not create or distribute information that is disrespectful of other persons or groups, or that is illegal, defamatory, abusive, intimidating, harassing, or bullying, or the creation or distribution of which is illegal.
- I. Users may not participate in chat rooms, instant messaging, or e-mail that is not specifically permitted by a staff member as a legitimate school-related purpose.
- J. Users may not send or display unsolicited non-educational-related messages or pictures.
- K. Users may not access the internal components of a computer or other device, except as instructed by an authorized member of the District's instructional technology staff or other technical consultants.
- L. Users may not access, or "hack into," other user accounts or files or directories that the user is not authorized to access.
- M. Users may not use the District's digital information systems to conduct business transactions not related to their school responsibilities, or to perform work on behalf of any non-school organization.
- N. Users may not engage in any activity using the District's digital information systems that violates any local, State, or Federal law.

PURPOSE, USE AND ADMINISTRATION OF DISTRICT  
DIGITAL INFORMATION SYSTEMS

- O. Users who engage in inappropriate use of the digital information systems may have their access rights modified or revoked, or be subject to discipline consistent with the District's Code of Conduct and applicable laws and collective bargaining agreements.
- IV. Physical Environment and Security
- A. The physical assets that are incorporated into the District's digital information systems (hardware) are both valuable and vulnerable. To the extent feasible in existing facilities, network servers and other critical infrastructure shall be installed in physical locations that provide appropriate ventilation, electrical supply, and an absence of potential risks (e.g., water leaks). Future facility plans shall include consideration of proper physical spaces to house digital network infrastructure.
- B. The Superintendent, in consultation with the Director of Instructional Technology, shall adopt a protocol for limiting access to spaces housing network servers and other critical infrastructure, and for logging the identity of those accessing those spaces and the dates of access.
- C. If a District-managed mobile device is assigned to a student or staff member for their dedicated use, a record shall be made identifying the device, the person to whom it is assigned, the date of the assignment, and the date of the expected return of the device. All devices shall be returned to the Instructional Technology Department no later than June 30 of each school year, unless prior arrangements have been made with the IT Department.
- D. A staff member or student may take possession of an assigned device only after providing the Instructional Technology Department with a written agreement acknowledging the following conditions with respect to the device and any related equipment provided with the device:
1. Use of the device must conform to the standards of responsible use set forth in this Policy, and all other applicable District policies and rules, whether the device is connected to the District's digital information systems or not;
  2. The device remains the property of the District, and must be returned to the District at the designated time or when the user ceases to be affiliated with the District, if earlier;
  3. The user will take reasonable care to protect the device from damage due to dropping or other physical shock, inclement weather, spillage of food or other substances, and other physical dangers;

PURPOSE, USE AND ADMINISTRATION OF DISTRICT  
DIGITAL INFORMATION SYSTEMS

4. The user will lock the device using the assigned password, will not share that password with anyone other than an authorized District employee or designee, and will not allow any other person to use the device;
5. The software installed on the device is owned by or licensed to the District, and the user may not copy or alter the installed software; the user will not install or download any software, program, application, or executable code onto the device that is not approved by an authorized District employee or designee;
6. The user acknowledges that the device may be equipped with software installed by the District to protect the device from damage from viruses or other malware, which may prevent the user from installing software or making other changes to the device, and the user agrees not to attempt to remove, neutralize, or circumvent this security measure;
7. The District retains the right to examine the device and its contents, and may do so remotely, and the user has no expectation of privacy in any information created, modified, stored, or transmitted with the device; and
8. If the device is damaged through the gross negligence of the user, the user will be responsible for compensating the District for the damage.

Where the user is a student, the acknowledgement shall be signed by both the student and a parent/guardian ~~or person in parental relation~~.

V. User Access Rights

- A. The District shall assign each user rights to access only those assets of the digital information systems, and only those data fields, files, or elements that are appropriate to the user's status and, where applicable, job responsibilities.
- B. The District shall periodically review the roster of users and their assigned access rights, and make adjustments to reflect any changes in circumstances.
- C. Users shall be required to use passwords that meet standards established by the Superintendent, in consultation with the Director of Instructional Technology, and to change passwords periodically.
- D. The Superintendent, in consultation with the Director of Instructional Technology, is authorized to develop and adopt procedures and protocols for assigning, reviewing, and removing user access rights, including the use of passwords. These procedures



PURPOSE, USE AND ADMINISTRATION OF DISTRICT  
DIGITAL INFORMATION SYSTEMS

and protocols shall include procedures for removing users from the roster when an individual is no longer affiliated with the District.

VI. Mitigation of Business Interruption Risk

- A. The District shall create, periodically review, and update as necessary, a disaster recovery plan that provides a reasonably specific roadmap to responsible District personnel of the steps to follow in responding to, and recovering from, a disaster-related interruption of the operation of the District's digital information systems. The plan shall be responsive to such extraordinary events as flood, storm, electrical grid failure, system component failure, and cyber intrusion.
- B. As part of the disaster recovery plan, the District shall create, periodically review, and update as necessary, a plan for routine backup of the information stored in the District's digital information systems. The backup plan shall balance cost and administrative effort with the potential consequences of losing particular data elements. The importance of individual data elements or databases to the continued operation of the District shall be prioritized and backup schedules set accordingly.
- C. The Superintendent, in consultation with the Director of Instructional Technology, is authorized to develop and implement the procedures and protocols for disaster recovery and information backups. The Board shall be briefed on the status of these plans at least annually.

VII. Email Component of Digital Information Systems

- A. All references in this Policy to the use of District digital information systems include the use of those systems for the composing, sending, receipt, and storage of email. The District's reserved right to access and inspect information stored on or passing through its systems applies to email messages and related metadata. The standards of responsible use set forth above apply to email.
- B. Use of Email By Staff Members
  - 1. Staff members are provided with credentials to access and use the District's email domain (@remsenncsd.org) to send and receive work-related emails. As noted above, those emails are not confidential or private. The District may review those emails for any reasonable business purpose, including to ~~insure~~ ensure compliance with this and other Policies, and with other applicable laws and regulations. The District may be required to disclose emails to third parties pursuant to FOIL, FERPA, or other legal requirements. Employees shall not conduct personal business using the District's email address.

PURPOSE, USE AND ADMINISTRATION OF DISTRICT  
DIGITAL INFORMATION SYSTEMS

2. Staff members must use the District's email domain to send and receive all work-related messages. If a staff member uses a personal email account to send or receive a work-related message, the staff member may be required to provide access to the personal email account in order to comply with FOIL, FERPA, or another legal requirement.
3. If a staff member stores personal email, or passwords to personal email accounts, on the District's digital information systems, that information will be available to the District.
4. Each email is a business document. Consistent with the standards for responsible use set forth above, all email should be businesslike, appropriate to the business purpose, and respectful of the recipients. Staff members must keep in mind that every email is subject to public disclosure under FOIL.
5. Emails that contain personally identifiable student information may be classified as education records under FERPA. Staff members should use discretion when communicating personally identifiable student information to anyone through email. Disclosure of personally identifiable student information to other staff members should be limited to those staff members who work with the student.

C. Use of Email by Students

1. Use of the District's email domain by students is permitted when assigned by a teacher as part of a class requirement, project, or unit.
2. Students may not access their personal email accounts (such as Yahoo!, MSN, personal Gmail, etc.) through a District-owned machine.
3. The District's email domain is filtered and can be monitored by school staff. Students do not have an expectation of privacy when using the District's email domain.

VIII. Personally-Owned Devices Connected to the District's Digital Information Systems

- A. When devices not owned or managed by the District access the District's digital information systems, the District is exposed to several additional risks, such as the risk that malware will infiltrate the District's system from a non-secure device; the risk that confidential student information will migrate to the device, which might then be lost or stolen; and the risk that records relating to District business will be stored on the device, and the District will be legally obligated to produce those records in response to a FOIL request or litigation. To mitigate these risks, employees

PURPOSE, USE AND ADMINISTRATION OF DISTRICT  
DIGITAL INFORMATION SYSTEMS

connecting non-District managed devices to the District's digital information systems shall be required to accept certain requirements.

- B. The Superintendent, in consultation with the Director of Instructional Technology, shall develop and implement procedures and protocols for authorizing devices not managed by the District to be connected to the District's digital information systems. Devices shall not be connected to the District's systems unless the user of the device agrees to the terms determined by the Superintendent to be appropriate and necessary to mitigate the foreseeable risks. Those terms shall include, but not be limited to:
1. The user acknowledges familiarity with this Policy and other relevant Policies, and agrees that the use of the District's digital information systems through the device will comply with the standards of responsible use and other requirements in the Policies;
  2. The user agrees to give the District access to the memory of the device when the District has a business reason to retrieve data or documents, including the need to respond to a FOIL request, a request for education records under FERPA, or a litigation disclosure requirement, or a review to confirm compliance with the standards of responsible use;
  3. The user agrees that no District-related data or documents will be copied or otherwise stored in personal "cloud" accounts such as Dropbox, Box, OneDrive, etc.;
  4. The user agrees that District-related communications will be sent and received as email when practicable, and that text messaging will only be used to relay non-essential information;
  5. In the event that the device is lost, stolen, or missing for more than 48 hours, the user will immediately notify the Director of Instructional Technology, and will cooperate with all District efforts to recover or reconstruct District-related information that was stored on the device;
  6. The user acknowledges that if the device is used to access the internet through the District's digital information systems then that access will be filtered in accordance with the District's Internet Safety Policy;
  7. The user agrees that all system updates and all application updates will be installed within a reasonable time of being available, and agrees that anti-virus software will be installed on the device, activated, and updated where applicable;

PURPOSE, USE AND ADMINISTRATION OF DISTRICT  
DIGITAL INFORMATION SYSTEMS

8. The user agrees that, if the device has the capability to connect to the internet using cell phone (3G/4G/5G and beyond) connections, the user will not connect the device to the internet using that capability while on school premises. Instead, the user will always connect to the District network in order to connect to the Internet;
  9. The user agrees that the District will not be responsible for any damage that occurs to any component of the device, including processors, memory, video displays, WiFi or Bluetooth circuitry, or programs as a result of being connected to and operating on the District's digital information systems; and
  10. The user agrees that failure to abide by the terms of use will be sufficient reason for the District to block the device from further access to the District's digital information systems.
- C. The use of non-District managed devices by students on school property shall be subject to rules and protocols approved by the Superintendent after consultation with building principals and teachers.
- IX. Student Data Security and Parental Consent
- A. The creation, modification, storage, and transmission of personally identifiable student information using the District's digital information systems must comply with the requirements of federal and State law.
    1. Usernames and passwords assigned to or created for students will generally be considered personally identifiable student information.
    2. Personally identifiable student information may not be provided to third-party contractors (including online or "cloud" services) without determining that any online Terms of Service or other online agreement complies with federal and state laws. The Superintendent shall develop and implement a procedure for administrators, teachers, and other staff to seek evaluation of any online product or service that they wish to implement to support instruction or business operations.
  - B. The standard procedure in the District shall be to provide each student with access to the District's digital information systems unless the student violates the District rules for the use of those systems or the District is notified in writing (including email) by a student's parent/guardian ~~or person in parental relation~~ that the student is not to be given access to those systems. At the time of enrollment and the beginning of each school year, a student's parent/guardian ~~or person in parental relation~~ shall be notified of this Policy, the importance of online access to contemporary education methods,

PURPOSE, USE AND ADMINISTRATION OF DISTRICT  
DIGITAL INFORMATION SYSTEMS

and how to inform the District that their student is not to be given access to the District's digital information systems.

X. Data Security Awareness Training

District staff shall be provided with instruction concerning the requirements of applicable laws and this Policy, and the importance of following best practices to protect the security of information stored in the District's digital information systems.

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Remsen Central School District

Cross Ref: 0010, Equal Opportunity and Nondiscrimination  
1004, Code of Conduct  
5400, Internet Safety

Adopted 04/25/17

Revised: \_\_\_\_\_

# Regulation

Draft 10/26/2021

5401.1

SUPPORT OPERATIONS

## RESPONSIBLE USE POLICY FOR STUDENTS

At Remsen Central School District (the District), we use technology in many ways. While doing so, we hope to teach our students the skills, knowledge, behaviors and ethical judgement they will need to succeed in the future. The technologies used include both District-owned and student's personal devices and may include laptops, desktops, tablets, cell phones, e-readers and more.

As our use of technology expands, so do our opportunities. With these new opportunities come new responsibilities. Students should adhere to the following principles to ensure they become responsible digital citizens.

### **I will use technology in a safe, meaningful, and responsible way.**

- I will use technology resources productively and appropriately for school related purposes. I will not disrupt the work of others as I use technology.
- I will be responsible and respectful as I communicate through technologies such as email, blogs, wikis, discussion boards, virtual classrooms, etc.
- I understand I represent the ~~school~~ District in all my online activities and that what I do on social networking sites should not reflect negatively on my fellow students, teachers or on the district.
- I understand that the school network and my school network account are the property of ~~Remsen Central School~~ the District and anything I do on the network may be monitored.
- I understand that school administrators will determine what conduct is inappropriate on the school network and devices.

### **I will use technology in accordance with the laws of the United States and the State of New York.**

- I will not commit criminal acts, including but not limited to: hacking (attempting to access computer systems without authorization), harassing email, cyberbullying, cyberstalking, child pornography, vandalism, or computer system tampering.
- I will not libel anyone by publicly defaming them on the Internet, on social networks, or via email.
- I will not violate copyright laws by copying, selling or distributing copyrighted material without written permission of the author or publisher.
- I will not plagiarize (use the words or ideas of another without giving credit).

RESPONSIBLE USE POLICY FOR STUDENTS

Student Name \_\_\_\_\_ Class of 20 \_\_\_\_\_

I have read and discussed the Responsible Use Policy with my parent/guardian and I understand my responsibilities. I also understand that if I commit any violations, my network privileges ~~many~~ may be revoked and additional disciplinary measures may be taken, including referral to law enforcement.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

I have read and discussed the Responsible Use Policy with my student and give my student permission to use the technology resources and network at Remsen Central School District.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Daytime Phone Number



Remsen Central School District  
Approved by the Superintendent: 02/24/98, 06/14/05, 08/22/17, 11/06/18, \_\_\_\_\_

# Regulation

Draft 10/26/2021  
5401.2

SUPPORT OPERATIONS

## EMPLOYEE INTERNET AUTHORIZATION FORM

I have read reviewed and fully understand the attached Purpose, Use and Administration of District Digital Information Systems Policy and will abide by the terms and conditions set forth in the document. I further understand that any violation of this regulation is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, ~~and~~ disciplinary action and/or appropriate legal action may be taken. I agree to teach and model appropriate use of the network.

Employee Name (Print) \_\_\_\_\_

Employee Signature \_\_\_\_\_

Date: \_\_\_\_\_

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Remsen Central School District

Approved by the Superintendent: 11/06/18, \_\_\_\_\_

Adopted: 06/14/05



## USE OF COPYRIGHTED MATERIALS

### I. Policy

It is the policy of the Remsen Central School District (the District) to follow the United States Copyright Law of 1976, as amended. Any use of computer or duplicating facilities by employees or students for infringing use of copyrighted materials is subject to appropriate disciplinary action as well as those civil remedies and criminal penalties that may be provided under federal law.

### II. Copyrighted Materials

Only copyrighted materials are subject to the restrictions of this policy. Uncopyrighted materials may be copied freely and without restriction. As a copyright notice is not required for copyright protection of works published on or after March 1, 1989, most works (except those authored by the US Government) should be presumed to be copyright-protected, unless further information from the copyright holder or express notice reveals that the copyright holder intends the work to be in the public domain. Works published prior to March 1, 1989, generally require a copyright notice in order to be protected.

### III. Computer Software

Copyrighted software may be copied without the copyright owner's permission only in accordance with the Copyright Act. Section 117 of the act permits making an archival backup copy. Most software, however, is licensed to the user and the terms of the license agreement may give the user permission to make copies of the software in excess of the archival copy permitted by the Copyright Act. Each software license agreement is unique. As a result, the user's right to copy licensed software beyond that permitted under the Copyright Act may only be determined by reading the user's license agreement. Any copying or reproduction of copyrighted software on District or system computing equipment must be in accordance with the Copyright Act and the pertinent software license agreement. Further, employees and students may not use unauthorized copies of software on District or system computers or networks.

### IV. Fair Use

- A. The "fair use" doctrine provides for limited use of copyrighted materials without the copyright owner's permission for such purposes as teaching, scholarship or research as well as criticism, comment, news reporting and parody.
- B. "Fair use" is not a blanket exception and each use must be analyzed by applying the four standards to the desired use:

SUPPORT OPERATIONS

USE OF COPYRIGHTED MATERIALS

1. The purpose and character of the use.

The use must be for such purposes as teaching or scholarship and must be nonprofit.

2. The nature of the copyrighted work.

Use of a work that is factual in nature weighs toward a finding of fair use. Use of imaginative works is more likely to require permission.

3. The amount and substantiality of the portion used.

Using only a small portion of a copyrighted material tips toward fair use, while using large portions indicates a need for permission.

4. The effect of the use upon the potential market for or value of the copyrighted work.

Where a work is available for purchase or license from the copyright owner, copying all or a significant portion of the work (in lieu of purchasing or licensing a sufficient number of “authorized” copies) would likely be unfair.

- C. Even if a copyright infringement occurs, a court may refuse to award damages if the infringer reasonably believed that the use was fair. Regulation 5305.1 establishes general guidelines for applying the four factors, adapted from the Conference on Fair Use (CONFU) guidelines.

V. Permitted Performances and Displays/Teaching

Copyright law also provides educators with a separate set of rights in addition to “fair use”, to display (show) and perform (show or play) others’ works in the classroom.

1. An educator may show or perform any work related to the curriculum, regardless of medium face-to-face in the classroom.
2. The Technology, Education and Copyright Harmonization Act (TEACH Act) provides for the use of non-dramatic literary works in distance learning courses.

## SUPPORT OPERATIONS

USE OF COPYRIGHTED MATERIALS

## VI. Off-air Recording

Specific guidelines have been established for the off-air recording of broadcast programming for educational purposes.

1. Such videotaping must generally be by teacher request and the use of such videotape shall be limited within the first ten (10) days of the broadcast.
2. Additional use of the videotape shall be permitted for reinforcement and/or evaluation.
3. The videotape should be erased within 45 days of the broadcast.

## VII. Library Copyright Exemption

The Copyright Act establishes certain exemptions for libraries and archives to reproduce copyrighted works.

## VIII. Obtaining Permission to Use Copyrighted Material

- A. In the event that a material is copyrighted and the use would exceed that permitted by any exception, license or "fair use", it is likely that such use would be unfair and permission should be obtained from the copyright owner.
- B. Before forwarding a request for permission, check with the appropriate library to see if there is a blanket permission covering the material to be used.
- C. A request to use copyrighted material should be sent to the permission department of the publisher of the work. Permission requests should include:
  - Title, author/editor and edition
  - Exact material to be used
  - Number of copies to be made
  - Intended use of material e.g. educational
  - Form of distribution e.g. hard copy, posted on Internet
  - Whether material is to be sold e.g. as part of a course pack
- D. Written permission should be obtained and kept by the department or individual receiving permission. If oral permission only is obtained, a written record should be kept of the oral permission.

SUPPORT OPERATIONS

USE OF COPYRIGHTED MATERIALS

IX. Works Made for Hire

The District is the holder of the copyright for works made for hire (materials prepared by an employee within the scope of his/her employment, including instructional texts, tests, answer sheets, etc., and materials specifically commissioned). The District shall be considered the author unless there is an agreement that the employee will own the copyright. Any material created during school hours and/or on school machinery, shall be the property of the District, which will own the copyright. When a work is specially commissioned and the author is not an employee of the District, there should be a written agreement providing that the commissioned work shall be considered a "work for hire," and that the District shall be considered the author for copyright purposes.

X. Notice

The District shall post a notice reflecting this policy at all computer and photocopying stations that may be used for reproducing copyrighted materials e.g. copying rooms and at or near computer stations.

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Renssen Central School District  
Legal Ref: Title 17, United States Code  
Adopted: 12/15/92  
Revised: 04/25/17, \_\_\_\_\_

SUPPORT OPERATIONS

USE OF SURVEILLANCE CAMERAS IN THE SCHOOL DISTRICT

I. Statement of Policy

- A. The Board of Education (the Board) is committed to maintaining the physical safety and security of the Remsen Central School District (District).
- B. In order to better fulfill its obligation to provide a safe environment for learning and work, the Board of ~~Education~~ authorizes the use of equipment capable of recording images to monitor activity on school property (including property leased to the district) and recording images and sounds to monitor activity in school vehicles (including school buses).
- C. The Board of ~~Education~~ prohibits the installation or use of cameras in restrooms, locker rooms or rooms designated by the District for individuals to change their clothes. Individuals are required to change their clothes only in designated areas.
- D. Video and sound recordings of students are considered to be "Student Education Records" and will be handled in accordance with the policy and regulations.

II. Notice:

- A. The District will include a copy of this policy in the annual information packet it sends to student homes.
- B. The District's student handbook will contain a notice giving notice of the District's-use of video surveillance cameras and sound.
- C. The District will post signs on campus, in campus buildings and on buses and other areas giving notice of the District use video surveillance cameras with sound.
- D. The District will post this policy on its webpage so that it is available to the public.

III. Records Retention

- A. All videotaped or other recordings obtained for security purposes that contain incidents that have potential administrative or legal uses (e.g. incidents where students are hurt, illegal activities, etc.) will be kept by the District for three (3) years.
- B. Videotaped or other recordings not containing incidents warranting retention for potential administrative or legal uses need only be retained for at least two (2) weeks.

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Remsen Central School District

Legal Ref: Family Education Rights and Privacy Act, 20 U.S.C. 1232(g); NY Labor Law ~~Section~~ §203-c; NY Penal Law Article 250.

Cross Ref: Education Records Regulation, Student Privacy FERPA Notice Regulation

Adopted: 04/25/17

Revised: \_\_\_\_\_

I. Statement of Policy

The Remsen Central School District (the District) takes reasonable administrative, technical, and physical measures to protect the security of private information, as defined in §208 of the New York State Technology Law. School districts are required to notify any New York State resident when there has been or is reasonably believed to have been a compromise of the individual's *private information*, in compliance with the Information Security Breach and Notification Act. This policy also applies to information maintained on behalf of a District by a third party.

II. Scope of Information Protected

A. Information that is Protected

1. In connection with any software platform or application that requires the creation of a user account with a password, disclosure of the user name or email address in combination with a password or security question and answer that would permit access to an online account is considered disclosure of private information.
2. Private information shall mean personal information in combination with any one or more of the following data elements, when either (1) the personal information or the data element is not encrypted or (2) encrypted with a corresponding encryption key that has also been acquired. Private Information also is deemed to have been disclosed if the following conditions are met:
  - a. one of the following data elements related to the data subject has been disclosed:
    - i. Social Security Number; or
    - ii. Driver's license number or non-driver identification card number; or
    - iii. Account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual's financial account; or
    - iv. account number, or credit or debit card number, if circumstances exist where such number could be

INFORMATION SECURITY BREACH POLICY

used to access an individual’s financial account without additional identifying information, security code, access code, or password, or

- v. biometric information, meaning data generated by electronic measurements of an individual’s unique physical characteristics, such as fingerprint, voice print, or retina or iris image, or other unique physical representation or digital representation which are used to authenticate or ascertain the individual’s identity.

B. Information Not Covered by This Policy

- 1. ~~Private Information does not include~~ Publicly available information that is lawfully made available to the general public from Federal, State, or local governmental records is not private information within the meaning of this Policy.
- 2. Personally identifiable information of students, eligible students, and teachers or principals governed by Education Law Section 2-d is managed by the District, and data breach notifications are provided, in accordance with Policy 5405 and is not private information within the meaning of this Policy.
- 3. ~~This policy also applies to information maintained on behalf of a District by a third party.~~

III. Notification:

A. Determining Whether a Breach of Security Occurred

- 1. “Breach of the security of the system” shall mean unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of private information maintained by the District.
- 2. In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or a person without valid authorization, the District may consider the following factors, among others:
  - a. indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer or other device containing information; or

POLICY

Draft 10/26/2021

SUPPORT OPERATIONS

Policy is Required

5404

INFORMATION SECURITY BREACH POLICY

- b. indications that the information has been downloaded or copied; or
- c. indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported.

B. Inadvertent Disclosure by Authorized Persons

Notice to affected persons under this Policy is not required if the exposure of private information was an inadvertent disclosure by persons authorized to access private information, and the District reasonably determines such exposure will not likely result in misuse of such information, or financial or emotional harm to the affected persons. Such a determination shall be documented in writing and maintained for at least five years. If the incident affected over five hundred residents of New York, the District/BOCES shall provide the written determination to the state attorney general within ten days after the determination.

C. Notification Methods

The District will notify the affected individual. Such notice shall be directly provided to the affected persons by one of the following methods:

- 1. written notice;
- 2. electronic notice, provided that the person to whom notice is required has expressly consented to receiving said notice in electronic form; a log of each such notification shall be kept by the District;
- 3. telephone notification; a log of each such notification shall be kept by the District;
- 4. substitute notice, if the cost of providing notice would exceed two hundred fifty thousand dollars, or the affected class of persons to be notified exceeds five hundred thousand, or the District does not have sufficient contact information. Substitute notice shall consist of all of the following:
  - a) e-mail notice when the District has an e-mail address for the subject persons;
  - b) conspicuous posting of the notice on the District's web site page, if the District maintains one; and
  - c) notification to major statewide media.

D. Notification Content



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Policy is Required

5404

INFORMATION SECURITY BREACH POLICY

The notice must include the District's contact information, a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which elements of private information were, or are reasonably believed to have been, so acquired. The notice shall also include the telephone numbers and website addresses of state and federal agencies that provide information regarding security breach response and identity theft prevention and protection information.

E. Notification Timing

Disclosure of the unauthorized access to or acquisition of private information shall be made in the most expedient time possible and without unreasonable delay, consistent with the needs of law enforcement and the measures necessary to first determine the scope of the breach and restore the integrity of the information storage system.

F. Coordination with Law Enforcement

Notification may be delayed if a law enforcement agency determines that such notification impedes a criminal investigation. The notification required shall be made after such law enforcement agency determines that such notification does not comprise such investigation.

IV. Other Notifications

When notification is necessary, the District must also notify the following agencies as to the timing, content and distribution of the notices and approximate number of affected persons:

- A. NYS Attorney General
- B. New York State Office of Information Technology Services
- C. New York Department of State
- D. Consumer Reporting Agencies (ONLY if more than 5,000 New York State residents are notified at one time.)

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Remsen Central School District

Legal Ref: NYS Technology Law §208

Adopted: 04/25/17

Revised: 11/10/2020, \_\_\_\_\_

# Regulation

Draft 10/26/2021

5404.1

SUPPORT OPERATIONS

## NEW YORK STATE SECURITY BREACH REPORTING FORM

Pursuant to the Information Security Breach and Notification Act

(State Technology Law §208)

**Name and address of Entity that owns or licenses the computerized data that was subject to the breach:**

Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**Submitted by:** \_\_\_\_\_ **Title:** \_\_\_\_\_ **Dated:** \_\_\_\_\_

Firm Name (if other than entity): \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Relationship to Entity whose information was compromised: \_\_\_\_\_

**Type of Organization** (please select one):  Governmental Entity in New York State;  Other Governmental Entity;  
 Educational;  Health Care;  Financial Services;  Other Commercial;  Not-for-profit

**Number of Persons Affected:**

Total (Including NYS residents): \_\_\_\_\_ NYS Residents: \_\_\_\_\_

If the number of NYS residents exceeds 5,000, have the consumer reporting agencies been notified?  Yes;  No.

**Dates:** Breach Occurred: \_\_\_\_\_ Breach Discovered: \_\_\_\_\_ Consumer Notification: \_\_\_\_\_

**Description of Breach** (please select all that apply):

- Loss or theft of device or media (e.g., computer, laptop, external hard drive, thumb drive, CD, tape);  
 Internal system breach;  Insider wrongdoing;  External system breach (e.g., hacking);  Inadvertent disclosure;  
 Other (specify): \_\_\_\_\_

**Information Acquired:** Name or other personal identifier in combination with (please select all that apply):

- Social Security Number  
 Driver's license number or non-driver identification card number  
 Financial account number or credit or debit card number, in combination with the security code, access code, password, or PIN for the account

**Manner of Notification to Affected Persons - ATTACH A COPY OF THE TEMPLATE OF THE NOTICE TO AFFECTED NYS RESIDENTS:**

Written;  Electronic;  Telephone;  Substitute notice.

List dates of any previous (within 12 months) breach notifications: \_\_\_\_\_

**Identify Theft Protection Service Offered:**  Yes;  No.

Duration: \_\_\_\_\_ Provider: \_\_\_\_\_

Brief Description of Service: \_\_\_\_\_

SUPPORT OPERATIONS

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**NEW YORK STATE SECURITY BREACH REPORTING FORM  
PURSUANT TO THE INFORMATION SECURITY BREACH AND NOTIFICATION ACT  
(STATE TECHNOLOGY LAW §208)**

**PLEASE COMPLETE AND SUBMIT THIS FORM TO  
EACH OF THE THREE STATE AGENCIES LISTED BELOW:**

**Fax or Email this form to:**

**New York State Attorney General's Office**

SECURITY BREACH NOTIFICATION

Consumer Frauds & Protection Bureau

120 Broadway, 3<sup>rd</sup> Floor

New York, NY 10271

Fax: 212-416-6003

Email: [breach.security@ag.ny.gov](mailto:breach.security@ag.ny.gov)

**New York State Office of Information Technology Services**

**Enterprise Information Security Office**

SECURITY BREACH NOTIFICATION

1220 Washington Avenue

State Office Campus

Building 5, 1<sup>st</sup> Floor

Albany, NY 12242

Fax: 518-322-4976

Email: [eiso@its.ny.gov](mailto:eiso@its.ny.gov)

**New York State Department of State Division of Consumer Protection**

Attention: Director of the Division of Consumer Protection

SECURITY BREACH NOTIFICATION

99 Washington Avenue, Suite 650

Albany, NY 12231

Fax: 518-473-9055

Email: [security\\_breach\\_notification@dos.ny.gov](mailto:security_breach_notification@dos.ny.gov)

To access the most recent online version of the NYS Security Breach Reporting Form:

<http://its.ny.gov/eiso/breach-notification>

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Remsen Central School District

Approved by the Superintendent: 04/25/17, 11/10/2020, \_\_\_\_\_

# Policy

Draft 10/26/2021

SUPPORT OPERATIONS

5405 Renumber/Revise Policy 5306

Policy is Required

## PROTECTION OF STUDENT, TEACHER, AND PRINCIPAL PERSONAL INFORMATION (DATA SECURITY AND PRIVACY)

### I. Statement of Policy

In order to conduct a successful education program, the Remsen Central School District (the District) receives, creates, stores, and transfers information about students, teachers, and principals that is protected by state and federal law. The District takes active steps to protect the confidentiality of protected information in compliance with all applicable state and federal laws. The District expects all District officers, employees, and partners to maintain the confidentiality of protected information in accordance with state and federal law and all applicable Board Policies.

This Policy shall be published on the District website.

### II. Scope of Policy

#### A. Protected Information

1. The term Protected Information used in this Policy includes both, Protected Student Information, and Protected Teacher and Principal Information that is recorded in any form, including paper or digital, and text or image or sound.
2. The term Protected Student Information means personally identifiable information as defined in the federal regulations implementing the Family Educational Rights and Privacy Act (FERPA), found at 34 C.F.R. Section 99.3.
3. The term Protected Teacher and Principal Information means personally identifiable information about an individual's Annual Professional Performance Review (APPR) rating, as described in Education Law Section 3012-c(10).

#### B. Affected Persons and Entities

1. The term Student includes any person attending school in an educational agency, or seeking to become enrolled in an educational agency.
2. The term Parent includes the parent, legal guardian, or person in parental relation to a Student.

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(DATA SECURITY AND PRIVACY)

3. The term Data Subject includes any Student and the Parent of the Student, and any teacher or principal who is identified in Protected Information held by the District.
4. As used in this Policy, the term Third Party means any person or organization that (a) is not employed by this District and is not an Educational Agency and (b) receives Protected Information from this District. The term Third Party includes for-profit organizations, not-for-profit organizations, higher education institutions, and governmental agencies that are not Educational Agencies (such as law enforcement agencies).
5. As used in this Policy, the term Educational Agency includes public school districts, boards of cooperative educational services, charter schools, the State Education Department, certain pre-k programs, and special schools described in Section 2-d of the Education Law; higher education institutions are not Educational Agencies for purposes of this Policy.

C. Other Important Definitions

1. The term Breach means the unauthorized acquisition of, access to, use of, or disclosure of Protected Information by or to a person who is not authorized to acquire, access, use, or receive that Protected Information.
2. A Disclosure of Protected Information occurs when that information is released, transferred, or otherwise communicated to an unauthorized party by any means, including oral, written, or electronic; a disclosure occurs whether the exposure of the information was intentional or unintentional. A Disclosure is Unauthorized if it is not permitted by state or federal law or regulation, or by any lawful contract, or not made in response to a lawful order of a court or tribunal.
3. The term Commercial or Marketing Purpose means (a) the sale of Protected Student Information, (b) the use or disclosure of Protected Student Information by any party (including the District) for purposes of receiving remuneration, either directly or indirectly, (c) the use of Protected Student Information for advertising purposes, (d) the use of Protected Student Information to develop or improve a Third Party product or service, or (e) the use of Protected Student Information to market products or services to students.

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D. Implementation with Other Policies and Laws

The District has adopted other Policies and practices to comply with state and federal laws such as FERPA, IDEA, and the National School Lunch Act. This Policy will be implemented to supplement, and not replace, the protections provided by those laws, as recognized in District Policies and practices.

III. General Principles for Use and Security of Protected Information

A. Intentional Use of Protected Information

1. All District staff and officers are expected to receive, create, store, and transfer the minimum amount of Protected Information necessary for the District to implement its education program and to conduct operations efficiently. In particular, the number of email documents containing Protected Information should be minimized.
2. Protected Student Information will only be disclosed to other District staff or Third Parties when that person or entity can properly be classified as a school official with a legitimate educational interest in that Protected Information, meaning that the person or entity requires that information to perform their job or fulfill obligations under a contract with the District.
3. Protected Information shall not be disclosed in public reports or other public documents.
4. Before Protected Student Information is disclosed to a Third Party, there shall be a determination that the disclosure of the Protected Information to that Third Party will benefit the student(s) whose information is being disclosed and the District.
5. Except as required by law or in the case of educational enrollment data, the District shall not report to the State Education Department student juvenile delinquency records, student criminal records, student medical and health records, or student biometric information.

B. Commercial and Marketing Use of Protected Information Prohibited

The District shall not sell protected information or use or disclose protected information for the purpose of receiving remuneration either directly or indirectly.

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The District shall not facilitate the use of Protected Information by another party for that party's commercial or marketing purpose.

IV. Data Protection Officer

A. Board Designation

Upon the recommendation of the Superintendent, the Board of Education (the Board) will designate a Data Protection Officer. The designation shall be made by formal action at a Board meeting.

B. Responsibilities of Data Protection Officer

1. The Data Protection Officer shall be responsible for the implementation of this Policy, under the supervision of the Superintendent and consistent with other Board Policies.
2. The Data Protection Officer shall serve as the initial point of contact for data security and privacy matters affecting the District, including communications with the Chief Privacy Officer of the State Education Department.
3. In addition to specific responsibilities identified in this Policy, the Data Protection Officer shall oversee the District assessment of its risk profile and assist the Superintendent in identifying appropriate steps to decrease the risk of Breach or Unauthorized Disclosure of Protected Information, in alignment with the National Institute of Standards and Technology (NIST) Cybersecurity Framework.

V. Actions to Reduce Cybersecurity Risk

A. NIST Cybersecurity Framework

1. The District shall plan, install, maintain, operate, and upgrade its digital information network systems, infrastructure, and practices in alignment with the NIST Cybersecurity Framework, version 1.0, with the goal of steadily reducing the risk of unauthorized disclosure of, or access to, the Protected Information stored on and transmitted through the network.
2. In accordance with the approach of the NIST Cybersecurity Framework, the Superintendent shall direct appropriate District personnel, including the Data Protection Officer, to continually assess the current cybersecurity

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risk level of the District, identify and prioritize appropriate “next steps” for the District to take to reduce cybersecurity risk, and implement actions to reduce that risk, consistent with available fiscal and personnel resources of the District.

3. Decisions regarding procurement and implementation of hardware and software, and decisions regarding the collection and use of Protected Information, shall take into consideration the anticipated benefit to the education program or operations of the District, and the potential increase or decrease in the risk that Protected Information will be exposed to unauthorized disclosure.

B. Setting Expectations for Officers and Employees

1. Notice of this Policy shall be given to all officers and employees of the District.
2. Officers and employees of the District shall receive cybersecurity training designed to help them identify and reduce the risk of unauthorized disclosures of Protected Information. Each employee shall receive such training at least annually. This training shall include information about the state and federal laws that govern Protected Information and how to comply with those laws and meet District expectations for use and management of Protected Information.

VI. Parents Bill of Rights for Data Privacy and Security

A. Content of the Parents Bill of Rights for Data Privacy and Security

The District publishes on its website and will maintain a Parents Bill of Rights for Data Privacy and Security that includes all elements required by the Commissioner’s Regulations, including supplemental information about data-sharing agreements as described in Part B below.

B. Public Access to the Parents Bill of Rights for Data Privacy and Security.

The Parents Bill of Rights for Data Privacy and Security shall be posted on the District website. The website copy of the Parents Bill of Rights for Data Privacy and Security shall include links to the following supplemental information about each contract between the District and a Third Party that receives Protected Information:



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1. The exclusive purpose(s) for which the District is sharing the Protected Information with the Third Party;
2. How the Third Party will ensure that any other entities with which it shares the Protected Information, if any, will comply with the data protection and security provisions of law and the contract;
3. When the agreement expires and what happens to the Protected Information when the agreement expires;
4. That a Data Subject may challenge the accuracy of the Protected Information through the process for amending education records under the Education Records Policy of the District (Protected Student Information) or the appeal process under the APPR Plan of the District (Protected Teacher and Principal Information);
5. Where the Protected Information will be stored (described in a way that protects data security); and
6. The security protections that will be taken by the Third Party to ensure that the Protected Information will be protected, including whether the data will be encrypted.

VII. Standards for Sharing Protected Information with Third Parties

A. Written Agreement For Sharing Protected Information With a Third Party Required

1. Protected Information shall not be shared with a Third Party without a written agreement that complies with this Policy and Section 2-d of the Education Law.
2. Disclosing Protected Information to other educational agencies does not require a specific written agreement, because educational agencies are not Third Parties. However, any such sharing must comply with FERPA and Board Policy.
3. When the District uses a cooperative educational services agreement (CoSer) with a BOCES (the CoSer BOCES) to access an educational technology platform that will result in Protected Information from this District being received by a Third Party, this District will confirm that the product is covered by a contract between the CoSer BOCES and the Third

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Party that complies with Education Law Section 2-d. This District will confirm with the CoSer BOCES the respective responsibilities of this District and the CoSer BOCES for providing breach notifications and publishing supplemental information about the contract.

#### B. Review and Approval of Online Products and Services Required

1. District staff do not have authority to bind the District to the Terms of Use connected to the use of online software products, regardless of whether there is a price attached to the use of the online product. Any staff member considering the use of an online product to perform the duties of their position should carefully read the online Terms of Service to determine whether accepting those terms will be considered binding on the District by the vendor.
2. If the use of an online product will result in the vendor receiving Protected Information, then the vendor is a Third Party and any agreement to use the online product must meet the requirements of this Policy and Education Law Section 2-d. Therefore, no staff member may use an online product that shares Protected Information until use of that product has been reviewed and approved by the Data Protection Officer.
3. The Superintendent, in consultation with the Data Protection Officer, shall establish a process for the review and approval of online technology products proposed for use by instructional or non-instructional staff.

#### C. Minimum Required Content for Third Party Contracts

1. Protected Information may not be shared with a Third Party unless there is a written, properly authorized contract or other data-sharing agreement that obligates the Third Party to:
  - a. maintain the confidentiality of the Protected Information in accordance with all applicable state and federal laws;
  - b. maintain the confidentiality of the Protected Information in accordance with this Policy;
  - c. use the shared Protected Information only for the purpose(s) specifically described in the contract, and to not use the Protected Information for any Commercial or Marketing Purpose;

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- d. limit access to Protected Information to only those officers and employees who need access in order to perform their duties in fulfilling the contract on behalf of the Third Party;
- e. ensure that no officer or employee of the Third Party will be given access to Protected Information until they have received training in the confidentiality requirements of state and federal laws and this Policy;
- f. not disclose any Protected Information to any other party who is not an authorized representative of the Third Party using the information to carry out Third Party's obligations under the contract, unless (i) Third Party has the prior written consent of the Data Subject to disclose the information to that party, or (ii) the disclosure is required by statute or court order, and notice of the disclosure is provided to the source of the information no later than the time of disclosure, unless such notice is expressly prohibited by the statute or court order;
- g. maintain reasonable administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of Protected Information in its custody;
- h. use encryption technology to protect data while in motion or in its custody from unauthorized disclosure using a technology or methodology specified by the secretary of the U S. Department of HHS in guidance issued under P.L. 111-5, Section 13402(H)(2);
- i. notify the District of any breach of security resulting in an unauthorized release of Protected Information by the Third Party or its assignees in violation of state or federal law, or in violation of contractual obligations relating to data privacy and security in the most expedient way possible and without unreasonable delay but no more than seven calendar days after the discovery of the breach; and
- j. where a breach or unauthorized disclosure of Protected Information is attributed to the Third Party, the Third Party shall pay for or promptly reimburse the District for the full cost incurred by this District to send notifications required by the Education Law.

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2. The contract or other data-sharing agreement with the Third Party must include the Third Party's Data Security and Privacy Plan that is accepted by the District. The Plan must include a signed copy of the District Parents Bill of Rights for Data Privacy and Security, and shall:
  - a. warrant that the Third Party's practices for cybersecurity align with the NIST Cybersecurity Framework 1.0;
  - b. equal industry best practices including, but not necessarily limited to, disk encryption, file encryption, firewalls, and password protection;
  - c. outline how the Third Party will implement all state, federal, and local data security and privacy contract requirements over the life of the contract, consistent with this Policy;
  - d. specify the administrative, operational and technical safeguards and practices it has in place to protect Protected Information that it will receive under the contract;
  - e. demonstrate that it complies with the requirements of Section 121.3(c) of the Commissioner's Regulations;
  - f. specify how officers or employees of the Third Party and its assignees who have access to Protected Information receive or will receive training on the federal and state laws governing confidentiality of such data prior to receiving access;
  - g. specify if the Third Party will utilize sub-contractors and how it will manage those relationships and contracts to ensure Protected Information is protected;
  - h. specify how the Third Party will manage data security and privacy incidents that implicate Protected Information including specifying any plans to identify breaches and unauthorized disclosures, and to promptly notify the District; and
  - i. describe whether, how, and when data will be returned to the District, transitioned to a successor contractor, at the District's option and direction, deleted or destroyed by the Third Party when the contract is terminated or expires.

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3. The contract or other data-sharing agreement with the Third Party must also include information sufficient for the District to publish the supplemental information about the agreement described in Part VI-B of this Policy.

VIII. District Response to Reported Breaches and Unauthorized Disclosures

A. Local Reports of Possible Breach or Unauthorized Disclosures

1. Data Subjects and other District staff who have information indicating that there has been a Breach or Unauthorized Disclosure of Protected Information may report that information to the Data Protection Officer.
2. The report of suspected Breach or Unauthorized Disclosure must be made in writing. A report received by email will be considered a written report. The report shall provide as much information as is available to the reporting party concerning what Protected Information may have been compromised, when and how the possible Breach or Unauthorized Disclosure was discovered, and how the Data Privacy Officer may contact the reporting party. The Data Protection Officer shall make a form available online and in each school office to be used for reporting a suspected Breach or Unauthorized Disclosure.
3. The Data Protection Officer, or designee, shall take the following steps after receiving a report of a possible Breach or Unauthorized Disclosure of Protected Information:
  - a. promptly acknowledge receipt of the report;
  - b. determine, in consultation with appropriate technical staff, what, if any, technology-based steps should be taken immediately to secure against further compromise of Protected Information;
  - c. conduct a thorough factfinding to determine whether there has been a Breach or Unauthorized Disclosure of Protected Information, and, if so, the scope of the Breach or Unauthorized Disclosure and how it occurred;
  - d. if a Breach or Unauthorized Disclosure of Protected Information is found to have occurred, implement the Cybersecurity Incident Response Plan to correct and ameliorate the Breach or

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Unauthorized Disclosure and provide appropriate notifications to the SED Chief Privacy Officer and affected Data Subjects; and

- e. when the factfinding process is complete, provide the reporting party with the findings made at the conclusion of the factfinding process; this should occur no later than 60 days after the receipt of the initial report, and, if additional time is needed, the reporting party shall be given a written explanation within the 60 days that includes the approximate date when the findings will be available.

4. The Data Protection Officer shall maintain a record of each report received of a possible Breach or Unauthorized Disclosure, the steps taken to investigate the report, and the findings resulting from the investigation in accordance with applicable record retention policies, including Records Retention and Disposition Schedule for New York Local Government Records (LGS-1) ~~ED-1~~.
5. When this reporting and factfinding process results in confirmation of a Breach or Unauthorized Disclosure of Protected Information, the Data Protection Officer, or designee, shall follow the notification procedures described in Part VIII. B., below.
6. The availability of this process for reporting suspected Breaches or Unauthorized Disclosures of Protected Information shall be communicated to all staff and all student households, in addition to the general posting of this Policy on the District website.

B. Notification of Breach or Unauthorized Disclosure of Protected Information

1. Third Parties who learn of the Breach or Unauthorized Disclosure of Protected Information received from the District are required by law to notify the District of that occurrence no more than seven days after their discovery of the Breach or Unauthorized Disclosure. When the District receives such a notification, the Data Protection Officer, or designee, shall promptly obtain from the Third Party the following information if it is not already included in the notice:
  - a. a brief description of the Breach or Unauthorized Disclosure;
  - b. the dates of the incident;
  - c. the dates of the discovery by the Third Party;

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- d. the types of Protected Information affected; and
  - e. an estimate of the number of records affected.
2. When the District is notified by a Third Party of a Breach or Unauthorized Disclosure of Protected Information in the custody of the Third Party, the Data Protection Officer shall notify the Chief Privacy Officer of the State Education Department of that information within ten calendar days of receiving it from the Third Party, using the form provided by the Chief Privacy Officer.
3. When the District learns of an Unauthorized Disclosure of Protected Information originating within the District, whether as the result of a report made under this Policy or otherwise, the Data Protection Officer shall notify the Chief Privacy Officer of the State Education Department of that information within ten calendar days of discovering the Unauthorized Disclosure, using the form provided by the Chief Privacy Officer.
4. When the District has received notification from a Third Party of a Breach or Unauthorized Disclosure of Protected Information, or has otherwise confirmed that a Breach or Unauthorized Disclosure of Protected Information has occurred, the District shall notify all affected Data Subjects by first class mail to their last known address, by email, or by telephone, of the Breach or Unauthorized Disclosure. Notifications by email shall be copied into the record of the incident. Logs of telephone notifications shall be maintained with each record signed by the District employee making the contact. Each notification shall include the following information:
  - a. each element of information described in paragraph 1 above,
  - b. a brief description of the District investigation of the incident or plan to investigate; and
  - c. contact information for the Data Protection Officer as a point of contact for any questions the Data Subject may have.
5. The notification of affected Data Subjects shall be made in the most expedient way possible and without unreasonable delay, but no later than 60 calendar days after the discovery of the Breach or Unauthorized

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Disclosure or the receipt of the notice from the Third Party. If notification within the 60 day period would interfere with an ongoing law enforcement investigation or would risk further disclosure of Protected Information by disclosing an unfixed security vulnerability, notification may be delayed until no later than seven calendar days after the risk of interfering with the investigation ends or the security vulnerability is fixed.

6. Where notification of affected Data Subjects is required because of a Breach or Unauthorized Disclosure attributed to a Third Party, the Data Protection Officer shall prepare and submit to the Third Party a claim for reimbursement, as provided in Section 2-d of the Education Law.
7. Where notification of affected Data Subjects is required because of a Breach or Unauthorized Disclosure of Protected Information under this Policy, the Data Protection Officer shall also determine whether the District is required to provide any notifications pursuant to the Information Security Breach policy.

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Remsen Central School District

Legal Ref: NYS Education Law Section § 2-d; Family Educational Rights and Privacy Act  
FERPA 20 U.S.C. 1232g

Cross Ref: 7500, Education Records  
5404, Information Security Breach

Adopted: 11/10/2020

Revise: \_\_\_\_\_



Policy is Required  
FLAG DISPLAY

I. Statement of Policy

In keeping with State Education Law and Executive Law, the Board of Education (the Board) accepts its duty to display the United States flag upon or near each public school building during school hours, weather permitting, and such other times as the statutes may require or the Board may direct.

II. Half-Staff

The flag shall be flown at half-~~mast~~ staff on September 11<sup>th</sup> Remembrance Day and December 7<sup>th</sup> Pearl Harbor Day and when ordered by the President, Governor, or local official to commemorate a tragic event or the death of an outstanding individual. The Superintendent's approval shall be required for the flag to be flown at half-staff upon any other occasion. ~~Regulations for seeking such approval shall be established by the Administration.~~

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Remsen Central School District

Legal Ref.: NYS Education Law Sections §§ 418, 419, 419-a, 420, and 802, Executive Law Section §403; 8 NYCRR 108.1-108.3

Adopted: 04/25/17

Revised: \_\_\_\_\_

