
Pittsford Schools

Policy Manual

Section 5000

To access a policy from the table of contents, click on the specific policy name or number

Pittsford Central School District

NUMBER

BUDGET

<u>1.1</u>	<u>Budget Planning and Development</u>	<u>5110</u>
<u>1.2</u>	<u>School District Budget Hearing</u>	<u>5120</u>
<u>1.3</u>	<u>Budget Adoption</u>	<u>5130</u>
<u>1.4</u>	<u>Administration of the Budget</u>	<u>5140</u>

INCOME

<u>2.1</u>	<u>Revenues</u>	<u>5210</u>
<u>2.2</u>	<u>District Investments</u>	<u>5220</u>
<u>2.3</u>	<u>Acceptance of Gifts, Grants and Bequests to the District</u>	<u>5230</u>
<u>2.4</u>	<u>School Tax Assessment and Collection/Property Tax Exemptions</u>	<u>5240</u>
<u>2.5</u>	<u>Sale and Disposal of District Property</u>	<u>5250</u>

EXPENDITURES

<u>3.1</u>	<u>Bonding of Employees and Board Members</u>	<u>5310</u>
<u>3.2</u>	<u>Expenditures of District Funds</u>	<u>5320</u>
<u>3.2.1</u>	<u>Use of the District Credit Card/Purchasing Card</u>	<u>5321</u>

PURCHASING

<u>4.1</u>	<u>Purchasing: Competitive Bidding and Offering</u>	<u>5410</u>
<u>4.1.1</u>	<u>Professional Service Policy Procurements</u>	<u>5411</u>
<u>4.1.2</u>	<u>Professional Services, Consultants and Contractors</u>	<u>5412</u>
<u>4.1.3</u>	<u>Procurement: Uniform Grant Guidance for Federal Awards</u>	<u>5413</u>

FISCAL ACCOUNTING AND REPORTING

<u>5.1</u>	<u>Accounting of Funds</u>	<u>5510</u>
<u>5.1.1</u>	<u>Maintenance of Fund Balance</u>	<u>5511</u>
<u>5.1.2</u>	<u>Reserve Funds</u>	<u>5512</u>
<u>5.2</u>	<u>Extraclassroom Activity Fund</u>	<u>5520</u>
<u>5.3</u>	<u>Petty Cash Funds and Cash in School Buildings</u>	<u>5530</u>
<u>5.4</u>	<u>Publication of District's Annual Financial Statement</u>	<u>5540</u>
<u>5.5</u>	<u>Maintenance of Fiscal Effort (Title I Programs)</u>	<u>5550</u>
<u>5.5.1</u>	<u>Allocation of Title I, Part A Funds in the District</u>	<u>5551</u>
<u>5.6</u>	<u>Use of Federal Funds for Political Expenditures</u>	<u>5560</u>

Non-Instructional/Business
Operations

Pittsford Central School District

NUMBER

FISCAL ACCOUNTING AND REPORTING (Cont'd.)

<u>5.7</u>	<u>Financial Accountability.....</u>	<u>5570</u>
<u>5.7.1</u>	<u>Meal Expenses Incurred During Staff Meetings.....</u>	<u>5571</u>
<u>5.7.2</u>	<u>Audit Committee.....</u>	<u>5572</u>
<u>5.7.3</u>	<u>Internal Audit Function.....</u>	<u>5573</u>
<u>5.7.4</u>	<u>Use of District Cell Phones.....</u>	<u>5574</u>
<u>5.7.5</u>	<u>Allegations of Fraud</u>	<u>5575</u>
<u>5.7.6</u>	<u>Employee Travel.....</u>	<u>5576</u>
<u>5.7.7</u>	<u>Medicaid Compliance Program</u>	<u>5577</u>

NON-INSTRUCTIONAL OPERATIONS

<u>6.1</u>	<u>Insurance.....</u>	<u>5610</u>
<u>6.2</u>	<u>Fixed Asset Inventories, Accounting, and Tracking.....</u>	<u>5620</u>
<u>6.3</u>	<u>Facilities: Inspection, Operation and Maintenance.....</u>	<u>5630</u>
<u>6.3.1</u>	<u>Hazardous Waste and Handling of Toxic Substances by Employees</u>	<u>5631</u>
<u>6.3.2</u>	<u>Pest Management and Pesticide Use</u>	<u>5632</u>
<u>6.3.3</u>	<u>Gender Neutral Single-Occupancy Bathrooms.....</u>	<u>5633</u>
<u>6.4</u>	<u>Smoking, Tobacco, and Cannabis (Marijuana) Use</u>	<u>5640</u>
<u>6.5</u>	<u>Energy/Water Conservation and Recycling of Solid Waste.....</u>	<u>5650</u>
<u>6.6</u>	<u>Meal Charging and Prohibition Against Meal Shaming.....</u>	<u>5660</u>
<u>6.7</u>	<u>Records Management</u>	<u>5670</u>
<u>6.7.1</u>	<u>Information Security Program</u>	<u>5671</u>
<u>6.7.2</u>	<u>Information Security Breach and Notification.....</u>	<u>5672</u>
<u>6.7.3</u>	<u>Computer Control for Financial Network and Systems</u>	<u>5673</u>
<u>6.7.4</u>	<u>Employee Personal Identifying Information.....</u>	<u>5674</u>
<u>6.7.5</u>	<u>Data Networks and Security Access.....</u>	<u>5675</u>
<u>6.7.6</u>	<u>Privacy and Security for Student and Staff Data.....</u>	<u>5676</u>
<u>6.7.7</u>	<u>Student Grading Information Systems.....</u>	<u>5677</u>
<u>6.8</u>	<u>Safety and Security</u>	
<u>6.8.1</u>	<u>School Safety Plans</u>	<u>5681</u>
<u>6.8.2</u>	<u>Post Incident Response (Crisis Response).....</u>	<u>5682</u>
<u>6.8.3</u>	<u>Fire and Emergency Drills, Bomb Threats, and Bus Emergency Drills.....</u>	<u>5683</u>
<u>6.8.4</u>	<u>Use of Surveillance Cameras in the District and on School Buses</u>	<u>5684</u>
<u>6.8.5</u>	<u>Automated External Defibrillators.....</u>	<u>5685</u>
<u>6.8.6</u>	<u>School Building Access Control.....</u>	<u>5686</u>
<u>6.8.7</u>	<u>Possession and Use of Personal Cell Phones in Schools.....</u>	<u>5687</u>
<u>6.8.8</u>	<u>Electronic Devices with Photographic or Text Messaging Capability</u>	<u>5688</u>
<u>6.8.9</u>	<u>Maximum Temperature for School Buildings and Indoor Facilities.....</u>	<u>5689</u>
<u>6.9</u>	<u>Exposure Control Program</u>	<u>5690</u>
<u>6.9.1</u>	<u>Communicable Diseases</u>	<u>5691</u>
<u>6.9.2</u>	<u>Human Immunodeficiency Virus (HIV) Related Illnesses.....</u>	<u>5692</u>

2025 5000

Non-Instructional/Business
Operations

Pittsford Central School District

NUMBER

TRANSPORTATION

<u>7.1</u>	<u>Transportation Program</u>	<u>5710</u>
<u>7.2</u>	<u>Transportation of Students</u>	<u>5720</u>
<u>7.3</u>	<u>School Bus Safety</u>	<u>5730</u>
<u>7.4</u>	<u>Use of Buses by Community Groups</u>	<u>5740</u>
<u>7.6</u>	<u>Qualifications of Bus Drivers</u>	<u>5760</u>
	<u>7.6.1 Drug and Alcohol Testing for School Bus Drivers.....</u>	<u>5761</u>
<u>7.7</u>	<u>Idling School Buses on School Grounds</u>	<u>5770</u>
	<u>7.7.1 District Operations During the COVID-19 Pandemic.....</u>	<u>5771</u>

SUBJECT: BUDGET PLANNING AND DEVELOPMENT

Budget planning and development for the District is an integral part of program planning so that the annual operating budget may effectively express and implement programs and activities of the District. Budget planning is a year-round process involving participation of District-level administrators, principals, directors, coordinators, teachers, and other personnel. The process of budget planning and development will allow for community input and opportunities for public information and feedback.

The Superintendent has overall responsibility for budget preparation, including the construction of and adherence to a budget calendar. Program managers will develop and submit budget requests for their particular areas of responsibility after seeking the advice and suggestions of staff members.

Principals will develop and submit budget requests for their particular schools in conjunction with the advice and suggestions of staff members and their own professional judgment. Each school's budget request will be the principal's recommendation as to the most effective way to use available resources in achieving progress toward the approved educational objectives of the school. Program budgets and school budgets will reflect state and/or federal requirements, special sources of funding, and District objectives and priorities.

The Board will give consideration to budget requests, and will review allocations for appropriateness and for their consistency with the District's Budget Guidelines.

All budget documents for distribution to the public will be in plain language and organized in a manner which best promotes public comprehension of the contents. Documents will be complete, and accurate, and contain sufficient detail to adequately inform the public regarding data such as estimated revenues, proposed expenditures, transfers to other funds, fund balance information, and changes in this information from the prior year's submitted budget.

In accordance with Commissioner's regulations, the budget will be presented in three components which are to be voted upon as one proposition. The law prescribes the types of items to be included in each component and further prescribes that all relevant costs be included in the component.

- a) A program component which will include, but need not be limited to, all program expenditures of the District, including the salaries and benefits of teachers and any school administrators or supervisors who spend a majority of their time performing teaching duties, and all transportation operating expenses;
- b) A capital component which will include, but need not be limited to, all transportation capital, debt service, and lease expenditures; costs resulting from judgments and tax certiorari proceedings or the payment of awards from court judgments, administrative orders or settled or compromised claims; and all facilities costs of the District, including facilities lease expenditures, the annual debt service and total debt for all facilities financed by bonds and notes of the District, and the costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that such budget will include a rental, operations, and maintenance section that

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

includes base rent costs, total rent costs, operation and maintenance charges, cost per square foot for each facility leased by the District, and any and all expenditures associated with custodial salaries and benefits, service contracts, supplies, utilities, and maintenance and repairs of school facilities; and

- c) An administrative component which will include, but need not be limited to, office and central administrative expenses, traveling expenses and all compensation, including salaries and benefits of all school administration and supervisors, business administrators, superintendents of schools and deputy, assistant, associate or other superintendents under all existing employment contracts or collective bargaining, any and all expenditures associated with the operation of the Office of the Board, the Office of the Superintendent, General Administration, the School Business Office, consulting costs not directly related to direct student services and programs, planning, and all other administrative activities.

Additionally, the Board will append to the proposed budget the following documents:

- a) A detailed statement of the total compensation to be paid to the Superintendent, and any Assistant or Associate Superintendent in the ensuing school year, including a delineation of the salary, annualized cost of benefits and any in-kind or other form of remuneration;
- b) A list of all other school administrators and supervisors, if any, whose annual salary for the coming school year will be at or above that designated in law for such reporting purposes, with the title of their positions and annual salary identified;
- c) A School District Report Card, prepared pursuant to Commissioner's regulations, which includes measures of the academic performance of the District, on a school by school basis, and measures of the fiscal performance of the District (see subheading School District Report Card);
- d) A Property Tax Report Card prepared in accordance with law and Commissioner's regulations (see subheading Property Tax Report Card); and
- e) A Tax Exemption Report prepared in accordance with law (see subheading Tax Exemption Report).

The Board will ensure that unexpended surplus funds (i.e., operating funds in excess of 4% of the current school year budget, not including funds properly retained under other sections of law) have been applied in determining the amount of the school tax levy.

The proposed budget for the ensuing school year will be reviewed by the Board and publicly disseminated, in accordance with law, prior to its submission to District voters for approval.

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

District funds may be expended to inform the public regarding the annual budget and to present the annual budget to District voters; however, these funds will not be utilized to promote either a favorable or negative opinion of the proposed budget.

School District Report Card

Each year the District will supply data as required by the State Education Department (SED) and will receive a School District Report Card, sometimes referred to as a New York State Report Card. These provide enrollment, demographic, attendance, suspension, dropout, teacher, assessment, accountability, graduation rate, post-graduation plan, career and technical education, and fiscal data for public and charter schools, districts, and the state. The School District Report Cards consist of three parts:

- a) Accountability and Overview Report - shows District or school profile data, accountability statuses, data on accountability measures such as ELA, Math, and Science scores, and graduation rates.
- b) Comprehensive Information Report - shows non-accountability data such as annual Regents examination results and post-graduate plans of students completing high school.
- c) Fiscal Accountability Supplement - shows expenditures per pupil and some information about placement and classification of students with disabilities.

School District Report Cards are also available online at the SED website.

Property Tax Report Card

Each year, the Board will prepare a Property Tax Report Card, pursuant to Commissioner's regulations, and will make it publicly available by transmitting it to local newspapers of general circulation, appending it to copies of the proposed budget made publicly available as required by law, making it available for distribution at the Annual Meeting, and otherwise disseminating it as required by the Commissioner.

The Property Tax Report Card will include:

- a) The amount of total spending and total estimated school tax levy that would result from adoption of the proposed budget, and the percentage increase or decrease in total spending and total school tax levy from the District budget for the preceding school year; and
- b) The projected enrollment growth for the school year for which the budget is prepared, and the percentage change in enrollment from the previous year; and

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

- c) The percentage increase in the average of the Consumer Price Indexes from January first of the prior school year to January first of the current school year as defined in Education Law; and
- d) The projected amount of the adjusted unrestricted fund balance that will be retained if the proposed budget is adopted; the projected amount of the adjusted restricted fund balance; the projected amount of the assigned appropriated fund balance; the percentage of the proposed budget that the adjusted unrestricted fund balance represents; the actual adjusted unrestricted fund balance retained in the District budget for the preceding school year; the percentage of the District budget for the preceding school year that the actual adjusted unrestricted fund balance represents; and a schedule of reserve funds setting forth the name of each reserve fund, a description of its purpose, the balance as of the close of the third quarter of the current fiscal year, and a brief statement explaining any plans for the use of each reserve fund for the ensuing fiscal year; and
- e) The District's school tax levy limit calculation. The District will submit its school tax levy limit calculation to the Office of the State Comptroller, SED, and the Office of Taxation and Finance by March 1 annually. If a voter override of the tax levy limit is necessary, the budget vote must be approved by 60% of the District's qualified voters present and voting.

A copy of the Property Tax Report Card prepared for the Annual District Meeting will be submitted to SED in the manner prescribed by the Department by the end of the business day next following approval of the Property Tax Report Card by the Board, but no later than 24 days prior to the statewide uniform voting day (i.e., the third Tuesday in May).

SED will compile such data for all school districts whose budgets are subject to a vote of the qualified voters, and will make this compilation available electronically at least ten days prior to the statewide uniform voting day. Links to each school year's Property Tax Report Card can be found on SED's official website.

Tax Exemption Report

A Tax Exemption Report will be annexed to any tentative or preliminary budget and will become part of the final budget. This report will be on the form as prescribed by the State Board of Real Property Services and will show the following:

- a) How much of the total assessed value of the final assessment roll(s) used in the budgetary process is exempt from taxation;
- b) Every type of exemption granted as identified by statutory authority;

(Continued)

SUBJECT: BUDGET PLANNING AND DEVELOPMENT (Cont'd.)

- c) The cumulative impact of each type of exemption expressed either as a dollar amount of assessed value or as a percentage of the total assessed value on the roll;
- d) The cumulative amount expected to be received from recipients of each type of exemption as payments in lieu of taxes or other payments for municipal services; however, individual recipients are not to be named; and
- e) The cumulative impact of all exemptions granted.

Notice of this report will be included in any notice of the preparation of the budget required by law and will be posted on any bulletin board maintained by the District for public notices as well as on any website maintained by the District.

Education Law Sections 1608(3)-(7), 1716(3)-(7), 2022(2-a), 2023-a, 2601-a(3), and 2601-a(7)
General Municipal Law Section 36
Real Property Tax Law Sections 495 and 1318(1)
8 NYCRR Sections 170.8, 170.9, and 170.11
State Education Department Handbook No. 3 on Budget

SUBJECT: SCHOOL DISTRICT BUDGET HEARING

The Board will hold an Annual Budget Hearing, in accordance with law, so as to inform and present to District residents a detailed written statement regarding the District's estimated expenditures and revenue for the upcoming school year prior to the budget vote which is taken at the Annual District Meeting and Election.

The Budget Hearing will be held not less than seven nor more than 14 days prior to the Annual District Meeting and Election or Special District Meeting at which the budget vote will occur. The proposed budget will be completed at least seven days prior to the budget hearing at which it is to be presented.

Notice of the date, time, and place of the annual budget hearing and other required information will be included in the notice of the Annual Meeting and Election and/or Special District Meeting as required by law.

Dissemination of Budget Information

Copies of the proposed annual operating budget for the succeeding year and all required attachments may be obtained by any District resident. Requests for copies of the proposed budget should be made at least seven days before the budget hearing. Copies will be prepared and made available at the school District Office, public or associate libraries within the District, and on the District website, if one exists. Copies will be available to District residents during the 14-day period immediately preceding the Annual Meeting and Election or Special District Meeting at which the budget vote will occur. Additionally, the Board will include notice of the availability of copies of the budget at least once during the school year in any District-wide mailing.

Budget Notice

The District Clerk will mail a School Budget Notice to all qualified voters of the District after the date of the Budget Hearing, but no later than six days prior to the Annual Meeting and Election or Special District Meeting at which a school budget vote will occur. The Budget Notice will compare the percentage increase or decrease in total spending under the proposed budget over total spending under the District budget adopted for the current school year, with the percentage increase or decrease in the Consumer Price Index from January first of the prior school year to January first of the current school year.

The District will also include in the notice:

- a) The school tax levy limit;
- b) The proposed school year tax levy (without permissible exclusions to the school tax levy limit);

(Continued)

SUBJECT: SCHOOL DISTRICT BUDGET HEARING (Cont'd.)

- c) The total permissible exclusions; and
- d) The proposed school year tax levy (including permissible exclusions to the school tax levy limit).

The Notice will also include, in a manner and format prescribed by the Commissioner of Education, a comparison of the tax savings under the basic school tax relief (STAR) exemption and the increase or decrease in school taxes from the prior year, and the resulting net taxpayer savings for a hypothetical home within the District with a full value of \$100,000 under the existing District budget as compared with savings under the proposed budget.

The Notice will also set forth the date, time, and place of the school budget vote in the same manner as in the Notice of the Annual Meeting. The School Budget Notice will be in a form prescribed by the Commissioner of Education.

Notice of Budget Hearing/Availability of Budget Statement:

Education Law Sections 1608(2), 1716(2), 2003(1), 2004(1), 2023-a, and 2601-a(2)

Election and Budget Vote:

Education Law Sections 1804(4), 1906(1), 2002(1), 2017(5), 2017(6), 2022(1), 2023-a, and 2601-a(2)

Budget Development and Attachments:

Education Law Sections 1608(3), 1608(4), 1608(5), 1608(6), 1608(7), 1716(3), 1716(4), 1716(5), 1716(6), 1716(7), 2022(2-a), 2023-a, and 2601-a(3)

8 NYCRR Sections 100.2(bb), 170.8, and 170.9

SUBJECT: BUDGET ADOPTION

The Board will review the recommended budget of the Superintendent and seek public input and feedback regarding the recommended budget including, but not limited to, holding a public budget hearing not less than seven nor more than 14 days prior to the Annual District Meeting and Election at which the budget vote is to occur. The Board may modify the recommended budget of the Superintendent prior to its submission to District voters. Final authorization of the proposed budget is dependent upon voter approval unless a contingency budget is adopted by the Board.

The District budget for any school year, or any part of the budget, or any proposition(s) involving the expenditure of money for that school year, will not be submitted for a vote of the qualified District voters more than twice.

The District budget, once adopted, becomes the basis for establishing the tax levy on real property within the District. The District will post its final annual budget and any multi-year financial plan adopted by the Board on its website.

Contingency Budget

In the event the original proposed budget is not approved at the Annual District Meeting and Election, the Board may resubmit the original proposed budget or a revised budget for voter approval, or individual propositions may be placed before District voters, at a special meeting held on the third Tuesday of June. If the voters fail to approve the second budget submittal, or budget proposition(s), or if the Board elects not to put the proposed budget to a public vote a second time, the Board must adopt a contingency budget with a tax levy that is no greater than the prior year's levy (i.e., 0% levy growth).

The administrative component of the contingency budget is capped at the lesser of:

- a) The percent of the administrative component to the total budget in the prior year's budget, not including the capital component; or
- b) The percent that the administrative component comprised in the last proposed defeated budget for the subsequent year, not including, the capital component.

Education Law Sections 1608, 1716, 1804, 1906, 1950, 2007, 2022, 2023, 2023-a, and 2601-a
8 NYCRR Section 170.3

NOTE: Refer also to Policy #5110 -- Budget Planning and Development

Pittsford Central School District Adopted: 1/31/05
Revised: 10/19/21; 4/16/24

SUBJECT: ADMINISTRATION OF THE BUDGET

The Superintendent, working in conjunction with the administrative staff, is responsible to the Board for the administration of the budget. This includes, but is not limited to:

- a) Acquainting District employees with the final provisions of the program budget and guiding them in planning to operate efficiently and economically within these provisions.
- b) Providing direction to the District in maintaining those records of accounting control as are required by the New York State Uniform System of Accounts for School Districts, the Board, and other procedures, as are deemed necessary.
- c) Keeping the various operational units informed through periodic reports as to the status of their individual budgets.

Unless otherwise provided by law, no claim against the District will be paid unless such claims have been audited and approved by the Claims Auditor.

Budget Transfers

Within monetary limits as established by the Board, the Superintendent is authorized to transfer funds between and within functional unit appropriations for teachers' salaries and ordinary contingent expenses. Whenever changes are made, they are to be incorporated in the next Board agenda for informational purposes only.

Statement of the Total Funding Allocation

When required by law, the District will annually submit to the Commissioner of Education and the Director of the Budget a detailed statement of the total funding allocation for each school in the District for the upcoming school budget year. This statement will be in a form developed by the Director of the Budget, in consultation with the Commissioner of Education. This statement will be made publicly available and posted on the District website.

Education Law Sections 1604(35), 1709(20-a), 1711, 1718, 1724, 1950(4)(k), 2508, 2523-2526, 2554(2-a), and 3614
8 NYCRR Sections 170.12(c) and 170.2(l)

2005

5210

Non-Instructional/Business
Operations

SUBJECT: REVENUES

The District Treasurer will have custody of all District funds in accordance with the provisions of state law. The treasurer will be authorized and directed by the Board to invest the balances available in various District funds in accordance with regulations set forth in state law.

Education Law Sections 1604(a) and 1723(a)

SUBJECT: DISTRICT INVESTMENTS

Whenever the District has funds (including operating funds, reserve funds and proceeds of obligations) that exceed those necessary to meet current expenses, the Board will authorize the Assistant Superintendent for Business or his/her designee to invest these funds in accordance with all applicable laws and regulations and in conformity with the guidelines established by this policy.

Objectives

The objectives of this investment policy are four-fold:

- a) Investments shall be made in a manner so as to safeguard the funds of the District.
- b) Bank deposits shall be made in a manner so as to safeguard the funds of the District.
- c) Investments shall be sufficiently liquid so as to allow funds to be available as needed to meet the obligations of the District.
- d) Funds shall be invested in such a way as to earn the maximum yield possible given the first three investment objectives.

Authorization

The authority to deposit and invest funds is delegated to the Assistant Superintendent for Business or his/her designee. These functions shall be performed in accordance with the applicable sections of the General Municipal Law and the Local Finance Law of the State of New York.

The District may invest funds in the following eligible investments:

- a) Obligations of the State of New York.
- b) Obligations of the United States Government, or any obligations for which principal and interest are fully guaranteed by the United States Government.
- c) Time Deposit Accounts placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law. [Banking Law Section 237(2) prohibits a savings bank from accepting a deposit from a local government. This also applies to savings and loan associations.]
- d) Transaction accounts (demand deposits) both interest bearing and non-interest bearing that do not require notice of withdrawal placed in a commercial bank authorized to do business in the State of New York, providing the account is collateralized as required by law.

(Continued)

SUBJECT: DISTRICT INVESTMENTS (Cont'd.)

- e) Certificates of Deposits placed in a commercial bank authorized to do business in the State of New York providing the Certificates are collateralized as required by law.
 - 1. Deposits in excess of the amount insured by the Federal Deposit Insurance Corporation will be secured in accordance with subdivision 3 of the General Municipal Law Section 10.
 - 2. The District may, in its discretion, authorize the bank designated for the deposit of District funds to arrange for the redeposit of such funds in one or more banking institutions, for the account of the District, through a deposit placement that meets the conditions set forth in General Municipal Law Section 10(2)(a)(ii).
- f) Securities purchased pursuant to a Repurchase Agreement whereby one party purchases securities from a second party and the second party agrees to repurchase those same securities on a specific future date at an agreed rate of return (the interest rate).

Implementation

Using the policy as a framework, regulations and procedures shall be developed which reflect:

- a) A list of authorized investments;
- b) Procedures including a signed agreement to insure the District's financial interest in investments;
- c) Standards for written agreements consistent with legal requirements;
- d) Procedures for the monitoring, control, deposit and retention of investments and collateral which shall be done at least once a month;
- e) Standards for security agreements and custodial agreements consistent with legal requirements;
- f) Standards for diversification of investments including diversification as to type of investments, and firms and banks with whom the District transacts business; and
- g) Standards for qualification of investment agents which transact business with the District including, at minimum, the Annual Report of the Trading Partner.

This policy shall be reviewed and re-adopted at least annually or whenever new investment legislation becomes law, as staff capabilities change, or whenever external or internal issues warrant modification.

(Continued)

2019

5220
3 of 3

Non-Instructional/Business
Operations

SUBJECT: DISTRICT INVESTMENTS (Cont'd.)

Education Law §§ 1604-a, 1723-a, 2503(1), and 3652

General Municipal Law §§ 10, 11, and 39

Local Finance Law § 165.00

Public Authorities Law § 2925

Pittsford Central School District Adopted: 4/25/66

Revised: 5/9/66; 6/28/82; 1/9/89; 7/19/93; 6/9/97; 6/25/01; 6/28/04; 8/6/19

SUBJECT: ACCEPTANCE OF GIFTS, GRANTS AND BEQUESTS TO THE DISTRICT

The Board may accept gifts, grants or bequests (collectively "gifts") of money, real property, or personal property, as well as other merchandise that add to the overall welfare of the District, provided that acceptance is in accordance with existing laws and regulations. Donations to the school are fully tax deductible so long as the gift is used exclusively for public purposes. The Board may refuse any gift that constitutes a conflict of interest, gives an appearance of impropriety, or is not in its best interests. The Board will safeguard the District, the staff, and students from commercial exploitation, from special interest groups, and the like.

The Board will not accept any gifts which will place encumbrances on future Boards, or result in unreasonable additional or hidden costs to the District. The Board may, if it deems it necessary, request that gifts of equipment, facilities, or any item that requires upkeep and maintenance include funds to carry out maintenance for the foreseeable life of the donation.

The Board will not formally consider the acceptance of gifts until and unless it receives the offer in writing from the donor/grantor or their attorney or financial advisor. Any gifts donated to the Board and accepted on behalf of the District must be by official action and resolution passed by Board majority. The Board suggests that the donors or grantors work first with the school administrators in determining the nature of the gift or grant prior to formal consideration for acceptance by the Board.

The Board is prohibited, in accordance with the New York State Constitution, from making gifts/charitable contributions with District funds.

Gifts of money to the District will be annually accounted for by Generally Accepted Accounting Principles (GAAP).

All gifts become District property. A letter of appreciation, signed by the President of the Board and the Superintendent, will be sent to donors or grantors in recognition of their contribution to the District. Letters will be sent in a timely manner and will acknowledge the possible tax deduction available to donors whose gifts qualify under IRS regulations.

New York State Constitution Article 8, Section 1
Education Law Sections 404(1), 1604(44), 1709(12), 1709 (12-a), 1718(2), 3701, and 3703
Real Property Tax Law Section 980-a(3)

Pittsford Central School District Adopted: 3/26/64
Revised: 6/28/82; 2/20/89; 4/8/96; 12/11/00; 1/31/05; 2/28/12; 4/16/24

**SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION/PROPERTY TAX
EXEMPTIONS**

A tax collection plan giving dates of warrant and other pertinent data will be prepared annually and submitted for review and consideration by the School Business Official to the Board. Tax collection will occur by mail or by direct payment to the place designated by the Board.

Senior Citizens

Unless specifically exempted by law, real property used exclusively for residential purposes and owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife or by siblings, one of whom is 65 years of age or over, will be exempt from taxation to the extent of percentum of the assessed valuation determined by the Board if the owners meet the criteria established annually by the Board.

The real property tax exemption of real property owned by husband and wife, when one of them is 65 years of age or over, once granted, will not be rescinded solely because of the death of the older spouse so long as the surviving spouse is at least 62 years of age.

The District may permit a property tax exemption to an otherwise eligible senior citizen even if a child who attends a public school resides at that address, provided that its resolution conditions the exemption upon satisfactory proof that the child was not brought into the residence in whole or in substantial part to attend a particular school within the District. The Board must adopt a resolution allowing this exemption following a public hearing on this specific issue.

Disabled Citizens

Unless specifically exempted by law, real property used exclusively for residential purposes and owned by one or more persons with disabilities; or owned by a husband, wife or both, or siblings, at least one of whom has a disability; and whose income, as defined pursuant to law, is limited by reason of such disability will be exempt from taxation to the extent of percentum of the assessed valuation determined by the Board if the owners meet the criteria established annually by the Board. The Board must adopt a resolution allowing this exemption following a public hearing on this specific issue.

No exemption will be granted unless the real property is the legal residence of and is occupied in whole or in part by the disabled person; except where the disabled person is absent from the residence while receiving health-related care as an in-patient of a residential health care facility as defined in Public Health Law.

The District may permit a property tax exemption to an otherwise eligible disabled citizen even if a child who attends a public school resides at that address, provided that any such resolution will condition this exemption upon satisfactory proof that the child was not brought into the residence in whole or in substantial part for the purpose of attending a particular school within the District. The Board must adopt a resolution allowing this exemption following a public hearing on this specific issue.

(Continued)

**SUBJECT: SCHOOL TAX ASSESSMENT AND COLLECTION/PROPERTY TAX
EXEMPTIONS (Cont'd.)**

For purposes of this policy, and in accordance with law, a person with a disability is one who has a physical or mental impairment, not due to current use of alcohol or illegal drug use, which substantially limits such person's ability to engage in one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working; and who is certified to receive Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) benefits under the federal Social Security Act or is certified to receive Railroad Retirement Disability benefits under the federal Railroad Retirement Act, or has received a certificate from the State Commission for the Blind and Visually Handicapped stating that such person is legally blind.

Volunteer Firefighters and Ambulance Workers

In accordance with law, the District, after a public hearing, may adopt a resolution allowing the full benefits of the real property tax law exemptions for enrolled members of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service.

Enrolled members will be exempt from real property and school taxation to the extent of 10% not to exceed \$3,000 multiplied by the latest state equalization rate for the assessing unit in which the property is located.

These tax exemptions will not be granted to enrolled members unless:

- a) They reside in the city, town, or village which is served by the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and
- b) The property is their primary residence, used exclusively for residential purposes; however, if any portion of the property is used otherwise, that portion is subject to regular taxation.

Members must be certified by the jurisdiction as having been an enrolled member of the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service for at least five years. An enrolled member who is certified as having accrued more than 20 years of active service will be granted the exemption for the remainder of his or her life provided his or her residence is located within a county providing this exemption.

Any volunteer firefighter or volunteer ambulance worker already receiving benefits under the existing real property tax law will not have their benefits diminished.

Education Law Section 2130
Public Health Law Section 2801
Real Property Tax Law Sections 458-a, 459-c, 466-c, 466-f, 466-g, 466-I, 467, 1300-1342

Pittsford Central School District Adopted: 4/16/24

SUBJECT: SALE AND DISPOSAL OF DISTRICT PROPERTY**Sale of School Property**

No school property will be sold without prior approval of the Board. However, the responsibility for these sales may be delegated. The net proceeds from the sale of school property will be deposited in the General Fund.

Disposal of District Personal PropertyEquipment

District equipment that is obsolete, surplus, or unusable by the District will be disposed of in such a manner that is advantageous to the District.

The Superintendent or designee will be responsible for selling the equipment in such a way so as to maximize the net proceeds of sale which may include a bona fide public sale preceded by adequate public notice. If it is determined that reasonable attempts to dispose of the equipment have been made and those attempts have not produced an adequate return, the Superintendent or designee may dispose of the equipment in any manner which is deemed appropriate.

Textbooks

Textbooks may lose their value to the educational program because of changes in the curriculum or because they contain outdated material or are in poor condition. If textbooks are no longer useful or usable, the procedures for disposal will adhere to the following order of preference:

- a) Sale of textbooks. If reasonable attempts to dispose of surplus textbooks fail to produce monetary return to the District; then
- b) Donation to charitable organizations; or
- c) Recycle through appropriate means.

Education Law Sections 1604(4), 1604(30), 1604(36), 1709(9), 1709(11), 2503, 2511, and 2512
General Municipal Law Sections 51 and 800, et seq.

SUBJECT: BONDING OF EMPLOYEES AND BOARD MEMBERS

In accordance with New York State Education Law and the Commissioner's Regulations, the Board directs that the Treasurer and the Assistant Treasurer and the Claims Auditor appointed by the Board be bonded prior to assuming their duties. Such bonds shall be in the amounts as determined and approved by the Board.

Other school personnel authorized or required to handle District revenues may be covered by a blanket undertaking provided by the District in such amounts as approved by the Superintendent or his/her designee.

Education Law Sections 1709(20-a), 1720, 2130(5), 2526, and 2527
Public Officers Law Section 11(2)
8 NYCRR Section 170.2(d)

SUBJECT: EXPENDITURES OF DISTRICT FUNDS

The Board authorizes the Purchasing Agent to expend school funds as appropriated by approved operational and capital budgets, and by the adoption of special resolutions. He/she will make expenditures in accordance with applicable law and in a manner that will achieve the maximum benefit from each dollar expended.

All claims shall be properly audited before payment by the Claims Auditor who shall attest to the existence of evidence of indebtedness to support the claim.

Complete records of all expenditures shall be maintained for future analysis and reporting within the time frame required by the Records Disposition Law or regulation.

Arts and Cultural Affairs Law Section 57.19
Education Law Sections 1720 and 2523
8 NYCRR Section 185

NOTE: Refer also to Policies #5321 -- Use of the District Credit Card/Purchasing Card
#5322 -- Use of the District Cell Phone
#5323 -- Reimbursement for Meals/Refreshments
#6161 -- Conference/Travel Expense Reimbursement

SUBJECT: USE OF THE DISTRICT CREDIT CARD/PURCHASING CARD

The District may issue a credit/purchasing card or cards in its name for the use of its officers and designated employees for authorized, reimbursable, school business related expenses. The maximum credit limit on each card shall be as designated by the Board. However, authorized personnel must submit purchase orders for those school business related expenses, such as tuition charges for attendance at conference, travel expenses, and lodging, where costs may be fairly and accurately estimated prior to the actual incurring of expenses.

Only those officers and District personnel designated by the Board shall be authorized for the use of a District credit/purchasing card.

Expenses incurred on each credit/purchasing card shall be paid in such a manner as to avoid interest charges.

SUBJECT: PURCHASING: COMPETITIVE BIDDING AND OFFERING

Except as otherwise provided by law, all contracts for public work involving an expenditure of more than \$35,000 and all purchase contracts involving an expenditure of more than \$20,000 will be awarded by the District to the lowest responsible bidder furnishing the required security after advertisement for sealed bids. However, the District may, in its discretion, award purchase contracts on the basis of "best value" to a responsive and responsible bidder or offerer, provided the Board has authorized this action by rule, regulation, or resolution adopted at a public meeting.

No bid or offer will be accepted that does not conform to specifications furnished unless those specifications are waived by Board action. The District may, in its discretion, reject all bids or offers and readvertise for new bids or offers in a manner consistent with New York State law.

All contracts requiring public advertising and competitive bidding or offering will be awarded by resolution of the Board.

Except as authorized by law, no Board member or employee of the District will have an interest in any contract entered into by the District.

Standardization

The adoption of a standardization resolution requires a super majority vote of the Board. This includes purchase contracts for a particular type or kind of equipment, materials, or supplies of more than \$20,000 may be awarded by the Board to the lowest responsible bidder or offerer furnishing the required security after advertisement for sealed bids in the manner provided in law. This resolution must state that, for reasons of efficiency or economy, there is a need for standardization and must contain a full explanation of those reasons. Upon the adoption of a valid standardization resolution, the District may provide in its specifications for a particular make or brand to the exclusion of others.

"Piggybacking" Exception to Competitive Bidding

The District may, in its discretion, purchase certain goods and services (apparatus, materials, equipment, and supplies) at costs beyond the above-referenced thresholds through the use of contracts let by the United States or any agency thereof, any state, and any county, political subdivision, or district of any state.

This method of procurement is permitted on contracts issued by other governmental entities, provided that the original contract:

- a) Has been let by the United States or any agency thereof, any state (including New York State) or any other political subdivision or district;
- b) Was made available for use by other governmental entities and agreeable with the contract holder; and

(Continued)

SUBJECT: PURCHASING: COMPETITIVE BIDDING AND OFFERING (Cont'd.)

- c) Was let in a manner that constitutes competitive bidding consistent with New York State law, or was awarded on the basis of best value, and is not in conflict with other New York State laws.

Annual Review

District employees involved in the procurement process will review the District's purchasing manual on an annual basis.

The Board will annually review its bidding and purchasing policies and procedures. The School Business Official will be responsible for conducting an annual review of such policies and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

General Municipal Law Articles 5-A and 18
State Finance Law Sections 162, 163, and 163-b
Education Law Section 305(14)(g)

NOTE: Refer also to Policies #5411 -- Procurement of Goods and Services
#5413 -- Procurement: Uniform Grant Guidance for Federal Awards

SUBJECT: PROFESSIONAL SERVICE POLICY PROCUREMENTS

Notwithstanding the provisions and procedures set forth in Policy #5410 – Purchasing: Competitive Bidding and Offering, the following shall apply to procurements made by the District for professional services.

For Procurements which are not subject to competitive bidding pursuant to New York General Municipal Law Section 103, the District will utilize procedures which will best further the purposes of General Municipal Law Section 104-b. In accordance with the exceptions to General Municipal Law Section 103, services which are professional in nature are not subject to competitive bidding. The determination that a contract or goods or services to be rendered. As a general matter, professional services involve specialized skill, training, a high level of creativity, the exercise of professional judgment and a relationship of personal trust and confidence.

As reflected in case law, contracts for professional services include medical, allied health, legal, architectural engineering, investment management, insurance claims management, property appraised, pharmaceutical, and other similar services. The award of contracts for professional services without the solicitation of alternate proposals or quotations would be in the best interest of the District when the following criteria are met:

- a) Continuity of services;
- b) Confidential nature of service;
- c) Fiduciary relationship is integral to the service;
- d) Cost effectiveness of the services;
- e) Confidence in the expertise of the service provider;
- f) Breadth of knowledge of the School District; its operation and needs; and
- g) Ability to provide service in an expedient manner.

The Superintendent or designee shall have the right to award professional services contracts in accordance with its policies and the guidelines set forth herein. The Superintendent/designee may solicit Requests for Proposals for some or all of the services described above in accordance with General Municipal Law Section 104-b and School District policy.

The Superintendent will provide a review of contracts for professional services at mid-year and end of the year.

NOTE: Refer also to Policies #5410 – Purchasing: Competitive Bidding and Offering
#5412 -- Professional Services, Consultants and Contractors

SUBJECT: PROFESSIONAL SERVICES, CONSULTANTS AND CONTRACTORS

The Board of Education delegates to the Superintendent or his or her designee the authority to enter into contractual agreements with individuals/companies for professional services in amounts not to exceed \$75,000 in a given fiscal year. The Superintendent shall give the Board a summary of consultants used according to this limitation at mid-year and end of the year.

For consulting services in excess of \$75,000 the Superintendent will make recommendations for Board action.

Purchase orders may serve as contracts for vendor's work under \$20,000.

The Superintendent is charged to develop regulations to implement this policy.

SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS

The District will follow all applicable requirements in the Uniform Grant Guidance (2 CFR Part 200) whenever it procures goods or services using federal grant funds awarded through formula and/or discretionary grants, including funds awarded by the United States Department of Education as grants or funds awarded to a pass-through entity, such as the New York State Education Department, for subgrants.

Uniform Grant Guidance Requirements

Under the Uniform Grant Guidance, the District will, among other things:

- a) Use its own documented procurement procedures which reflect applicable state, local and tribal laws and regulations, provided that the procurements conform to applicable federal law and the standards identified in the Uniform Grant Guidance.
- b) Establish and maintain effective internal controls that provide reasonable assurance that the District is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. Internal controls means a process, implemented by the District, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:
 1. Effectiveness and efficiency of operations;
 2. Reliability of reporting for internal and external use; and
 3. Compliance with applicable laws and regulations.
- c) Comply with federal statutes, regulations, and the terms and conditions of the federal awards.
- d) Evaluate and monitor the District's compliance with statutes, regulations, and the terms and conditions of federal awards.
- e) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- f) Take reasonable measures to safeguard protected personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive or the District considers sensitive consistent with applicable federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.
- g) Maintain oversight to ensure contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(Continued)

**SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS
(Cont'd.)**

- h) Maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts.
- i) Have procurement procedures in place to avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase.
- j) Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to matters such as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
- k) Maintain records that sufficiently detail the history of the procurement including, but not limited to:
 - 1. Rationale for the method of procurement;
 - 2. Selection of contract type;
 - 3. Contractor selection or rejection; and
 - 4. The basis for the contract price.
- l) Use time and material contracts, only after a determination that no other contract is suitable and the contract includes a ceiling price that the contractor exceeds at its own risk.
- m) Conduct all procurement transactions in a manner providing full and open competition consistent with the standards of the Uniform Grant Guidance.
- n) Conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference.
- o) Have written procedures for procurement to ensure that all solicitations:
 - 1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured; and
 - 2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids.

(Continued)

**SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS
(Cont'd.)**

- p) Ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition.
- q) Use one of the following methods of procurement, which include:
 - 1. Micro-purchases;
 - 2. Small purchase procedures;
 - 3. Sealed bids;
 - 4. Competitive proposals; and
 - 5. Noncompetitive proposals.
- r) Have a written method for conducting technical evaluations of the proposals received and for selecting recipients.
- s) Take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- t) Include in all contracts made by the District the applicable provisions contained in Appendix II of the Uniform Grant Guidance -- Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.
- u) Perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications.
- v) Negotiate profit as a separate element of the price for each contract in which there is not price competition and in all cases where an analysis is performed.
- w) Comply with the non-procurement debarment and suspension standards which prohibit awarding contracts to parties listed on the government-wide exclusions in the System for Award Management (SAM).

2 CFR Sections 200.61, 200.303, 200.318, 200.319, 200.320, 200.321, 200.323, and 200.326
2 CFR Part 200, App. II

(Continued)

**SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS
(Cont'd.)**

NOTE: Refer also to Policies #5410 -- Purchasing: Competitive Bidding and Offering
#5411 -- Procurement of Goods and Services
#5570 -- Financial Accountability
#5670 -- Records Management
#6110 -- Code of Ethics for Board Members and All
District Personnel
#6161 -- Conference/Travel Expense Reimbursement

SUBJECT: ACCOUNTING OF FUNDS

Accounting and reporting procedures shall be developed to facilitate analysis and evaluation of the District's financial status and fixed assets. The District will use the Uniform System of Accounts for School Districts. Books and records of the District shall be maintained in accordance with statutory requirements. Provision shall be made for the adequate storage, security, and disposition of all financial and inventory records.

Online Banking

The Board has entered into a written agreement with designated banks and trust companies for online banking and electronic or wire transfers, which includes the implementation of a security procedure for all transactions. Online transactions must be authorized by the District Treasurer. The District Deputy Treasurer, with a separate established username and password, will have the authority to process online banking transactions. The Business Office Clerk or Deputy Treasurer, with a separate established username and password, will be responsible for online banking transactions in the event the District Treasurer is not available, or as a job responsibility delegated to him or her by the District Treasurer. A monthly report of all online banking activity will be reviewed by staff independent of the online banking process and reconciled with the bank statement. Online banking will only take place on secure District computers located inside the Treasurer's or Business Office.

Electronic Transactions and Wire Transfers

Procedures will be implemented specifying who is authorized to initiate, approve, transmit, record, review, and reconcile electronic transactions. At least two individuals will be involved in each transaction. Authorization and transmitting functions will be segregated and, whenever possible, the recording function will be delegated to a third individual.

The District will enter into written wire transfer security agreements for District bank accounts which will include established procedures for authenticating wire transfer orders. All wire transfers must be authorized by the District Treasurer or their designee. Dual approval controls will be established for non-routine wire transfer orders. The Internal Auditor will periodically confirm that wire transfers have appropriate signatures, verification and authorization of proper personnel.

Education Law Section 2116-a
General Municipal Law Sections 5, 5-a, 5-b, and 99-b
N.Y. UCC Section 4-A-201

Pittsford Central School District Adopted: 6/28/82
Revised: 1/9/89, 6/9/97, 6/25/01, 1/31/05, 9/27/11, 7/15/13; 4/16/24

SUBJECT: MAINTENANCE OF FUND BALANCE**General Provisions**

The Board recognizes that the maintenance of a fund balance is essential to the financial integrity of the District insofar as it helps mitigate current and future risks and assists in ensuring stable tax rates. Consistent with this understanding, the Board adopts the following standards and practices.

Classification of Funds

The District will ensure that funds are classified consistent with Governmental Accounting Standards Board (GASB) Statement Number 54, *Fund Balance Reporting and Governmental Fund Type Definitions*. Consequently, fund balance amounts will be categorized as non-spendable, restricted, committed, assigned, or unassigned.

Unassigned Fund BalanceMinimum Unassigned Fund Balance

In order to maintain financial stability and protect against cash flow shortfalls, the Board will strive to maintain an unassigned fund balance of at least 2% of the current year's budgeted expenses. In the event such balance falls below the 3.5% floor, the District will seek to replenish deficiencies through reducing expenses and/or increasing revenue.

Maximum Unassigned Fund Balance

In order to support normal operating costs and provide fiscal stability for the District, the Board will also strive to ensure that the unassigned fund balance does not exceed 4% of the current year's budgeted expenditures. If it is anticipated that such balance will exceed the 4% ceiling, the Board will evaluate current commitments and assignments in order to determine the final distribution of fund balance in any fiscal year. The District will ensure unexpended surplus funds are used to reduce taxpayer liability in conformance with Real Property Tax Law Section 1318.

Fund Balance and Budget Development

The District's ability to maintain its unassigned fund balance within the limits articulated above is contingent upon the development of a reasonable budget. Consequently, the District will develop and adopt budgets that, to the extent possible, reflect the anticipated revenues and expenditures.

Likewise, the District will ensure that appropriate reserve funds are established and utilized, consistent with applicable law and District policy, to ensure the fund balance is sufficient to meet District needs.

(Continued)

2024

5511
2 of 2

Non-Instructional/Business
Operations

SUBJECT: MAINTENANCE OF FUND BALANCE (Cont'd.)

Compliance

The District will adhere to the reporting requirements of Article 3 of the General Municipal Law of the State of New York, and the practices set forth in GASB Statement Number 54.

NOTE: Refer also to Policies #5110 -- Budget Planning and Development
#5512 -- Reserve Funds

SUBJECT: RESERVE FUNDS

Reserve funds (essentially a legally authorized savings account designated for a specific purpose) are an important component in the District's financial planning for future projects, acquisitions, and other lawful purposes. The District may establish and maintain reserve funds in accordance with New York State laws, Commissioner's regulations, and the rules or opinions issued by the Office of the New York State Comptroller. The District will comply with the reporting requirements of Article 3 of the General Municipal Law of the State of New York and the Governmental Accounting Standards Board (GASB) issued GASB Statement Number 54, *Fund Balance Reporting and Governmental Fund Type Definitions*.

Any and all District reserve funds will be properly established and maintained to promote the goals of creating an open, transparent, and accountable use of public funds. The District will authorize all payments or transfers into a reserve fund by express resolution. The District may engage independent experts and professionals, including, but not limited to, auditors, accountants, and other financial and legal counsel to monitor all reserve fund activity and prepare any and all reports that the Board may require.

Periodic Review and Annual Report

The Board will periodically review all reserve funds. The District will also prepare and submit an annual report of all reserve funds to the Board. The annual report will include the following information for each reserve fund:

- a) The type and description of the reserve fund;
- b) The date the reserve fund was established and the amount of each sum paid into the fund;
- c) The interest earned by the reserve fund;
- d) Capital gains or losses resulting from the sale of investments of the reserve fund;
- e) The total amount and date of each withdrawal from the reserve fund;
- f) The total assets of the reserve fund showing cash balance and a schedule of investments; and
- g) An analysis of the projected needs for the reserve fund in the upcoming fiscal year and a recommendation regarding funding those projected needs.

The Board will utilize the information in the annual report to make necessary decisions to adequately maintain and manage the District's reserve fund balances while mindful of its role and responsibility as a fiduciary of public funds.

Education Law Section 3653

Pittsford Central School District Adopted: 4/16/24

SUBJECT: EXTRACLASSROOM ACTIVITY FUND

Any organization within the District whose activities are conducted by students, and whose financial support is raised other than by taxation or through charges of the Board, is an extraclassroom activity (ECA). The moneys raised by these organizations are referred to as ECA funds. ECA fund management provides students with the opportunity to learn proper business practices and how to operate a successful business. The Board and designated District staff will protect and provide oversight of ECA funds. All ECAs will be approved by the Board.

The Board will appoint an ECA Central Treasurer, a Faculty Auditor, and a chief faculty counselor (appointed for each building in the District, typically the building principal). Each ECA will have a faculty advisor appointed by the chief faculty counselor. Additionally, each ECA will have a student activity treasurer elected by the members of the ECA.

All ECA funds will generally be handled in accordance with the financial procedures set forth in The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds, Revised 2019, published by the New York State Education Department. All moneys received from the conduct, operation, or maintenance of any ECA will be deposited with the ECA Central Treasurer. Two separate and independent sets of records of receipts and expenditures will be maintained, one by the ECA Central Treasurer and one by the ECA's student activity treasurer. On a quarterly basis, the ECA Central Treasurer will submit to the Board a financial report relating to the receipts and expenditures for all ECA accounts. The authority to expend moneys will be distinct and separate from the custody of these moneys. The District will invest ECA funds in accordance with its investment policy.

ECAs are prohibited from using the District's New York State sales tax exemption. The ECA Central Treasurer is responsible for filing the periodic sales tax returns for ECA funds.

All commitments and contracts will be the sole responsibility of the ECA incurring the transaction, regardless of a change in faculty advisors, membership, or officers.

In conjunction with the annual audit of District records, the Independent Auditor will audit all ECA funds. This audit will include a statement of receipts, disbursements, and balances for each ECA, together with a reconciliation of cash.

When an ECA becomes inactive or is discontinued, the ECA Central Treasurer is directed to expend the leftover ECA funds as voted by the organization controlling these funds. If this designation does not exist, then leftover funds of inactive or discontinued ECAs and of graduating classes will automatically revert to the account of the general student organization or student council. To reactivate, inactive or discontinued ECAs must follow the start-up procedures for new ECAs.

SUBJECT: EXTRACLASSROOM ACTIVITY FUND (Cont'd.)

NOTE: Refer also to Policies #1330 -- Appointments and Designations by the Board
#1334 -- Duties of the External (Independent) Auditor
#1336 -- Duties of the Extraclassroom Activity Fund Central
Treasurer and Faculty Auditor
#3280 -- Use of School Facilities, Materials, and Equipment
#5220 -- District Investments
#5530 -- Petty Cash Funds and Cash in School Buildings
#5620 -- Fixed Asset Inventories, Accounting, and Tracking
#7410 -- Extracurricular Activities
#7450 -- Fundraising by Students

SUBJECT: PETTY CASH FUNDS AND CASH IN SCHOOL BUILDINGS**Petty Cash Funds**

A petty cash fund of not more than one hundred dollars (\$100) shall be maintained in the District Office and in each school building. Payments from petty cash funds may be made for materials, supplies or services only when payment is required upon delivery. At the time of reimbursement, an itemized statement of expenditures, together with substantiating receipts, shall be submitted. Such accounts shall be authorized by Board resolution at their annual meeting.

Appropriate regulations shall be developed for implementation of this policy.

Cash in School Buildings

All cash received shall be held in the vault in the Main Office of each District school building until deposited with the Business Office or the bank. Cash receipts held in the vault should be deposited with the bank within three business days of receipt. Receipts in excess of \$500 shall be deposited with the bank within one business day.

Under no circumstances shall cash be left in classroom areas or desks. The District will not be responsible for funds left unprotected. Only authorized personnel designated by the building administrator shall be allowed in the Main Office vault. Vault should be closed and locked when not being accessed.

Education Law Sections 1604(26) and 1709(29)
8 NYCRR Section 170.4

SUBJECT: PUBLICATION OF DISTRICT'S ANNUAL FINANCIAL STATEMENT

In compliance with Education Law as a Central School District, the Board is required to publish a financial statement, including the items of expenditure in full, at least once a year, during either July or August.

The law requires that the information be published in one public newspaper which is published in the District. If no public newspaper is published in the District, then the District must use a newspaper having general circulation in the District. And if no public newspaper is published in the District, and there is no newspaper having general circulation in the District, then the District must provide the information to the taxpayers by posting copies in five public places in the District.

Education Law Sections 1610, 1721, 2117, 2528 and 2577
8 NYCRR Section 170.2

SUBJECT: MAINTENANCE OF FISCAL EFFORT (TITLE I PROGRAMS)

As a Local Educational Agency (LEA), the District may receive its full allocation of Title I funds if the combined fiscal effort per student or the aggregate expenditures of state and local funds with respect to the provision of free public education in the District for the preceding fiscal year was not less than 90% of the combined fiscal effort per student or the aggregate expenditures for the second preceding fiscal year.

In determining the District's compliance with the maintenance of effort requirement, the State Educational Agency (SEA) will consider its expenditures from state and local funds for free public education. These include expenditures for administration, instruction, attendance, health services, student transportation services, plant operation and maintenance, fixed charges, and net expenditures to cover deficits for food services and student body activities.

The SEA will not consider the following expenditures in determining the District's compliance with the maintenance of effort requirements:

- a) Any expenditures for community services, capital outlay, and debt service;
- b) Any expenditures made from funds provided by the federal government for which the District is required to account to the federal government directly or through the SEA.

The School Business Official will review, as part of the budgeting process, this combined fiscal effort to ensure compliance.

Title I of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA) of 2015
34 CFR Part 200

SUBJECT: ALLOCATION OF TITLE I, PART A FUNDS IN THE DISTRICT**Allocation of Funds**

The District allocates the Title I, Part A funds it receives to District school buildings on the basis of the total number of students from low-income families in each eligible school attendance area or eligible school, as defined in law. Unless the District school building is participating in a school wide program, the District school building will only use Title I, Part A funds for programs that provide services to eligible children, as defined in law, identified as having the greatest need for special assistance.

The District will reserve from its allocation of Title I, Part A funds, such funds as are necessary to provide services comparable to those provided to students in District school buildings that receive Title I, Part A funds in order to serve:

- a) Homeless children and youths, including educationally related support services to children in shelters and other locations where children may live;
- b) Children in local institutions for neglected children; and
- c) If appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs.

Funds Will Supplement Not Supplant

The District will ensure that Title I, Part A funds only supplement, not supplant, the funds that would, in the absence of such federal funds, be made available from state and local sources for the education of students participating in programs assisted by Title I, Part A funds.

Allocation Methodology

The District has developed an allocation methodology that is consistent with Title I guidelines.

20 USC Sections 6312-6315 and 6321

NOTE: Refer also to Policies #5110 -- Budget Planning and Development
#5550 -- Maintenance of Fiscal Effort (Title I Programs)
#8260 -- Title I Parent and Family Engagement

Pittsford Central School District Adopted: 4/16/24

SUBJECT: USE OF FEDERAL FUNDS FOR POLITICAL EXPENDITURES

The Board prohibits the use of any federal funds for partisan political purposes or expenditures of any kind by any person or organization involved in the administration of federally-assisted programs.

This policy refers generally, but is not limited to, lobbying activities, publications, or other materials intended for influencing legislation or other partisan political activities.

In recognition of this stricture, the Board assigns the Purchasing Agent the responsibility of monitoring expenditures of federal funds so that said funds are not used for partisan political purposes by any person or organization involved in the administration of any federally-assisted programs.

OMB Circular A-87 Cost Principles for State, Local and Indian Tribal Governments (revised May 10, 2004)
Compliance Supplement for Single Audit of State and Local Governments (revised June 27, 2003)
supplementing OMB Circular A-133

NOTE: Refer also to Policy #6430 -- Employee Political Activities

SUBJECT: FINANCIAL ACCOUNTABILITY

The District has internal controls in place to ensure that:

- a) The goals and objectives of the District are accomplished;
- b) Laws, regulations, policies, and good business practices are complied with;
- c) Audit recommendations are considered and implemented;
- d) Operations are efficient and effective;
- e) Assets are safeguarded; and
- f) Accurate, timely, and reliable data are maintained.

The Pittsford Central School District's governance and control environment will include the following:

- a) The District's code of ethics addresses conflict of interest transactions with Board members and employees. Transactions that are less-than-arm's length are prohibited. Less-than-arm's length is a relationship between the District and employees or vendors who are related to District officials or Board members.
- b) The Board requires corrective action for issues reported in the Certified Public Accountant's (CPA's) management letter, audit reports, the Single Audit, and consultant reports.
- c) The Board has established the required policies and procedures concerning District operations.
- d) The Board routinely receives and discusses the necessary fiscal reports including the:
 - 1. Treasurer's cash reports,
 - 2. Budget status reports,
 - 3. Revenue status reports,
 - 4. Monthly extraclassroom activity fund reports, and
 - 5. Fund balance projections (usually starting in January).
- e) The District has a long-term (three to five years) financial plan for both capital projects and operating expenses.

(Continued)

SUBJECT: FINANCIAL ACCOUNTABILITY (Cont'd.)

- f) The District requires attendance at training programs for Board members, business officials, treasurers, claims auditors, and others to ensure they understand their duties and responsibilities and the data provided to them.
- g) The Board has an audit committee to assist in carrying out its fiscal oversight responsibilities.
- h) The District's information systems are current, up-to-date, economical, and efficient.
- i) All computer files are secured with passwords or other controls, backed up on a regular basis, and stored at an off-site or in a secure fireproof location.
- j) The District periodically verifies that its controls are working efficiently.
- k) The District requires all staff to take leave time, during which time another staff member performs the duties of the staff on leave. Staff may also schedule transactions and other responsibilities to occur electronically before taking a leave.

Audit Response

Periodically, the District receives audit reports from the External (Independent) Auditor and/or the Office of the New York State Comptroller. The Board will review all audit recommendations in consultation with the Audit Committee and respond appropriately. Independent and Comptroller audit reports and the accompanying management letters will be made available for public inspection. The District will also timely post a copy of the annual external audit report or the Comptroller's final audit report on its website for a period of five years. Notice of the availability of independent and Comptroller audit reports will be published in the District's official newspaper or one having general circulation in the District. If there is no newspaper, notice must be placed in ten public places within the District.

Education Law Section 2116-a(3-b)
8 NYCRR Section 170.12
General Municipal Law Sections 33(2)(e) and 35(1), (2)

NOTE: Refer also to Policy #5572 -- [Audit Committee](#)

Pittsford Central School District Adopted: 12/12/05
Revised: 4/16/24

SUBJECT: MEAL EXPENSES INCURRED DURING STAFF MEETINGS

Meals provided at staff meetings may be reimbursed or paid by the municipal entity under the following circumstances:

- a) Where the District is faced with business of an immediate nature between two or more people, and the meetings are required to be held at meal times due to staff schedules.
- b) In order for meal expenses for a meeting between staff members to be eligible for reimbursement or payment by the organization, the following conditions need to be met:
 1. The topic(s) of the meeting must be of an immediate nature, or there must be a pressing need to complete the business at hand;
 2. Scheduling prevents the meeting from being held at a different time;
 3. The meal must be provided during the meeting. It can not be delivered or served at the beginning or end of the scheduled meeting. For example: where a luncheon meeting is scheduled from 10:00 am to 2:00 pm because it is the only time a meeting can be held before an important deadline, the meal may be eligible for reimbursement or payment if it was delivered within the scheduled meeting time.
- c) Before meal expenses for meetings with staff members can be reimbursed or paid, the following information must be provided to the Business Office:
 1. What was the purpose of the meeting?
 2. When was the meeting held?
 3. What time was the meeting held?
 4. What was the reason that the meal had to be served during the meeting?
 5. Who were the participants?

These guidelines apply to all officers and employees of the District.

SUBJECT: AUDIT COMMITTEE

An audit committee has been established by Board resolution. The audit committee may consist of:

- a) The Board as a whole;
- b) A subcommittee of the Board; or
- c) An advisory committee that may include, or be composed entirely of persons other than Board members if, in the opinion of the Board, membership is advisable to provide accounting and auditing expertise.

Persons other than Board members who serve on the advisory committee will be independent, and will not be:

1. Employed by the District;
2. An individual who, within the last two years, provided or currently provides, services or goods to the District;
3. The owner of, or have a direct and material interest in a company providing, goods or services to the District; or
4. A close or immediate family member of an employee, officer, or contractor providing services to the District.

The audit committee will consist of at least three members who should collectively possess knowledge in accounting, auditing, financial reporting, and District finances. They will serve without compensation, but will be reimbursed for any actual and necessary expenditure incurred in relation to attendance at meetings. Employees of the District are prohibited from serving on the audit committee. Members of the audit committee will be deemed District officers, but will not be required to be residents of the District.

The role of the Audit Committee shall be advisory unless the Audit Committee consists of at least a quorum of Board members, and any recommendations it provides to the Board shall not substitute for any required review and acceptance by the Board.

The audit committee will develop and submit to the Board for approval a formal, written charter which includes, but is not limited to, provisions regarding the committee's purpose, mission, duties, responsibilities, and membership requirements.

The audit committee will hold regularly scheduled meetings and report to the Board on its activities on an as-needed basis, but not less than annually. The report will address or include at a minimum:

(Continued)

SUBJECT: AUDIT COMMITTEE (Cont'd.)

- a) The activities of the audit committee;
- b) A summary of the minutes of the meeting;
- c) Significant findings brought to the attention of the audit committee;
- d) Any indications of suspected fraud, waste, or abuse;
- e) Significant internal control findings; and
- f) Activities of the internal audit function.

The responsibilities of the audit committee include the following:

- a) Providing recommendations regarding the appointment of the External (Independent) Auditor for the District;
- b) Meeting with the External (Independent) Auditor prior to commencement of the audit;
- c) Reviewing and discussing with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards, if applicable;
- d) Receiving and reviewing the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assisting the Board in interpreting such documents;
- e) Making a recommendation to the Board on accepting the annual audit report; and
- f) Discussing and analyzing every corrective action plan developed by the District in response to any audit and assisting the Board in its implementation.

Corrective Action Plan

Within 90 days of receipt of the report or management letter, the Superintendent will prepare a corrective action plan approved by the Board in response to any findings contained in:

- a) The annual external audit report or management letter;
- b) A final audit report issued by the District's Internal Auditor;

(Continued)

SUBJECT: AUDIT COMMITTEE (Cont'd.)

- c) A final report issued by the State Comptroller;
- d) A final audit report issued by the State Education Department (SED); or
- e) A final audit report issued by the United States or an office, agency, or department thereof.

The audit committee will review every corrective action plan developed by the Superintendent and Business Official and assist in the implementation of the plans. The corrective action plan must be filed with the SED, and if appropriate, must include the expected date(s) of implementation. The District will also timely post a copy of this plan on its website. To the extent practicable, implementation of the corrective action plan should begin no later than the end of the next fiscal year.

Additional responsibilities of the audit committee include: assisting in the oversight of the internal audit function including, but not limited to, providing recommendations regarding the appointment of the Internal Auditor; reviewing significant findings and recommendations of the Internal Auditor; monitoring the District's implementation of these recommendations; and participating in the evaluation of the performance of the internal audit function.

The audit committee may conduct an Executive Session pertaining to the following matters:

- a) To meet with the External (Independent) Auditor prior to commencement of the audit;
- b) To review and discuss with the External (Independent) Auditor any risk assessment of the District's fiscal operations developed as part of the Auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards if applicable; and
- c) To receive and review the draft annual audit report and accompanying draft management letter and, working directly with the External (Independent) Auditor, assist the Board in interpreting such documents.

Any Board member who is not a member of the audit committee may be allowed to attend an audit committee meeting, including an executive session, if authorized by a Board resolution. However, if the Board member's attendance results in a meeting of a quorum of the full Board, any action taken by formal vote may constitute official Board action.

Education Law Sections 2116-c, and 3811-3813
Public Officers Law Sections 105(b), 105(c) and 105(d)
8 NYCRR Section 170.12(d)

(Continued)

SUBJECT: AUDIT COMMITTEE (Cont'd.)

NOTE: Refer also to Policies #1330 -- Appointments and Designations by the Board
#1335 -- Appointment and Duties of the Claims Auditor
#2210 -- Committees of the Board

SUBJECT: INTERNAL AUDIT FUNCTION

No later than July 1, 2006, the District shall establish an Internal Audit Function to be in operation no later than December 31, 2006. The Internal Audit Function shall include:

- a) Development of a risk assessment of District operations including, but not limited to, a review of financial policies and procedures and the testing and evaluation of District internal controls;
- b) An annual review and update of such risk assessment;
- c) Preparation of reports, at least annually or more frequently as the Board may direct, which analyze significant risk assessment findings; and
- d) Recommendation of changes for strengthening controls and reducing identified risks, and the specification of timeframes for implementation of such recommendations.

The District is permitted to utilize existing District personnel to fulfill the Internal Audit Function, but such persons shall not have any responsibility for other business operations of the District while performing Internal Audit Functions. The District shall also be permitted to use inter-municipal cooperative agreements, shared services to the extent authorized by Education Law Section 1950 or independent contractors to fulfill the Internal Audit Function as long as the personnel or entities performing this Function comply with any Regulations issued by the Commissioner of Education and meet professional auditing standards for independence between the auditor and the District.

Personnel or entities serving as the Internal Auditor and performing the Internal Audit Function shall report directly to the Board. The Audit Committee shall assist in the oversight of the Internal Audit Function on behalf of the Board.

Education Law Sections 1950, 2116-b and 2116-c
8 NYCRR Section 170.12(d)

NOTE: Refer also to Policy #1339 -- Duties of the Internal Auditor

Pittsford Central School District Adopted: 12/12/05

2005

5574

Non-Instructional/Business
Operations

SUBJECT: USE OF DISTRICT CELL PHONES

A District-owned cell phone will be issued to a District employee when required for that employee's job duties as determined by the Superintendent or designee.

Employees will be required to reimburse the District for personal calls at a rate set by the Superintendent.

SUBJECT: ALLEGATIONS OF FRAUD**Reporting and Investigations of Allegations of Fraud**

All Board members and officers, District employees and third party consultants are required to abide by the District's policies, administrative regulations and procedures in the conduct of their duties. Further, all applicable federal and/or state laws and regulations must be adhered to in the course of District operations and practices. Any individual who has reason to believe that financial improprieties or wrongful conduct is occurring within the School System is to disclose such information according to the reporting procedures established by the District. The reporting procedures will follow the chain of command as established within the department or school building or as enumerated in the District's Organizational Chart. In the event that the allegations of financial improprieties/fraud and/or wrongful conduct concern the investigating official, the report shall be made to the next level of supervisory authority. If the chain of supervisory command is not sufficient to ensure impartial, independent investigation, allegations of financial improprieties/fraud and/or wrongful conduct will be reported as applicable, to the Internal Auditor (if available), or the Independent (External) Auditor, or the School Attorney, or the Board. The District's prohibition of wrongful conduct, including fraud, will be publicized within the District as deemed appropriate; and written notification will be provided to all employees with fiscal accounting/oversight and/or financial duties including the handling of money.

Upon receipt of an allegation of financial improprieties/fraud and/or wrongful conduct, the Board or designated employee(s) will conduct a thorough investigation of the charges. However, even in the absence of a report of suspected wrongful conduct, if the District has knowledge of, or reason to know of, any occurrence of financial improprieties/fraud and/or wrongful conduct, the District will investigate such conduct promptly and thoroughly. To the extent possible, within legal constraints, all reports will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a "need to know" basis. Written records of the allegation, and resulting investigation and outcome will be maintained in accordance with law.

Based upon the results of this investigation, if the District determines that a school official has engaged in financial improprieties/fraudulent and/or wrongful actions, appropriate disciplinary measures will be applied, up to and including termination of employment, in accordance with legal guidelines, District policy and regulation, and any applicable collective bargaining agreement. Third parties who are found to have engaged in financial improprieties/fraud and/or wrongful conduct will be subject to appropriate sanctions as warranted and in compliance with law. *The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted. Rather, when school officials receive a complaint or report of alleged financial improprieties/fraud and/or wrongful conduct that may be criminal in nature, law authorities should be immediately notified.*

(Continued)

SUBJECT: ALLEGATIONS OF FRAUD (Cont'd.)

An appeal procedure will also be provided, as applicable, to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable investigating officer(s).

Prohibition of Retaliation

The Board prohibits any retaliatory behavior directed against those individuals who, in good faith, report allegations of suspected financial improprieties/fraud and/or wrongful conduct as well as witnesses and/or any other individuals who participate in the investigation of an allegation of financial impropriety/fraud and/or wrongful conduct. Follow-up inquiries shall be made to ensure that no reprisals or retaliatory behavior has occurred to those involved in the investigation. Any act of retaliation is prohibited and subject to appropriate disciplinary action by the District.

Knowingly Makes False Accusations

Any individual who *knowingly* makes false accusations against another individual as to allegations of financial improprieties/fraud may also face appropriate disciplinary action.

Civil Service Law Section 75-b

2005

5576

Non-Instructional/Business
Operations

SUBJECT: EMPLOYEE TRAVEL

Expenses for approved travel will be reimbursed when accompanied by original receipts for lodging expenses. Meal and Incidental expenses for travel will be reimbursed based on a per diem rate as outlined in the United States Department of the Treasury Internal Revenue Service Publication 1542 "Per Diem Rates (For Travel Within the Continental United States)".

SUBJECT: MEDICAID COMPLIANCE PROGRAM

The District will comply with New York State and federal laws and regulations related to the District's participation as a provider of care, services, or supplies under the Medicaid program.

The District has further established and implemented a Medicaid Compliance Program designed to detect and prevent fraud, waste, and abuse.

As required by the New York State Office of the Medicaid Inspector General (hereinafter referred to as the OMIG), the District's Medicaid Compliance Program is comprised of the following core elements:

- a) Written policies and procedures that describe compliance expectations as embodied in a code of ethics applicable to all District personnel, including Board members. These compliance expectations or standards of conduct include provisions designed to: implement the operation of the Medicaid Compliance Programs; provide guidance to employees and others on dealing with potential compliance issues; identify how to communicate compliance issues to appropriate personnel; and describe how issues are investigated and resolved;
- b) A designated employee who will be responsible for the day-to-day operation of the Medicaid Compliance Program. This employee's job duties may be exclusively related to Medicaid compliance issues or may be combined with other duties, provided that the Medicaid compliance portions of the employee's duties are satisfactorily fulfilled. The designated employee will report directly to the Superintendent or designee and also periodically report directly to the Board on the District's Medicaid Compliance Program activities;
- c) Training and education of all affected District employees and other persons associated with the District's Medicaid Compliance Program, including, but not limited to, members of the District's Board. This training will occur periodically and be made a part of any required training or orientation for new employees, Board members, volunteers, and/or others on dealing with the District's Medicaid Compliance Program;
- d) Communication lines and processes directed to the District's designated employee who will be responsible for the day-to-day operation of the Medicaid Compliance Program. These communication lines and processes will be accessible to all District employees, Board members, volunteers, and others associated with the District's Medicaid Compliance Program. The communication lines and processes are designed to allow employees to report compliance issues, including the anonymous and confidential good faith reporting of any practice or procedure related to Medicaid reimbursement of school or preschool supportive health services, that an employee believes is inappropriate;

(Continued)

SUBJECT: MEDICAID COMPLIANCE PROGRAM (Cont'd.)

- e) Disciplinary procedures that encourage good faith and fair dealing in the District's Medicaid Compliance Program by all affected individuals. These disciplinary procedures include procedures that articulate expectations for reporting and assisting with the resolution of compliance issues and also provide sanctions for the failure to report suspected problems and participating (either actively or passively) in non-compliant behavior;
- f) A system for the routine identification of Medicaid compliance risk areas in the District's Medicaid Compliance Program. Self-evaluation of such risk areas may be accomplished by, but not necessarily limited to, internal audits and external audits, as appropriate;
- g) A system for responding to, investigating, correcting, and reporting compliance issues as they are raised, including the development of procedures and systems to reduce the potential for recurrence, identifying and reporting compliance issues to the OMIG and refunding overpayments; and
- h) A policy of non-intimidation and non-retaliation against any person for the good faith participation in any aspect of the administration of the District's Medicaid Compliance Program including, but not limited to, the reporting of potential issues, assisting as a witness with any investigation, evaluation, audit, remedial actions or reporting to appropriate officials.

Social Services Law Section 363-d
18 NYCRR Part 521
Labor Law Sections 740 and 741

NOTE: Refer also to Policies #5570 -- Financial Accountability
#5571 -- Allegations of Fraud
#5572 -- Audit Committee
#5573 -- Internal Audit Function
#6110 -- Code of Ethics for Board Members and All District
Personnel
District Medicaid Compliance Program

SUBJECT: INSURANCE

The objective of the Board is to obtain the best possible insurance at the lowest possible cost, and to seek advice from an Insurance Appraisal Service to determine that adequate coverage is being provided regarding fire, boiler, general liability, bus and student accident insurance.

The Board shall carry insurance to protect the District's real and personal property against loss or damage. This property shall include school buildings, the contents of such buildings, school grounds and automobiles.

The Board may also purchase liability insurance to pay damages assessed against Board members and District employees acting in the discharge of their respective duties, within the scope of their employment and/or under the direction of the Board.

All insurance policies, along with an inventory of the contents of the building, should be kept in a fireproof depository or with the appropriate insurance agent for safekeeping and referral purposes. The Superintendent shall review the District's insurance program periodically as needed and make changes if more suitable coverage is required.

Public Officers Law Section 18

General Municipal Law Sections 6-n and 52

Education Law Sections 1709(8), (26) and (34-b), 3023, 3028, and 3811

Pittsford Central School District Adopted: 7/5/66

Revised: 11/7/66, 3/6/67, 6/28/82, 9/22/86, 1/9/89, 2/20/89, 1/31/05

SUBJECT: FIXED ASSET INVENTORIES, ACCOUNTING, AND TRACKING

The Superintendent or designee will maintain a continuous and accurate inventory of equipment owned by the District in accordance with applicable rules, standards, procedures, and best practices. Fixed assets are, generally, long-term, tangible resources intended to be continuously held or used, and may include land, buildings, improvements, machinery, and equipment.

All fixed assets purchased and received by the District shall be checked, logged, and stored through an established procedure.

The School Business Official will account for assets on an annual basis according to applicable rules, standards, procedures, and best practices. These accounts will serve to:

- a) Maintain an inventory of assets;
- b) Establish accountability;
- c) Determine replacement costs; and
- d) Determine and provide appropriate insurance coverage.

The Board will establish a dollar threshold as a basis for considering which fixed assets are to be depreciated. This threshold will ensure that at least 80% of the value of these assets is reported. The threshold will not be greater than \$5,000. Standard methods and averaging conventions will be used in assessing, capitalizing, and depreciating fixed assets.

Fixed assets will be recorded at initial cost or, if not available, at estimated initial cost; gifts of fixed assets will be recorded at estimated fair value at the time of the gift. A property record will be maintained for each fixed asset and will contain, where possible, the following information:

- a) Date of acquisition;
- b) Description;
- c) Serial or other identification number;
- d) Any funding source and percentage contributed by the source;
- e) Vendor;
- f) Cost or value;
- g) Location and use;

(Continued)

SUBJECT: FIXED ASSET INVENTORIES, ACCOUNTING, AND TRACKING (Cont'd.)

- h) Asset type;
- i) Condition and estimated useful life;
- j) Replacement cost;
- k) Current value;
- l) Salvage value;
- m) Sale price and date and method of disposition; and
- n) Responsible official.

All fixed assets will be labeled. Any discrepancies between an inventory and the District's property records should be traced, explained, and documented.

Management of Assets Acquired Under a Federal Government Grant or Subgrant

Inventories will be maintained for assets acquired with funds obtained through federal grant programs. A separate inventory will be maintained for each program. Each inventory will record assets in the same manner as the District's fixed asset inventory. Assets will be labeled to specify the source of funds used to purchase the item. All Title I assets will include "Title I" on the label. These inventories will track assets for at least five years from the date of receipt.

When original or replacement assets acquired under a federal grant or subgrant are no longer needed for the original project or for other activities currently or previously supported by a federal agency, the District will dispose of the assets as follows:

- a) Assets with a current per-unit fair market value of less than \$5,000 may be retained, sold, or otherwise disposed of with no further obligation to the awarding agency.
- b) Assets with a current per-unit fair market value of greater than \$5,000 may be retained or sold and the awarding agency will have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the assets.
- c) No federal approval is necessary to dispose of an asset costing over \$5,000 but approval from the New York State Education Department (SED) is necessary. Once SED has determined that it has no other need for the use of the asset, the District may proceed with selling it.

The District will comply with the U.S. Department of Education regulations governing the use, management, and disposition of all equipment acquired through a federal government grant.

(Continued)

SUBJECT: FIXED ASSET INVENTORIES, ACCOUNTING, AND TRACKING (Cont'd.)**Equipment Purchased with Extraclassroom Funds**

Title to all equipment acquired with extraclassroom activity funds will reside with the District and be carried as an insurable asset on its list of insurable values. This equipment will be tagged as District property but is available for exclusive use by the extraclassroom activity club acquiring it.

Title I of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA) of 2015
34 CFR Parts 74-99, 200
NYSED Finance Pamphlet, The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds, 2019
Uniform System of Accounts for School Districts (Fiscal Section)

SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE**Operation and Maintenance**

The Superintendent is charged with the responsibility for administering plant operations in the most efficient and economical manner possible, while placing high priority on health and safety of students and conservation of natural resources.

The Board, through the Superintendent and his/her staff, has the responsibility of protecting the District investment in plant and facilities through a systematic maintenance program.

It is expected that the program shall include periodic preventive maintenance activities, long-range maintenance schedules and emergency repair procedures. It is further expected that all maintenance work will be carried out in a manner that will cause the least interference with the educational program.

Change Orders During Construction

All change orders in excess of \$50,000 shall be approved by the Board. Whenever possible, these change orders shall be approved in advance of actual work. Where the interests of the District so dictate, the Superintendent or the Superintendent's designee is authorized to proceed with the change order work pending approval by the Board after the fact. Approval for change orders not in excess of \$50,000 may be given by the Superintendent or the Superintendent's designee based upon the recommendation of the architect and construction manager. A summary of all change orders approved shall be provided the Board on a timely basis.

Inspections

The administration of the District shall cooperate with officials conducting health, fire, asbestos, bus, and boiler inspections. The administration shall keep the Board informed of the results of such inspections in a timely fashion.

Comprehensive Public School Building Safety Program (Rescue)

To ensure that all school facilities are properly maintained and preserved and provide suitable educational settings, the Board requires that all occupied school facilities which are owned, operated or leased by the District comply with the provisions of the Comprehensive Public School Safety Program and the Uniform Code of Public School Building Inspections, Safety Rating and Monitoring as prescribed in Commissioner's Regulations. For this reason, the District shall develop a Comprehensive Public School Building Safety Program in accordance with Commissioner's Regulations.

(Continued)

SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE (Cont'd.)Fire Inspection:

8 NYCRR Section 155.4

Education Law Section 807-a

Health Inspection:

Education Law Section 906

Asbestos Inspection:

Education Law, Article 9-A

40 CFR Part 763, Subpart E

Plans and Specifications:

Education Law Sections 408, -a and 409

8 NYCRR Sections 155.1 and .2

Structural Safety Inspections:

Education Law Sections 409-d and -e, 3602, and 3641(4)

8 NYCRR Sections 155.1, 155.3, 155.4(b)(1), and 155.6

**SUBJECT: HAZARDOUS WASTE AND HANDLING OF TOXIC SUBSTANCES BY
EMPLOYEES**

The Board directs the Superintendent to adopt rules to ensure District implementation of applicable federal and state laws pertaining to the identification, transportation, treatment, storage, and disposal of hazardous wastes.

Hazard Communication Standard

All personnel will be provided with applicable training to comply with the New York State "Right-to-Know" Law and the Hazard Communication Standard. Both the "Right to Know" poster and the "Labor Law Information Relating to Public Employees" poster must be posted in common areas informing workers of relevant work hazards and associated rights.

The Superintendent or designee will maintain a current record of the contact information of every employee who handles or uses toxic substances and which substance(s) were handled or used by the employee.

Environmental Protection Agency, 40 CFR Parts 261 and 262
Occupational Safety and Health Administration (OSHA), 29 CFR Section 1910.1200
Labor Law Sections 875-883
Public Health Law Sections 4800-4808
6 NYCRR Part 371
12 NYCRR Part 820

SUBJECT: PEST MANAGEMENT AND PESTICIDE USE

The Board is committed to maintaining the integrity of school buildings and grounds while protecting the health and safety of students and staff and maintaining a productive learning environment.

Structural and landscape pests can pose significant problems for people and property. Weeds and infestations can destroy playing fields and playgrounds and more importantly, cause severe allergic reactions. Pesticides can pose risks to people, property, and the environment. It is therefore the policy of the District to incorporate Integrated Pest Management (IPM) procedures for control of weeds, structural, and landscape pests. The objective of this program is to provide necessary pest control while using the least toxic approach to all pests, weeds, and infestations.

Pest/Pesticide Management Plan

The District will manage weeds and pests to:

- a) Reduce any potential human health hazard or threat to public safety;
- b) Prevent loss or damage to school structures or property;
- c) Prevent pests from spreading into the community, or to plant and animal populations beyond the site; and
- d) Enhance the quality of life for students, staff, and others.

Integrated Pest Management (IPM) Coordinator

An IPM Coordinator will be appointed by the Superintendent. The Coordinator will be responsible for implementing the IPM policy and plan. The coordinator's responsibilities will include, but are not limited to, the following:

- a) Recording all pest sightings by school staff and students;
- b) Recording all pesticide use and utilizing the least toxic approach;
- c) Meeting with a local pest control expert, such as a pesticide contractor to share information on what pest problems are present in the school;
- d) Ensuring that all of the expert's recommendations on maintenance and sanitation are carried out where feasible;
- e) Ensuring that pesticide use is done when school is not in session or when the area can be completely secured against access by school staff and students for a standard 72 hours, or as required by the pesticide being used;

(Continued)

SUBJECT: PEST MANAGEMENT AND PESTICIDE USE (Cont'd.)

- f) Evaluating the school's progress in the IPM plan; and
- g) Notifying parents, staff and neighbors of any applications of pesticides 48 hours before they occur. The IPM Coordinator will serve as the District's Pesticide Representative.

Pesticide Use on Common Areas

Pesticides will not be used on playgrounds, turf, athletic or playing fields, in effect, all lawn areas of the school. In these common areas where children gather and play, pesticide alternatives will be used whenever possible and effective. The prohibition does not apply to indoor use or the application to building structures.

An exception may be made for emergency applications of pesticide only when approved in advance by the Board. The Board may consult with the local Health Department on public health related emergency determinations. They may also consult with the Department of Environmental Conservation (DEC) for environmental emergency determinations. Emergency determinations should only be sought for one-time pesticide application in a specific situation, which presents a true emergency. The guidance document from DEC provides clarification on emergency determinations and can be found on the official website of the DEC.

Some types of pesticides and alternatives, those deemed safe in federal regulation, may be allowable on playing fields and playgrounds in certain circumstances. The District will develop regulations governing the use of pesticides and their alternatives on school grounds.

Fertilizer Use

Phosphorous fertilizers will only be used on school grounds in compliance with the following requirements:

- a) Fertilizer use is prohibited between December 1 and April 1 annually.
- b) The use of fertilizers is prohibited within 20 feet of any surface water except:
 - 1. Where a continuous natural vegetation buffer, at least ten feet wide, separates lawn and water.
 - 2. Where a spreader guard, deflector shield or drop spreader is used, then the application may not occur within three feet of any surface water.
- c) The use of phosphorus fertilizers is prohibited on lawns or other non-agricultural turf with the following exceptions:

(Continued)

SUBJECT: PEST MANAGEMENT AND PESTICIDE USE (Cont'd.)

1. The use of phosphorus fertilizers is needed to establish a new lawn; or
 2. A soil test shows that phosphorus fertilizers are needed for growth.
- d) Fertilizer cannot be used on any impervious surfaces and if such an application occurs, it must be cleaned immediately and legally applied or placed in an appropriate container.

Notification

The District's IPM Coordinator or designated Pesticide Representative will give prior written notice of all pesticide applications to anyone who has asked to receive this notice. The District will also notify parents, students, and staff of periodic pesticide applications. The District will maintain a list of those people who wish to receive 48-hour notice before pesticide applications and will ensure that a system is developed to deliver such notice in a timely fashion to all affected. The notification system may be by mail or email, and will ensure that a back-up method is available to notify those for whom the regular system is unworkable. The name and contact information for the District Pesticide Representative will be made available to all requesting it.

The District must also provide additional written notification to all parents and staff three times per year to inform them of any pesticide applications that have occurred: within ten days of the end of the school year, within two school days of the end of winter recess and within two days of the end of spring recess.

Recordkeeping

Records of pesticide use will be maintained on-site for three years and will be completed on the day of pesticide use. In addition, pest surveillance records will be maintained to help verify the need for pesticide treatments. Annual reports of any applications must be sent to DEC.

Education Law Sections 409-k, 409-h
Environmental Conservation Law Sections 17-2103, 33-0303
40 CFR Part 152.25
7 USC Section 136(mm), 136q(h)(2) (FIFRA)
8 NYCRR Part 155.4(d)(2)

SUBJECT: GENDER NEUTRAL SINGLE-OCCUPANCY BATHROOMS

The District is committed to creating and maintaining an inclusive educational and work-environment. The District will ensure that all single-occupancy bathroom facilities are designated as gender neutral for use by no more than one occupant at a time or for family or assisted use.

"Single-occupancy bathroom" means a bathroom intended for use by no more than one occupant at a time or for family or assisted use and which has a door for entry into and egress from the bathroom that may be locked by the occupant to ensure privacy and security.

All gender neutral bathroom facilities will be clearly designated by the posting of signage either on or near the entry door of each facility.

Education Law Section 409-m
Public Buildings Law Section 145

NOTE: Refer also to Policy #7552 -- Student Gender Identity

SUBJECT: SMOKING, TOBACCO, AND CANNABIS (MARIJUANA) USE

The following actions are prohibited on school grounds and at school functions: smoking; vaping; using tobacco products; and/or using or ingesting any form of cannabis.

Smoking and vaping are prohibited within 100 feet of the entrances, exits, or outdoor areas of any of the District's schools. However, this prohibition does not apply to smoking or vaping in a residence, or within the real property boundary lines of residential real property.

Exceptions may exist for authorized medical cannabis use.

Definitions

For purposes of this policy, the following definitions apply:

- a) "Electronic cigarette" (or "e-cigarette") means an electronic device delivering vapor inhaled by an individual user, and includes any refill, cartridge, and any other component of such a device.
- b) "School function" means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place virtually or in another state.
- c) "School grounds" means any building, structure, and surrounding outdoor grounds, including entrances or exits, contained within the District's preschool, nursery school, elementary, or secondary school's legally defined property boundaries as registered in the County Clerk's Office, as well as any vehicles used to transport children or school personnel.
- d) "Smoking" means the burning of a lighted cigar, cigarette, pipe, or any other matter or substance containing tobacco, cannabis, or cannabinoid hemp.
- e) "Tobacco products" means cigarettes or cigars, bidis, chewing tobacco, powdered tobacco, nicotine water, or any other tobacco products.
- f) "Vaping" means the use of an electronic cigarette.

Notification

The District will prominently post signs prohibiting smoking and vaping on school grounds in accordance with applicable law. Appropriate District officials will inform individuals smoking or vaping in a non-smoking area that they are in violation of law and/or District policy.

(Continued)

SUBJECT: SMOKING, TOBACCO, AND CANNABIS (MARIJUANA) USE (Cont'd.)

The District will communicate this policy to staff, students, parents/guardians, volunteers, visitors, contractors, and outside groups through means such as the District's *Code of Conduct*, student handbooks, newsletters, announcements, facilities use forms/agreements, and/or the prominent display of this policy in appropriate locations.

Prohibition of Tobacco Promotional Items/Tobacco Advertising

Tobacco promotional items (e.g., brand names, logos, and other identifiers) are prohibited:

- a) On school grounds;
- b) In any vehicles used to transport students or school personnel;
- c) At school functions;
- d) In school publications;
- e) On clothing, shoes, accessories, gear, and school supplies in accordance with the District's *Code of Conduct* and applicable collective bargaining agreements.

This prohibition of tobacco promotional items will be enforced in accordance with the District's *Code of Conduct* and applicable collective bargaining agreements.

The District will request, whenever possible, tobacco free editions of periodical publications for school libraries and classroom use.

20 USC Sections 6081-6084 and 7971-7974
41 USC Section 8101 et seq.
Education Law Section 409
Penal Law Section 222.10
Public Health Law Sections 1399-n, 1399-o, 1399-p, and 1399-aa
8 NYCRR Sections 155.5 and 156.3

NOTE: Refer also to Policies #3280 -- Use of School Facilities, Materials, and Equipment
#6150 -- Alcohol, Tobacco, Drugs, and Other Substances (Staff)
#7320 -- Alcohol, Tobacco, Drugs, and Other Substances (Students)
#8240 -- Instruction in Certain Subjects
District *Code of Conduct*

Pittsford Central School District Adopted: 2/22/93
Revised: 4/8/96, 12/11/00, 7/12/04; 4/16/24

SUBJECT: ENERGY/WATER CONSERVATION AND RECYCLING OF SOLID WASTE

The Board recognizes the importance of energy and water conservation and is committed to the analysis, development, and initiation of conservation measures throughout the District for the purpose of reducing energy consumption.

Recycling

The Superintendent will develop an efficient program for the source separation and segregation of recyclable or reusable materials in the District. This District-wide recycling plan shall include:

- a) A conservation education program to teach students about their social responsibility for preserving our resources, and involvement of all students and personnel in a comprehensive effort to reduce, reuse and recycle waste materials;
- b) A concerted effort to purchase recycled items and biodegradable rather than non-biodegradable products;
- c) Separation of waste into appropriate categories for the purpose of recycling, including mercury-added consumer products;
- d) A cooperative effort with community recycling programs.

Environmental Conservation Law Sections 27-2101-27-2115
General Municipal Law Section 120-aa

SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING

It is the District's goal to provide students with access to nutritious no- or low-cost meals each school day and to ensure that a student whose parent/guardian has unpaid meal charges is not shamed or treated differently than a student whose parent/guardian does not have unpaid meal charges.

Unpaid meal charges place a large financial burden on the District. The purpose of this policy is to ensure compliance with federal requirements for the USDA Child Nutrition Program and to provide oversight and accountability for the collection of outstanding student meal balances to ensure that the student is not stigmatized, distressed, or embarrassed.

The intent of this policy is to establish procedures to address unpaid meal charges throughout the District in a way that does not stigmatize, distress, or embarrass students. The provisions of this policy pertain to regular priced reimbursable school breakfast, lunch and snack meals only. Charging of items outside of the reimbursable meals (a la carte items, adult meals, etc.) is expressly prohibited.

Access to Meals

- a) Free meal benefit eligible students will be allowed to receive a free breakfast and lunch meal of their choice each day. A la carte items or other similar items must be paid/prepaid.
- b) Reduced meal benefit eligible students will be allowed to receive a breakfast of their choice based on prices listed on the District's website. A la carte items or other similar items must be paid/prepaid.
- c) Full pay students will pay for meals at the District's published paid meal rate each day. The charge meals offered to students will be reimbursable meals available to all students, unless the student's parent or guardian has specifically provided written permission to the District to withhold a meal. A la carte items or other similar items must be paid/prepaid.

Ongoing Staff Training

- a) Staff will be trained annually and throughout the year as needed on the procedures for managing meal charges using the State Education Department (SED) Webinar or the District's training program.
- b) Staff training will include ongoing eligibility certification for free or reduced-price meals.

Parent Notification

Parents/guardians will be notified that a student's meal card or account balance is exhausted and has accrued unpaid meal charges within five days of the charge and then every seven days thereafter for a period of eight weeks.

(Continued)

**SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING
(Cont'd.)****Parent Outreach**

- a) Staff will communicate with parents/guardians with five or more unpaid meal charges to determine eligibility for free or reduced-price meals.
- b) Staff will make two documented attempts to reach out to parents/guardians to complete a meal application in addition to the application and instructions provided in the school enrollment packet.
- c) Staff will contact the parent/guardian to offer assistance with completion of meal application to determine if there are other issues within the household causing the student to have insufficient funds, offering any other assistance that is appropriate.

Minimizing Student Distress

- a) Staff will not publicly identify or stigmatize any student in line for a meal or discuss any outstanding meal debt in the presence of any other students.
- b) Students with unpaid meal charges will not be required to wear a wristband or handstamp, or to do chores or other work to pay for meals.
- c) Staff will not throw away a meal after it has been served because of the student's inability to pay for the meal or because of previous unpaid meal charges.
- d) Staff will not take any action directed at a student to collect unpaid meal charges.
- e) Staff will deal directly with parents/guardians regarding unpaid meal charges.

Ongoing Eligibility Certification

- a) Staff will conduct direct certification through the New York Student Identification System (NYSSIS) or using SED Roster Upload to maximize free eligibility. NYSED provides updated direct certification data monthly.
- b) Staff will provide parents/guardians with free and reduced-price application and instructions at the beginning of each school year in the school enrollment packet.
- c) If the District uses an electronic meal application, it will provide an explanation of the process in the school enrollment packet and instructions on how to request a paper application at no cost.
- d) The District will provide at least two additional free and reduced-price applications throughout the school year to families identified as owing meal charges.

(Continued)

**SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING
(Cont'd.)**

- e) The District will use its administrative prerogative to complete an application on a student's behalf judiciously, and only after using exhaustive efforts to obtain a completed application from the student's parent/guardian. The District will complete the application using only available information on family size and income that falls within approvable guidelines.
- f) The District will coordinate with the foster, homeless, migrant, and runaway coordinators to certify eligible students. School liaisons required for homeless, foster, and migrant students will coordinate with the nutrition department to make sure these students receive free school meals, in accordance with federal law.

Prepaid Accounts

Students/Parents/Guardians may pay for meals in advance with a check or MySchoolBucks. Further details are available on the District's webpage at pittsfordschools.org. Funds should be maintained in accounts to minimize the possibility that a student may be without meal money on any given day. Any remaining funds for a particular student *[*may/will*] be carried over to the next school year.

To obtain a refund for a withdrawn or graduating student, a written or emailed request for a refund of any money remaining in the student's account must be submitted. Students who are graduating at the end of the year will be given the option to transfer any remaining money to a sibling's account through a written request.

Unclaimed funds must be requested within one school year. Unclaimed funds will then become the property of the District Food Service Program.

42 USC Section 1758
7 CFR Sections 210.12 and 245.5
Education Law Section 908
8 NYCRR Section 114.5

SUBJECT: RECORDS MANAGEMENT

The Superintendent will designate a Records Management Officer, subject to Board approval, to develop and coordinate the District's orderly and efficient records management program. Among other aspects, this program includes the legal disposition or destruction of obsolete records and the storage and management of inactive records. The Records Management Officer will work with other District officials to develop and maintain this program.

The District may create a Records Advisory Board to assist in establishing and supporting the records management program. Members of this board may include the District's legal counsel, the fiscal officer, and the Superintendent or designee, among others.

Retention and Disposition of Records

The District will retain records and dispose of them in accordance with the Retention and Disposition Schedule for New York Local Government Records (LGS-1) or as otherwise approved by the Commissioner of Education. Further, if any law specifically provides a retention period longer than that established by this schedule, the retention period established by the law will govern.

Replacing Original Records with Microforms or Electronic Images

The District will follow procedures prescribed by the Commissioner of Education to ensure accessibility for the life of any microform or electronic records that replace paper originals or micrographic copies.

Retention and Preservation of Electronic Records

The District will ensure that records retention requirements are incorporated into any program, plan, or process for design, redesign, or substantial enhancement of an information system that stores electronic records. The District will also ensure that electronic records are not rendered unusable because of changing technology before their retention and preservation requirements expire.

Arts and Cultural Affairs Law Article 57-a
8 NYCRR Part 185

SUBJECT: INFORMATION SECURITY PROGRAM

The Data Protection Officer (DPO)/Director of Technology, Assistant Superintendent for Business, Assistant Superintendent for Curriculum, Instruction and Assistant Superintendent for Human Resources and the Superintendent will select from the National Institute of Standards and Technology (NIST) CSF control set, controls and procedures to implement these controls, in order to promote and protect confidentiality, integrity, and availability of information held by Pittsford Central School District (PCSD). The NIST CSF Framework is guidance based on existing standards, recommendations, and practices for organizations to better manage and reduce cybersecurity risk. In addition to helping organizations manage and reduce risks, it was designed to foster risk and information security management communications amongst both internal and external organizational stakeholders.

PCSD is dependent upon having accurate, available, and trustworthy information to both perform our mission and to rely upon to make decisions. Information security threats and vulnerabilities all interfere with our operations. This policy seeks to promote the adoption of controls and procedures to minimize the risk of these occurrences.

PCSD shall implement regulations, plans, procedures, and controls that accomplish, where applicable, the following objectives:

- a) Governing the information security program
- b) Managing access controls for all Information Technology (IT) clients
- c) Providing security awareness training that includes New York State Law 2-D requirements
- d) Assessing and managing security risks
- e) Managing the configuration of IT systems while applying change management
- f) Planning for contingencies related to IT incidents
- g) Identifying and authenticating all IT clients
- h) Scheduling controlled maintenance periods for critical systems
- i) Securing data and managing storage media through their lifecycle
- j) Ensuring physical and environmental security for (IT) systems
- k) Aligning personnel action notices with IT roles and permissions
- l) Managing the PCSD vendor supply chain related to IT
- m) Responding to and recovering from adverse IT incidents
- n) Managing the hardware, software, and data asset inventory
- o) Securing the network architecture that includes threat detection
- p) Detecting, logging, and reporting network incidents
- q) Controlling vulnerabilities and keeping systems current

NIST CSF

NIST Cybersecurity Framework: <https://www.nist.gov/cyberframework>

Pittsford Central School District Adopted: 1/25/22, 2/25/25

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION

The District values the protection of private information of individuals in accordance with applicable law and regulations. The District is required to notify affected individuals when there has been or is reasonably believed to have been a compromise of the individual's personally identifiable information (PII) in compliance with the Information Security Breach and Notification Act and Board policy.

- a) "Personal information" means any information concerning a person which, because of name, number, symbol, mark, or other identifier, can be used to identify that person.
- b) PII means:
 1. Personal information consisting of any information in combination with any one or more of the following data elements, when either the data element or the combination of personal information plus the data element is not encrypted or encrypted with an encryption key that has also been accessed or acquired:
 - (a) Social security number;
 - (b) Driver's license number or non-driver identification card number;
 - (c) Account number, credit or debit card number, in combination with any required security code, access code, password, or other information which would permit access to an individual's financial account;
 - (d) Account number, or credit or debit card number, if circumstances exist where the number could be used to access an individual's financial account without additional identifying information, security code, access code, or password.
 2. A username or email address in combination with a password or security question and answer that would permit access to an online account.

PII does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

To ensure the privacy and security of individuals, the entry of unauthorized PII into any artificial intelligence systems (AI). By preventing the input of PII into AI, we aim to safeguard sensitive information from potential misuse, unauthorized access, and breaches.

(Continued)

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)

- c) "Breach of the security of the system" means unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of PII maintained by the District. Good faith acquisition of PII by an employee or agent of the District for the purposes of the District is not a breach of the security of the system, provided that PII is not used or subject to unauthorized disclosure.

Determining if a Breach Has Occurred

In determining whether PII has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or District employee without valid authorization, the District may consider the following factors, among others:

- a) Indications that PII is in the physical possession or control of an unauthorized person, such as a lost or stolen computer or other device containing PII;
- b) Indications that the PII has been downloaded or copied;
- c) Indications that the PII was used by an unauthorized person, such as fraudulent accounts opened or instances of identity theft reported;
- d) System failures.

Notification Requirements

- a) For any computerized data owned or licensed by the District that includes PII, the District will disclose any breach of the security of the system following discovery or notification of the breach to any New York State resident whose PII was, or is reasonably believed to have been, accessed or acquired by a person without valid authorization. The disclosure to affected individuals will be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and restore the integrity of the data system. The District will consult with the New York State Office of Information Technology Services to determine the scope of the breach and restoration measures. Within 90 days of the notice of the breach, the New York State Office of Information Technology Services will deliver a report to the District on the scope of the breach and recommendations to restore and improve the security of the system.

(Continued)

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)

- b) Notice to affected persons under State Technology Law is not required if the exposure of PII was an inadvertent disclosure by persons authorized to access PII, and the District reasonably determines the exposure will not likely result in the misuse of the PII, or financial or emotional harm to the affected persons. This determination must be documented in writing and maintained for at least five years. If the incident affected over 500 New York State residents, the District will provide the written determination to the New York State Attorney General within ten days after the determination.
- c) If notice of the breach of the security of the system is made to affected persons pursuant to the breach notification requirements under certain laws and regulations, the District is not required to provide additional notice to those affected persons under State Technology Law. However, the District will still provide notice to the New York State Attorney General, the New York State Department of State, the New York State Office of Information Technology Services, and to consumer reporting agencies.
- d) For any computerized data maintained by the District that includes PII which the District does not own, the District will notify the owner or licensee of the PII of any breach of the security of the system immediately following discovery, if the PII was, or is reasonably believed to have been, accessed or acquired by a person without valid authorization.

The notification requirement may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. The required notification will be made after the law enforcement agency determines that the notification does not compromise the investigation.

If the District is required to provide notification of a breach, including breach of information that is not PII, to the United States Secretary of Health and Human Services pursuant to the Health Insurance Portability and Accountability Act of 1996 or the Health Information Technology for Economic and Clinical Health Act, it will provide notification to the New York State Attorney General within five business days of notifying the United States Secretary of Health and Human Services.

Methods of Notification

The required notice will be directly provided to the affected persons by one of the following methods:

- a) Written notice;
- b) Electronic notice, provided that the person to whom notice is required has expressly consented to receiving the notice in electronic form and a log of each notification is kept by the District when notifying affected persons in electronic form. However, in no case will the District require a person to consent to accepting the notice in electronic form as a condition of establishing any business relationship or engaging in any transaction;

(Continued)

SUBJECT: INFORMATION SECURITY BREACH AND NOTIFICATION (Cont'd.)

- c) Telephone notification, provided that a log of each notification is kept by the District when notifying affected persons by phone; or
- d) Substitute notice, if the District demonstrates to the New York State Attorney General that the cost of providing notice would exceed \$250,000, or that the affected class of subject persons to be notified exceeds 500,000, or that the District does not have sufficient contact information. Substitute notice will consist of all of the following:
 - 1. Email notice when the District has an email address for the subject persons;
 - 2. Conspicuous posting of the notice on the District's website page, if the District maintains one; and
 - 3. Notification to major statewide media.

Regardless of the method by which notice is provided, the notice will include:

- a) Contact information for the notifying District;
- b) The telephone numbers and websites of the relevant state and federal agencies that provide information regarding security breach response and identity theft prevention and protection information; and
- c) A description of the categories of information that were, or are reasonably believed to have been, accessed or acquired by a person without valid authorization, including specification of which of the elements of personal information and PII were, or are reasonably believed to have been, accessed or acquired.

In the event that any New York State residents are to be notified, the District will notify the New York State Attorney General, New York State Department of State, and New York State Office of Information Technology Services as to the timing, content, and distribution of the notices and approximate number of affected persons and provide a copy of the template of the notice sent to affected persons. This notice will be made without delaying notice to affected New York State residents.

In the event that more than 5,000 New York State residents are to be notified at one time, the District will also notify consumer reporting agencies as to the timing, content, and distribution of the notices and approximate number of affected persons. This notice will be made without delaying notice to affected New York State residents.

A list of consumer reporting agencies will be compiled by the New York State Attorney General and furnished upon request to any district required to make a notification in accordance with State Technology Law.

State Technology Law Sections 202 and 208

Pittsford Central School District Adopted: 11/6/06, 1/25/16, 7/12/22, 6/17/25

SUBJECT: COMPUTER CONTROL FOR FINANCIAL NETWORK AND SYSTEMS

The District will maintain regulations and procedures that ensure that financial networks, systems and data are adequately secured. To that end, the District shall develop a disaster recovery plan in the event of catastrophic loss of the District's processing capabilities, as well as procedures to provide for appropriate segregation of duties, password schema, network security and access to financial and other sensitive data.

SUBJECT: EMPLOYEE PERSONAL IDENTIFYING INFORMATION

The District will restrict the use and access to employee personal identifying information. As defined in law, "personal identifying information" includes social security number, home address or telephone number, personal electronic mail address, Internet identification name or password, parent's surname prior to marriage, or driver's license number.

The District will not unless otherwise required by law:

- a) Publicly post or display an employee's social security number;
- b) Visibly print a social security number on any identification badge or card, including any time card;
- c) Place a social security number in files with unrestricted access; or
- d) Communicate an employee's personal identifying information to the general public.

A social security number will not be used as an identification number for purposes of any occupational licensing.

District staff will have access to this policy, informing them of their rights and responsibilities in accordance with Labor Law Section 203-d. District procedures for safeguarding employee "personal identifying information" will be evaluated; and employees who have access to this information as part of their job responsibilities will be advised as to the restrictions on release of this information in accordance with law.

Labor Law Section 203-d

SUBJECT: DATA NETWORKS AND SECURITY ACCESS

The District values the protection of private information of individuals in accordance with applicable law, regulations, and best practice. Accordingly, District officials and Information Technology (IT) staff will plan, implement, and monitor IT security mechanisms, procedures, and technologies necessary to prevent improper or illegal disclosure, modification, or denial of sensitive information in the District Computer System (DCS). Similarly, such IT mechanisms and procedures will also be implemented in order to safeguard District technology resources, including computer hardware and software. District network administrators may review District computers to maintain system integrity and to ensure that individuals are using the system responsibly. Users should not expect that anything stored on school computers or networks will be private.

In order to achieve the objectives of this policy, the Board of Education entrusts the Superintendent, or his/her designee, to:

- a) Inventory and classify personal, private, and sensitive information on the DCS to protect the confidentiality, integrity, and availability of information;
- b) Develop password standards for all users including, but not limited to, how to create passwords and how often such passwords should be changed by users to ensure security of the DCS;
- c) Ensure that the "audit trail" function is enabled within the District's network operating system, which will allow the District to determine on a constant basis who is accessing the DCS, and establish procedures for periodically reviewing such audit trails;
- d) Develop procedures to control physical access to computer facilities, data rooms, systems, networks, and data to only authorized individuals; such procedures may include ensuring that server rooms remain locked at all times and the recording of arrival and departure dates and times of employees and visitors to and from the server room;
- e) Establish procedures for tagging new purchases as they occur, relocating assets, updating the inventory list, performing periodic physical inventories, and investigating any differences in an effort to prevent unauthorized and/or malicious access to these assets;
- f) Periodically grant, change, and terminate user access rights to the overall networked computer system and to specific software applications and ensure that users are given access based on, and necessary for, their job duties;
- g) Limit user access to the vendor master file, which contains a list of vendors from which District employees are permitted to purchase goods and services, to only the individual who is responsible for making changes to such list, and ensure that all former employees' access rights to the vendor master list are promptly removed;

(Continued)

SUBJECT: DATA NETWORKS AND SECURITY ACCESS (Cont'd.)

- h) Determine how, and to whom, remote access should be granted, obtain written agreements with remote access users to establish the District's needs and expectations, as appropriate, and monitor and control such remote access;
- i) Implement software based on client roles identified by the District to protect against loss of sensitive data;
- j) Deploy software or systems to identify and eradicate malicious software attacks;
- k) Develop a disaster recovery plan appropriate for the size and complexity of District IT operations to ensure continuous critical IT services in the event of any sudden, catastrophic event, including, but not limited to fire, computer virus or deliberate or inadvertent employee action.

SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA

The District is committed to maintaining the privacy and security of student data and teacher and principal data and will follow all applicable laws and regulations for the handling and storage of this data in the District and when disclosing or releasing it to others, including, but not limited to, third-party contractors. The District adopts this policy to implement the requirements of Education Law Section 2-d and its implementing regulations, as well as to align the District's data privacy and security practices with the National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (Version 1.1).

Definitions

As provided in Education Law Section 2-d and/or its implementing regulations, the following terms, as used in this policy, will mean:

- a) "Breach" means the unauthorized acquisition, access, use, or disclosure of student data and/or teacher or principal data by or to a person not authorized to acquire, access, use, or receive the student data and/or teacher or principal data.
- b) "Building principal" means a building principal subject to annual performance evaluation review under the provisions of Education Law Section 3012-c.
- c) "Classroom teacher" means a teacher subject to annual performance evaluation review under the provisions of Education Law Section 3012-c.
- d) "Commercial or marketing purpose" means the sale of student data; or its use or disclosure for purposes of receiving remuneration, whether directly or indirectly; the use of student data for advertising purposes, or to develop, improve, or market products or services to students.
- e) "Contract or other written agreement" means a binding agreement between an educational agency and a third-party, which includes, but is not limited to, an agreement created in electronic form and signed with an electronic or digital signature or a click-wrap agreement that is used with software licenses, downloaded, and/or online applications and transactions for educational technologies and other technologies in which a user must agree to terms and conditions prior to using the product or service.
- f) "Disclose" or "disclosure" means to permit access to, or the release, transfer, or other communication of personally identifiable information by any means, including oral, written, or electronic, whether intended or unintended.
- g) "Education records" means an education record as defined in the Family Educational Rights and Privacy Act and its implementing regulations, 20 USC Section 1232g and 34 CFR Part 99, respectively.

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA (Cont'd.)

- h) "Educational agency" means a school district, board of cooperative educational services (BOCES), school, or the New York State Education Department (NYSED).
- i) "Eligible student" means a student who is eighteen years or older.
- j) "Encryption" means methods of rendering personally identifiable information unusable, unreadable, or indecipherable to unauthorized persons through the use of a technology or methodology specified or permitted by the Secretary of the United States Department of Health and Human Services in guidance issued under 42 USC Section 17932(h)(2).
- k) "FERPA" means the Family Educational Rights and Privacy Act and its implementing regulations, 20 USC Section 1232g and 34 CFR Part 99, respectively.
- l) "NIST Cybersecurity Framework" means the U.S. Department of Commerce National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (Version 1.1). A copy of the NIST Cybersecurity Framework is available at the Office of Counsel, State Education Department, State Education Building, Room 148, 89 Washington Avenue, Albany, New York 12234.
- m) "Parent" means a parent, legal guardian, or person in parental relation to a student.
- n) "Personally identifiable information (PII)," as applied to student data, means personally identifiable information as defined in 34 CFR Section 99.3 implementing the Family Educational Rights and Privacy Act, 20 USC Section 1232g, and, as applied to teacher or principal data, means personally identifying information as this term is defined in Education Law Section 3012-c(10).
- o) "Release" has the same meaning as disclosure or disclose.
- p) "Student" means any person attending or seeking to enroll in an educational agency.
- q) "Student data" means personally identifiable information from the student records of an educational agency.
- r) "Teacher or principal data" means personally identifiable information from the records of an educational agency relating to the annual professional performance reviews of classroom teachers or principals that is confidential and not subject to release under the provisions of Education Law Sections 3012-c and 3012-d.
- s) "Third-party contractor" means any person or entity, other than an educational agency, that receives student data or teacher or principal data from an educational agency pursuant to a contract or other written agreement for purposes of providing services to the educational

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SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA (Cont'd.)

agency, including but not limited to data management or storage services, conducting studies for or on behalf of the educational agency, or audit or evaluation of publicly funded programs. This term will include an educational partnership organization that receives student and/or teacher or principal data from a school district to carry out its responsibilities pursuant to Education Law Section 211-e and is not an educational agency, and a not-for-profit corporation or other nonprofit organization, other than an educational agency.

- t) "Unauthorized disclosure" or "unauthorized release" means any disclosure or release not permitted by federal or state statute or regulation, any lawful contract or written agreement, or that does not respond to a lawful order of a court or tribunal or other lawful order.

Data Collection Transparency and Restrictions

As part of its commitment to maintaining the privacy and security of student data and teacher and principal data, the District will take steps to minimize its collection, processing, and transmission of PII. Additionally, the District will:

- a) Not sell PII nor use or disclose it for any marketing or commercial purpose or facilitate its use or disclosure by any other party for any marketing or commercial purpose or permit another party to do so.
- b) Ensure that it has provisions in its contracts with third-party contractors or in separate data sharing and confidentiality agreements that require the confidentiality of shared student data or teacher or principal data be maintained in accordance with law, regulation, and District policy.

Except as required by law or in the case of educational enrollment data, the District will not report to NYSED the following student data elements:

- a) Juvenile delinquency records;
- b) Criminal records;
- c) Medical and health records; and
- d) Student biometric information.

Nothing in Education Law Section 2-d or this policy should be construed as limiting the administrative use of student data or teacher or principal data by a person acting exclusively in the person's capacity as an employee of the District.

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SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA (Cont'd.)**Chief Privacy Officer**

The Commissioner of Education has appointed a Chief Privacy Officer who will report to the Commissioner on matters affecting privacy and the security of student data and teacher and principal data. Among other functions, the Chief Privacy Officer is authorized to provide assistance to educational agencies within the state on minimum standards and best practices associated with privacy and the security of student data and teacher and principal data.

The District will comply with its obligation to report breaches or unauthorized releases of student data or teacher or principal data to the Chief Privacy Officer in accordance with Education Law Section 2-d, its implementing regulations, and this policy.

The Chief Privacy Officer has the power, among others, to:

- a) Access all records, reports, audits, reviews, documents, papers, recommendations, and other materials maintained by the District that relate to student data or teacher or principal data, which includes, but is not limited to, records related to any technology product or service that will be utilized to store and/or process PII; and
- b) Based upon a review of these records, require the District to act to ensure that PII is protected in accordance with laws and regulations, including but not limited to requiring the District to perform a privacy impact and security risk assessment.

Data Protection Officer

The District has designated a District employee to serve as the District's Data Protection Officer. The Data Protection Officer for the District is the Chief Information Officer.

The Data Protection Officer is responsible for the implementation and oversight of this policy and any related procedures including those required by Education Law Section 2-d and its implementing regulations, as well as serving as the main point of contact for data privacy and security for the District.

The District will ensure that the Data Protection Officer has the appropriate knowledge, training, and experience to administer these functions. The Data Protection Officer may perform these functions in addition to other job responsibilities.

District Data Privacy and Security Standards

The District will use the National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (Version 1.1) (Framework) as the standard for its data privacy and security program. The Framework is a risk-based approach to managing cybersecurity risk

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA (Cont'd.)

and is composed of three parts: the Framework Core, the Framework Implementation Tiers, and the Framework Profiles. The Framework provides a common taxonomy and mechanism for organizations to:

- a) Describe their current cybersecurity posture;
- b) Describe their target state for cybersecurity;
- c) Identify and prioritize opportunities for improvement within the context of a continuous and repeatable process;
- d) Assess progress toward the target state; and
- e) Communicate among internal and external stakeholders about cybersecurity risk.

The District will protect the privacy of PII by:

- a) Ensuring that every use and disclosure of PII by the District benefits students and the District by considering, among other criteria, whether the use and/or disclosure will:
 1. Improve academic achievement;
 2. Empower parents and students with information; and/or
 3. Advance efficient and effective school operations.
- b) Not including PII in public reports or other public documents.

The District affords all protections under FERPA and the Individuals with Disabilities Education Act and their implementing regulations to parents or eligible students, where applicable.

Third-Party ContractorsDistrict Responsibilities

The District will ensure that whenever it enters into a contract or other written agreement with a third-party contractor under which the third-party contractor will receive student data or teacher or principal data from the District, the contract or written agreement will include provisions requiring that confidentiality of shared student data or teacher or principal data be maintained in accordance with law, regulation, and District policy.

In addition, the District will ensure that the contract or written agreement includes the third-party contractor's data privacy and security plan that has been accepted by the District.

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA (Cont'd.)

The third-party contractor's data privacy and security plan must, at a minimum:

- a) Outline how the third-party contractor will implement all state, federal, and local data privacy and security contract requirements over the life of the contract, consistent with District policy;
- b) Specify the administrative, operational, and technical safeguards and practices the third-party contractor has in place to protect PII that it will receive under the contract;
- c) Demonstrate that the third-party contractor complies with the requirements of 8 NYCRR Section 121.3(c);
- d) Specify how officers or employees of the third-party contractor and its assignees who have access to student data or teacher or principal data receive or will receive training on the laws governing confidentiality of this data prior to receiving access;
- e) Specify if the third-party contractor will utilize subcontractors and how it will manage those relationships and contracts to ensure PII is protected;
- f) Specify how the third-party contractor will manage data privacy and security incidents that implicate PII including specifying any plans to identify breaches and unauthorized disclosures, and to promptly notify the District;
- g) 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 contractor when the contract is terminated or expires; and
- h) Include a signed copy of the Parents' Bill of Rights for Data Privacy and Security.

Third-Party Contractor Responsibilities

Each third-party contractor, that enters into a contract or other written agreement with the District under which the third-party contractor will receive student data or teacher or principal data from the District, is required to:

- a) Adopt technologies, safeguards, and practices that align with the NIST Cybersecurity Framework;
- b) Comply with District policy and Education Law Section 2-d and its implementing regulations;
- c) Limit internal access to PII to only those employees or subcontractors that have legitimate educational interests (i.e., they need access to provide the contracted services);

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA (Cont'd.)

- d) Not use the PII for any purpose not explicitly authorized in its contract;
- e) Not disclose any PII to any other party without the prior written consent of the parent or eligible student:
 - 1. Except for authorized representatives of the third-party contractor such as a subcontractor or assignee to the extent they are carrying out the contract and in compliance with law, regulation, and its contract with the District; or
 - 2. Unless required by law or court order and the third-party contractor provides a notice of the disclosure to NYSED, the Board, or the institution that provided the information no later than the time the information is disclosed, unless providing notice of the disclosure is expressly prohibited by law or court order;
- f) Maintain reasonable administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of PII in its custody;
- g) Use encryption to protect PII in its custody while in motion or at rest; and
- h) Not sell PII nor use or disclose it for any marketing or commercial purpose or facilitate its use or disclosure by any other party for any marketing or commercial purpose or permit another party to do so.

Where a third-party contractor engages a subcontractor to perform its contractual obligations, the data protection obligations imposed on the third-party contractor by law and contract apply to the subcontractor.

Cooperative Educational Services through a BOCES

The District may not be required to enter into a separate contract or data sharing and confidentiality agreement with a third-party contractor that will receive student data or teacher or principal data from the District under all circumstances.

For example, the District may not need its own contract or agreement where:

- a) It has entered into a cooperative educational service agreement (CoSer) with a BOCES that includes use of a third-party contractor's product or service; and
- b) That BOCES has entered into a contract or data sharing and confidentiality agreement with the third-party contractor, pursuant to Education Law Section 2-d and its implementing regulations, that is applicable to the District's use of the product or service under that CoSer.

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SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA (Cont'd.)

To meet its obligations whenever student data or teacher or principal data from the District is received by a third-party contractor pursuant to a CoSer, the District will consult with the BOCES to, among other things:

- a) Ensure there is a contract or data sharing and confidentiality agreement pursuant to Education Law Section 2-d and its implementing regulations in place that would specifically govern the District's use of a third-party contractor's product or service under a particular CoSer;
- b) Determine procedures for including supplemental information about any applicable contracts or data sharing and confidentiality agreements that a BOCES has entered into with a third-party contractor in its Parents' Bill of Rights for Data Privacy and Security;
- c) Ensure appropriate notification is provided to affected parents, eligible students, teachers, and/or principals about any breach or unauthorized release of PII that a third-party contractor has received from the District pursuant to a BOCES contract; and
- d) Coordinate reporting to the Chief Privacy Officer to avoid duplication in the event the District receives information directly from a third-party contractor about a breach or unauthorized release of PII that the third-party contractor received from the District pursuant to a BOCES contract.

Click-Wrap Agreements

Periodically, District staff may wish to use software, applications, or other technologies in which the user must "click" a button or box to agree to certain online terms of service prior to using the software, application, or other technology. These are known as "click-wrap agreements" and are considered legally binding "contracts or other written agreements" under Education Law Section 2-d and its implementing regulations.

District staff are prohibited from using software, applications, or other technologies pursuant to a click-wrap agreement in which the third-party contractor receives student data or teacher or principal data from the District unless they have received prior approval from the District's Data Privacy Officer or designee.

The District will develop and implement procedures requiring prior review and approval for staff use of any software, applications, or other technologies pursuant to click-wrap agreements.

Parents' Bill of Rights for Data Privacy and Security

The District will publish its Parents' Bill of Rights for Data Privacy and Security (Bill of Rights) on its website. Additionally, the District will include the Bill of Rights with every contract or other written agreement it enters into with a third-party contractor under which the third-party contractor will receive student data or teacher or principal data from the District.

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA (Cont'd.)

The District's Bill of Rights will state in clear and plain English terms that:

- a) A student's PII cannot be sold or released for any commercial purposes;
- b) Parents have the right to inspect and review the complete contents of their child's education record;
- c) State and federal laws protect the confidentiality of PII, and safeguards associated with industry standards and best practices, including but not limited to encryption, firewalls, and password protection, must be in place when data is stored or transferred;
- d) A complete list of all student data elements collected by the state is available for public review at the following website <http://www.nysed.gov/student-data-privacy/student-data-inventory> or by writing to the Office of Information and Reporting Services, New York State Education Department, Room 865 EBA, 89 Washington Avenue, Albany, New York 12234; and
- e) Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed in writing to Privacy Complaint, Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, New York 12234. Complaints may also be submitted using the form available at the following website <http://www.nysed.gov/student-data-privacy/form/report-improper-disclosure>.

The Bill of Rights will also include supplemental information for each contract the District enters into with a third-party contractor where the third-party contractor receives student data or teacher or principal data from the District. The supplemental information must be developed by the District and include the following information:

- a) The exclusive purposes for which the student data or teacher or principal data will be used by the third-party contractor, as defined in the contract;
- b) How the third-party contractor will ensure that the subcontractors, or other authorized persons or entities to whom the third-party contractor will disclose the student data or teacher or principal data, if any, will abide by all applicable data protection and security requirements, including but not limited to those outlined in applicable laws and regulations (e.g., FERPA; Education Law Section 2-d);
- c) The duration of the contract, including the contract's expiration date, and a description of what will happen to the student data or teacher or principal data upon expiration of the contract or other written agreement (e.g., whether, when, and in what format it will be returned to the District, and/or whether, when, and how the data will be destroyed);

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SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA (Cont'd.)

- d) If and how a parent, student, eligible student, teacher, or principal may challenge the accuracy of the student data or teacher or principal data that is collected;
- e) Where the student data or teacher or principal data will be stored, described in a manner as to protect data security, and the security protections taken to ensure the data will be protected and data privacy and security risks mitigated; and
- f) Address how the data will be protected using encryption while in motion and at rest.

The District will publish on its website the supplement to the Bill of Rights (i.e., the supplemental information described above) for any contract or other written agreement it has entered into with a third-party contractor that will receive PII from the District. The Bill of Rights and supplemental information may be redacted to the extent necessary to safeguard the privacy and/or security of the District's data and/or technology infrastructure.

Right of Parents and Eligible Students to Inspect and Review Students' Education Records

Consistent with the obligations of the District under FERPA, parents and eligible students have the right to inspect and review a student's education record by making a request directly to the District in a manner prescribed by the District.

The District will ensure that only authorized individuals are able to inspect and review student data. To that end, the District will take steps to verify the identity of parents or eligible students who submit requests to inspect and review an education record and verify the individual's authority to do so.

Requests by a parent or eligible student for access to a student's education records must be directed to the District and not to a third-party contractor. The District may require that requests to inspect and review education records be made in writing.

The District will notify parents annually of their right to request to inspect and review their child's education record including any student data stored or maintained by the District through its annual FERPA notice. A notice separate from the District's annual FERPA notice is not required.

The District will comply with a request for access to records within a reasonable period, but not more than 45 calendar days after receipt of a request.

The District may provide the records to a parent or eligible student electronically, if the parent consents. The District must transmit the PII in a way that complies with laws and regulations. Safeguards associated with industry standards and best practices, including but not limited to encryption and password protection, must be in place when education records requested by a parent or eligible student are electronically transmitted.

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SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA (Cont'd.)**Complaints of Breach or Unauthorized Release of Student Data and/or Teacher or Principal Data**

The District will inform parents, through its Parents' Bill of Rights for Data Privacy and Security, that they have the right to submit complaints about possible breaches of student data to the Chief Privacy Officer at NYSED. In addition, the District has established the following procedures for parents, eligible students, teachers, principals, and other District staff to file complaints with the District about breaches or unauthorized releases of student data and/or teacher or principal data:

- a) All complaints must be submitted to the District's Data Protection Officer in writing.
- b) Upon receipt of a complaint, the District will promptly acknowledge receipt of the complaint, commence an investigation, and take the necessary precautions to protect PII.
- c) Following the investigation of a submitted complaint, the District will provide the individual who filed the complaint with its findings. This will be completed within a reasonable period of time, but no more than 60 calendar days from the receipt of the complaint by the District.
- d) If the District requires additional time, or where the response may compromise security or impede a law enforcement investigation, the District will provide the individual who filed the complaint with a written explanation that includes the approximate date when the District anticipates that it will respond to the complaint.

These procedures will be disseminated to parents, eligible students, teachers, principals, and other District staff.

The District will maintain a record of all complaints of breaches or unauthorized releases of student data and their disposition in accordance with applicable data retention policies, including the Records Retention and Disposition Schedule ED-1 (1988; rev. 2004).

Reporting a Breach or Unauthorized Release

The District will report every discovery or report of a breach or unauthorized release of student data or teacher or principal data within the District to the Chief Privacy Officer without unreasonable delay, but no more than ten calendar days after the discovery.

Each third-party contractor that receives student data or teacher or principal data pursuant to a contract or other written agreement entered into with the District will be required to promptly notify the District of any breach of security resulting in an unauthorized release of the data by the third-party contractor or its assignees in violation of applicable laws and regulations, the Parents' Bill of Rights for

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA (Cont'd.)

Student Data Privacy and Security, District policy, and/or binding 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.

In the event of notification from a third-party contractor, the District will in turn notify the Chief Privacy Officer of the breach or unauthorized release of student data or teacher or principal data no more than ten calendar days after it receives the third-party contractor's notification using a form or format prescribed by NYSED.

Investigation of Reports of Breach or Unauthorized Release by the Chief Privacy Officer

The Chief Privacy Officer is required to investigate reports of breaches or unauthorized releases of student data or teacher or principal data by third-party contractors. As part of an investigation, the Chief Privacy Officer may require that the parties submit documentation, provide testimony, and may visit, examine, and/or inspect the third-party contractor's facilities and records.

Upon the belief that a breach or unauthorized release constitutes criminal conduct, the Chief Privacy Officer is required to report the breach and unauthorized release to law enforcement in the most expedient way possible and without unreasonable delay.

Third-party contractors are required to cooperate with the District and law enforcement to protect the integrity of investigations into the breach or unauthorized release of PII.

Upon conclusion of an investigation, if the Chief Privacy Officer determines that a third-party contractor has through its actions or omissions caused student data or teacher or principal data to be breached or released to any person or entity not authorized by law to receive this data in violation of applicable laws and regulations, District policy, and/or any binding contractual obligations, the Chief Privacy Officer is required to notify the third-party contractor of the finding and give the third-party contractor no more than 30 days to submit a written response.

If after reviewing the third-party contractor's written response, the Chief Privacy Officer determines the incident to be a violation of Education Law Section 2-d, the Chief Privacy Officer will be authorized to:

- a) Order the third-party contractor be precluded from accessing PII from the affected educational agency for a fixed period of up to five years;
- b) Order that a third-party contractor or assignee who knowingly or recklessly allowed for the breach or unauthorized release of student data or teacher or principal data be precluded from accessing student data or teacher or principal data from any educational agency in the state for a fixed period of up to five years;

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA (Cont'd.)

- c) Order that a third-party contractor who knowingly or recklessly allowed for the breach or unauthorized release of student data or teacher or principal data will not be deemed a responsible bidder or offeror on any contract with an educational agency that involves the sharing of student data or teacher or principal data, as applicable for purposes of General Municipal Law Section 103 or State Finance Law Section 163(10)(c), as applicable, for a fixed period of up to five years; and/or
- d) Require the third-party contractor to provide additional training governing confidentiality of student data and/or teacher or principal data to all its officers and employees with reasonable access to this data and certify that the training has been performed at the contractor's expense. This additional training is required to be performed immediately and include a review of laws, rules, and regulations, including Education Law Section 2-d and its implementing regulations.

If the Chief Privacy Officer determines that the breach or unauthorized release of student data or teacher or principal data on the part of the third-party contractor or assignee was inadvertent and done without intent, knowledge, recklessness, or gross negligence, the Chief Privacy Officer may make a recommendation to the Commissioner that no penalty be issued to the third-party contractor.

The Commissioner would then make a final determination as to whether the breach or unauthorized release was inadvertent and done without intent, knowledge, recklessness or gross negligence and whether or not a penalty should be issued.

Notification of a Breach or Unauthorized Release

The District will notify affected parents, eligible students, teachers, and/or principals in the most expedient way possible and without unreasonable delay, but no more than 60 calendar days after the discovery of a breach or unauthorized release of PII by the District or the receipt of a notification of a breach or unauthorized release of PU from a third-party contractor unless that notification would interfere with an ongoing investigation by law enforcement or cause further disclosure of PU by disclosing an unfixed security vulnerability. Where notification is delayed under these circumstances, the District will notify parents, eligible students, teachers, and/or principals within seven calendar days after the security vulnerability has been remedied or the risk of interference with the law enforcement investigation ends.

Notifications will be clear, concise, use language that is plain and easy to understand, and to the extent available, include:

- a) A brief description of the breach or unauthorized release, the dates of the incident and the date of discovery, if known;
- b) A description of the types of PII affected;

(Continued)

SUBJECT: PRIVACY AND SECURITY FOR STUDENT AND STAFF DATA (Cont'd.)

- c) An estimate of the number of records affected;
- d) A brief description of the District's investigation or plan to investigate; and
- e) Contact information for representatives who can assist parents or eligible students that have additional questions.

Notification will be directly provided to the affected parent, eligible student, teacher, or principal by first-class mail to their last known address, by email, or by telephone.

Where a breach or unauthorized release is attributed to a third-party contractor, the third-party contractor is required to pay for or promptly reimburse the District for the full cost of this notification.

Annual Data Privacy and Security Training

The District will annually provide data privacy and security awareness training to its officers and staff with access to PU. This training will include, but not be limited to, training on the applicable laws and regulations that protect PU and how staff can comply with these laws and regulations. The District may deliver this training using online training tools. Additionally, this training may be included as part of the training that the District already offers to its workforce.

Notification of Policy

The District will publish this policy on its website and provide notice of the policy to all its officers and staff.

Education Law § 2-d 8 NYCRR Part 121

SUBJECT: STUDENT GRADING INFORMATION SYSTEMS

Student performance is assessed in many ways, but primarily through assigned grades. The District will help ensure the integrity of student grades by controlling access to its grading information system and by approving modifications to grades where warranted.

The System

The District utilizes an electronic software system that contains a record of student performance, credit accumulation, report cards, and a transcript. More specifically, the system includes class rosters where teachers enter student grades and track their students' academic progress. The system is used to generate student report cards and transcripts, and to maintain all student grading records.

To protect student data in the system, the District will first establish who has the authority to grant, change, or terminate user access. The personnel with this authority will be very limited. Further, if the grading system has a feature that allows one user or account to assume the identity of another user or account, the District will restrict or disable that feature. These types of features could allow a user greater access than intended, including inheriting permissions of another user that are greater than the user's.

System Access

The District will create categories of system users and assign appropriate system permissions to each. Users' permissions will be compatible with and restricted by their roles and job duties; their access will be as restrictive as possible. Typically, teachers will have the ability to enter, update, and modify grades each marking period before a pre-determined lockout date. The lockout function will be consistently used throughout the school year to help prevent grade modifications without authorization after a marking period closes. Through increased system permissions, other individuals—such as non-classroom teachers, guidance counselors, information technology (IT) staff, clerical staff, and support staff—will be able to view or modify grades.

The District will work with its IT, human resources, and other appropriate departments to determine how best to timely establish access rights, add users, deactivate or modify user accounts, and monitor user accounts. As appropriate, the District will develop further IT controls that protect against improper access and promote data security. Further, the District recognizes that system access is most secure when District-owned devices are used. Accordingly, staff should only use District-owned devices to view, enter, or modify student grades and comments.

Grade Changes

Once the lockout period begins, only authorized users identified by the District may change grades, and only under certain circumstances. The system will recognize when grades change, and a log of modified grades may then be viewed and printed. Any grade mismatches will be reconciled before the next marking period closes or before the end of the school year, whichever is earlier.

(Continued)

SUBJECT: STUDENT GRADING INFORMATION SYSTEMS (Cont'd.)

The staff member seeking to change a grade will submit a grade-change form signed by the requesting party, the teacher who assigned the original grade, and the appropriate administrator. This form and all other documents supporting a grade modification will be electronically filed in the grading system or filed in a non-electronic system—if electronic filing is impossible or impractical—and maintained for six years. The personnel seeking the modification should specify one or more reasonable grounds for the grade change on the form. There must be reasonable grounds to alter a grade. The reasons may include:

- a) Data entry error;
- b) Computational error;
- c) A modification based on work submitted or considered after the lockout date;
- d) Changing an incomplete grade to a regular grade because a student completed course requirements;
- e) Credit recovery coursework;
- f) Administrative change; or
- g) Other acceptable justifications.

Audit Log and Monitoring

The District's grading system will have an audit log or grade-change report function that records certain system activities, including modifications to grades. The District will periodically monitor audit logs or grade-change reports to confirm the integrity of the system, to ensure proper access by personnel, and to confirm that modifications within the system are appropriate and completed in a timely manner. The District will also periodically monitor user accounts and rights so that the permissions granted are proper and the minimum necessary for each user or user group. To the extent feasible, the District will make sure that user accounts are current and updated regularly. The District will be able to print user information, logs, reports, and other documents from the student grading information system, as needed.

Student Transcripts

Student transcripts may show all credit-bearing classes; final grades; test scores; grade-point average; class rank; diploma type; SAT, ACT, and other standardized test scores; and graduation date. The same controls, protections, and monitoring applicable to student grading information apply equally to student transcripts.

SUBJECT: SCHOOL SAFETY PLANS

The District considers the safety of its students and staff to be of the utmost importance and is keenly aware of the evolving nature of threats to schools. As such, it will address those threats accordingly through appropriate emergency response planning. The District-wide school safety plan and the building-level emergency response plan(s) will be designed to prevent or minimize the effects of violent incidents, declared state disaster emergency involving a communicable disease or local public health emergency declaration and other emergencies and to facilitate the coordination of schools and the District with local and county resources in the event of these incidents or emergencies. These plans will be reviewed and updated by the appropriate team on at least an annual basis and adopted by the Board by September 1 of each school year.

The Board will make the District-wide school safety plan available for public comment at least 30 days prior to its adoption. The District-wide school safety plan may only be adopted by the Board after at least one public hearing that provides for the participation of school personnel, parents, students, and any other interested parties. The District-wide school safety plan and any amendments must be submitted to the Commissioner, in a manner prescribed by the Commissioner, within 30 days of adoption, but no later than October 1 of each school year.

Building-level emergency response plan(s) and any amendments must be submitted to the appropriate local law enforcement agency and the state police within 30 days of adoption, but no later than October 1 of each school year. Building-level emergency response plan(s) will be kept confidential and are not subject to disclosure under the Freedom of Information Law (FOIL) or any other provision of law.

District-Wide School Safety Plan

District-wide school safety plan means a comprehensive, multi-hazard school safety plan that covers all school buildings of the District, addresses crisis intervention, emergency response and management, and the provision of remote instruction during an emergency school closure, at the District level, and has the contents as prescribed in Education Law and Commissioner's regulations.

The District-wide school safety plan will be developed by the District-wide school safety team appointed by the Board. The District-wide school safety team will include, but not be limited to, representatives of the Board, teacher, administrator, and parent organizations, school safety personnel, and other school personnel including bus drivers and monitors. The District-wide school safety team will consider, as part of their review of the comprehensive District-wide school safety plan, the installation of a panic alarm system. At the discretion of the Board, a student may be allowed to participate on the District-wide school safety team.

The District-wide school safety plan will include, but not be limited to:

- a) Policies and procedures for responding to implied or direct threats of violence by students, teachers, other school personnel including bus drivers and monitors, and visitors to the school, including threats by students against themselves, which includes suicide;

(Continued)

SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)

- b) Policies and procedures for responding to acts of violence by students, teachers, other school personnel including bus drivers and monitors, and visitors to the school, including consideration of zero-tolerance policies for school violence;
- c) Appropriate prevention and intervention strategies, such as:
 - 1. Collaborative arrangements with state and local law enforcement officials, designed to ensure that school safety officers and other security personnel are adequately trained, including being trained to de-escalate potentially violent situations, and are effectively and fairly recruited;
 - 2. Nonviolent conflict resolution training programs;
 - 3. Peer mediation programs and youth courts; and
 - 4. Extended day and other school safety programs;
- d) Policies and procedures for contacting appropriate law enforcement officials in the event of a violent incident;
- e) A description of the arrangements for obtaining assistance during emergencies from emergency services organizations and local governmental agencies;
- f) Procedures for obtaining advice and assistance from local government officials, including the county or city officials responsible for implementation of Executive Law Article 2-B, State and Local Natural and Man-Made Disaster Preparedness;
- g) The identification of District resources which may be available for use during an emergency;
- h) A description of procedures to coordinate the use of District resources and manpower during emergencies, including identification of the officials authorized to make decisions and of the staff members assigned to provide assistance during emergencies;
- i) Policies and procedures for contacting parents, guardians, or persons in parental relation to District students in the event of a violent incident or an early dismissal or emergency school closure;
- j) Policies and procedures for contacting parents, guardians, or persons in parental relation to an individual District student in the event of an implied or direct threat of violence by the student against themselves, which includes suicide;

(Continued)

SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)

- k) Policies and procedures relating to school building security, including, where appropriate: the use of school safety officers, school security officers, and/or school resource officers; and security devices or procedures;
- l) Policies and procedures for the dissemination of informative materials regarding the early detection of potentially violent behaviors, including, but not limited to, the identification of family, community, and environmental factors to teachers, administrators, school personnel including bus drivers and monitors, parents and other persons in parental relation to students of the District or Board, students, and other persons deemed appropriate to receive the information;
- m) Policies and procedures for annual multi-hazard school safety training for staff and students, provided that the District must certify to the Commissioner that all staff have undergone annual training by September 15 on the building-level emergency response plan which must include components on violence prevention and mental health, provided further that new employees hired after the start of the school year will receive training within 30 days of hire or as part of the District's existing new hire training program, whichever is sooner;
- n) Procedures for the review and conduct of drills and other exercises to test components of the emergency response plan, including the use of tabletop exercises, in coordination with local and county emergency responders and preparedness officials;
- o) Strategies for improving communication among students and between students and staff and reporting of potentially violent incidents, such as establishing anonymous reporting mechanisms for school violence;
- p) A system for informing all educational agencies within the District of a disaster or emergency school closure;
- q) The designation of the Superintendent or designee, as the District Chief Emergency Officer whose duties will include, but not be limited to:
 - 1. Coordinating the communication between school staff, law enforcement, and other first responders;
 - 2. Leading the efforts of the District-wide school safety team in the completion and yearly update of the District-wide school safety plan and the coordination of the District-wide school safety plan with the building-level emergency response plan(s);
 - 3. Ensuring staff understanding of the District-wide school safety plan;
 - 4. Ensuring the completion and yearly update of building-level emergency response plans for each school building;

(Continued)

SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)

5. Assisting in the selection of security related technology and development of procedures for the use of the technology;
 6. Coordinating appropriate safety, security, and emergency training for District and school staff, including required training in the emergency response plan;
 7. Ensuring the conduct of required evacuation and lock-down drills in all District buildings as required by law; and
 8. Ensuring the completion and yearly update of building-level emergency response plan(s) by the dates designated by the Commissioner;
- r) Protocols for responding to a declared state disaster emergency involving a communicable disease that are substantially consistent with the provisions in Labor Law Section 27-c; and
- s) An emergency remote instruction plan.

Building-Level Emergency Response Plan

Building-level emergency response plan means a building-specific school emergency response plan that addresses crisis intervention, emergency response and management at the building level and has the contents as prescribed in Education Law and Commissioner's regulations. As part of this plan, the District will define the chain of command in a manner consistent with the National Incident Management System (NIMS)/Incident Command System (ICS).

Building-level emergency response plan(s) will be developed by the building-level emergency response team. The building-level emergency response team is a building-specific team appointed by the building principal, in accordance with regulations or guidelines prescribed by the Board. The building-level emergency response team will include, but not be limited to, representatives of teacher, administrator, and parent organizations, school safety personnel and 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.

Classroom door vision panels will not be covered except as outlined in the building-level emergency response plan.

Education Law Section 2801-a
Labor Law Section 27-c
8 NYCRR Section 155.17

Pittsford Central School District Adopted: 6/25/01
Revised: 7/12/04; 4/16/24

SUBJECT: POST INCIDENT RESPONSE (CRISIS RESPONSE)

When a crisis arises no school system is immune to the negative, physical or mental effect on its students, staff and the local community. Immediate, effective and responsible management and communication can address the crisis and maintain a District's integrity and credibility. Therefore, the District shall develop and maintain a unified position by establishing a District post-incident response team. The responsibilities of this team include:

- a) Identifying a response team to develop a plan and maintain a strong, ongoing communications program across the District;
- b) Developing a post-incident response plan that identifies District and building operating structure, levels of response and a communication plan;
- c) Developing guidelines for post-intervention support for students and staff;
- d) Advising the Superintendent after an emergency situation; and
- e) Coordinating the District post-incident actions.

The Superintendent/designee shall be responsible for informing the Board and staff of the post-incident response plan.

NOTE: Refer also to Policy #5681 -- School Safety Plans

**SUBJECT: FIRE AND EMERGENCY DRILLS, BOMB THREATS, AND BUS
EMERGENCY DRILLS****Fire and Emergency Drills**

The administration of each school building will instruct and train students on appropriate emergency responses, through fire and emergency drills, in the event of a sudden emergency.

Fire and emergency drills will be held at least 12 times in each school year; eight of these will be completed by December 31. Eight of all drills will be evacuation drills, four will be through use of the fire escapes on buildings where fire escapes are provided or identified secondary exits. The other four drills will be lock-down drills. Drills will be conducted at different times of the school day. Students will also be instructed in the procedures to be followed in the event that a fire occurs during the regular school lunch period or assembly, however, this additional instruction may be waived if a drill is held during the regular lunch period or assembly.

Summer School

At least two additional drills will be held during summer school in buildings where summer school is held, and one of these drills will be held during the first week of summer school.

After-School Programs, Events, or Performances

The building principal or designee will require those in charge of after-school programs, events, or performances attended by any individuals unfamiliar with that school building, to announce at the beginning of these programs the procedures to be followed in the event of an emergency.

Bomb ThreatsSchool Bomb Threats

A bomb threat, even if later determined to be a hoax, is a criminal act. No bomb threat should be treated as a hoax when it is first received. Upon receiving any bomb threat, the school has an obligation and responsibility to ensure the safety and protection of the students and other occupants of the school. This obligation takes precedence over a search for a suspect object. Prudent action is dependent upon known information about the bomb threat-location, if any; time of detonation; etc. Specific procedures as to appropriate responses as a result of a bomb threat can be located in the building-level emergency response plan, as required by relevant law and regulation.

(Continued)

**SUBJECT: FIRE AND EMERGENCY DRILLS, BOMB THREATS, AND BUS
EMERGENCY DRILLS (Cont'd.)**Police Notification and Investigation

Appropriate law enforcement agencies must be notified by the building administrator or designee of any bomb threat as soon as possible after receiving the threat. Law enforcement officials will contact, as the situation requires, fire and/or county emergency coordinators according to the county emergency plan.

Implementation

The Superintendent or designee will develop written procedures to implement the terms of this policy. Additionally, these procedures will be incorporated in the District-wide school safety plan and the building-level emergency response plan, with provisions to provide written information to all staff and students regarding emergency procedures by October 1 of each school year, an annual drill to test the emergency response procedures under each of its building-level emergency response plans; and the annual review of the District-wide and building-level emergency response plans, along with updates as necessary, by September 1, as mandated by law or regulation.

Bus Emergency Drills

The administration will conduct a minimum of three emergency drills to be held on each school bus during the school year. The first drill will 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. No drills will be conducted when buses are on routes.

Students who ordinarily walk to school will also be included in the drills. Students attending public and nonpublic schools who do not participate in regularly scheduled drills will also be provided drills on school buses, or as an alternative, will be provided classroom instruction covering the content of these drills.

Each drill will include practice and instruction in the location, use, and operation of the emergency exits, fire extinguishers, first-aid equipment, and windows as a means of escape in the event of fire or accident. Similarly, students will be instructed on all topics mandated by relevant sections of the Education Law and Commissioner's regulations, including, but not limited to, the following:

- a) Safe boarding and exiting procedures with specific emphasis on when and how to approach, board, disembark, and move away from the bus after disembarking;
- b) Advancing at least 15 feet in front of the bus before crossing the highway after disembarking;

(Continued)

**SUBJECT: FIRE AND EMERGENCY DRILLS, BOMB THREATS, AND BUS
EMERGENCY DRILLS (Cont'd.)**

- c) Specific hazards encountered during snow, ice, rain, and other inclement weather, including, but not necessarily limited to, poor driver visibility, reduced vehicular control, and reduced hearing; and
- d) Orderly conduct as bus passengers.

The administration of the drills will be in accordance with the New York State Education Department's Bus Safety Drill Guide and Compliance Form.

Instruction on Use of Seat Belts

When students are transported on school buses, the District will ensure that all students who are transported on any school bus owned, leased, or contracted for by the District will receive instruction on the use of seat safety belts. This instruction will be provided at least three times each year to both public and nonpublic school students who are so transported and will include, but not be limited to:

- a) Proper fastening and release of seat safety belts;
- b) Acceptable adjustment and placement of seat safety belts on students;
- c) Times at which the seat safety belts should be fastened and released; and
- d) Acceptable placement of the seat safety belts when not in use.

Education Law Sections 807, 2801-a, 3623, and 3635-a
Penal Law Article 240
8 NYCRR Sections 100.2(c), 155.17, and 156.3

NOTE: Refer also to Policy #5681 -- School Safety Plans

Pittsford Central School District Adopted: 1/31/05
Revised: 10/1/12; 5/28/13; 4/16/24

SUBJECT: USE OF SURVEILLANCE CAMERAS IN THE DISTRICT AND ON SCHOOL BUSES

It is the Board's responsibility to ensure the safety of the District's students, staff, facilities, and property. While the Board recognizes the importance of privacy, it has authorized the use of surveillance cameras on District property including in school buildings, school facilities, as well as on school buses, when necessary. These surveillance cameras will help to assist the Board in maintaining the overall safety and welfare of the District's students, staff, property, and visitors, as well as to deter theft, violence, and other criminal activities.

Further, surveillance cameras will only be placed in public or common areas, such as stairwells, hallways, cafeterias, parking lots, or playgrounds, and not in private areas such as locker rooms, bathrooms, or other areas in which individuals have a reasonable expectation of privacy. Audio recordings will not be utilized by the District officials, however, this prohibition may not preclude the use of audio recordings by law enforcement officials in accordance with their official duties or as otherwise authorized by law.

Disciplinary Proceedings

Video recordings or footage from District surveillance cameras may be used in student or employee (as permitted by any applicable collective bargaining agreement) disciplinary proceedings, as appropriate.

Signage/Notification

The District will place signage at entrances to the school campus or at major entrances into school buildings notifying students, staff, as well as any visitors of the District's use of surveillance cameras. Students and staff will also receive additional notification, as deemed appropriate by the Superintendent, regarding the use of its surveillance cameras through means such as publication in the District calendar, employee handbook, and/or the student handbook.

Maintenance of Video Recordings

Any video surveillance recording in the schools, on school buses, or on school property, on tape, CD, or digitally, will be the sole property of the District and stored in its original form and in a secure location to avoid tampering and also to ensure its confidentiality in accordance with relevant law and regulations.

In addition, to the extent that any video images create student or personnel records, the District will comply with all applicable state and federal laws related to record retention, record maintenance, and record disclosure, including the Family Educational Rights and Privacy Act ("FERPA").

SUBJECT: AUTOMATED EXTERNAL DEFIBRILLATORS

Pittsford Central School District shall provide and maintain on-site in each instructional school facility functional automated external defibrillator (AED) equipment in quantities adequate to ensure ready and appropriate access for use during emergencies. The District shall ensure the presence of at least one staff person who is trained in the operation and use of an AED during school hours and when:

- a) School facilities are used for school-sponsored or school-approved curricular or extracurricular events or activities;
- b) School facilities are used for a school-sponsored athletic contest or practice;
- c) A school-sponsored athletic practice is held at any location; or
- d) A school-sponsored athletic competitive contest is held at any location in cooperation with the other participating school district(s) under the guidelines established by the Section V Athletic Association.

The District shall become a public access defibrillation (PAD) provider as defined in Public Health law in accordance to its provisions. Response plans shall be developed and practiced in each school building.

The District shall provide training in CPR and AED use to ensure an adequate number of staff members are trained to meet the requirements of this policy and education law.

The District shall provide for the regular maintenance of the AED units according to manufacturer's requirements. The AED units will be checked daily, and documentation of each check shall be maintained at each building and at the athletic department. This documentation needs to be retained for six years.

Protocols and procedures for AED use will be documented in the District's Health and Safety and Emergency Preparedness Guidelines.

Pursuant to Public Health Law Sections 3000-a and 3000-b, the District (as a public access defibrillation provider), or any employee or other agent of the District who, in accordance with the provisions of 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 not be liable for damages for injury or death unless caused by gross negligence.

Education Law Section 917
Public Health Law Section 3000-a and 3000-b
8 NYCRR Sections 135.4 and 136.4

Pittsford Central School District Adopted: 11/25/02
Revised: 7/12/04; 2/08/13; 3/1/18

2005

5686

Non-Instructional/Business
Operations

SUBJECT: SCHOOL BUILDING ACCESS CONTROL

Visitors shall be directed to the Main Office for specific instructions regarding that building's procedures for visitors to the school.

The Board directs that administration implement and review on a periodic basis building access control procedures, and provide identification badges or visitor badges for staff and visitors as appropriate. Parents and students shall be informed of the school's access procedures; and visitors shall be required to follow the specific visitor procedures prescribed by that particular building.

SUBJECT: POSSESSION AND USE OF PERSONAL CELL PHONES IN SCHOOLS

The Board recognizes that while carrying cell phones can be a safety measure for staff and students alike, problems arise when the inappropriate use of cell phones interferes with the school's ability to maintain control in the school environment, giving rise to security as well as educational concerns.

Inappropriate or unauthorized use of cell phones can undermine the communication system in place per the school safety plans, impede evacuation plans if parents or other individuals are summoned to the school by non-designated persons, and potentially restrict the access of community emergency service providers to the site.

As deemed necessary, school safety plans and the District Code of Conduct shall be modified to address the use of and/or restriction of cell phones during designated times or events, particularly by students and visitors to the schools.

**SUBJECT: ELECTRONIC DEVICES WITH PHOTOGRAPHIC OR TEXT MESSAGING
CAPABILITY**

The use of electronic devices with photographic, audio, video and/or text messaging capability, including but not limited to, cell phones, cameras, personal data assistants and other devices, creates the potential for violations of privacy as well as threats to testing/examination security.

In order to ensure examination security and the privacy of individuals, the Board prohibits the use of such devices as follows:

- a) During any test, examination, or in any situation with the potential for plagiarism or cheating;
- b) In any bathroom, locker room or other areas (both private and public) where individuals have an expectation of privacy.

The policy will be referenced in the District Code of Conduct as well as student handbooks.

SUBJECT: MAXIMUM TEMPERATURE FOR SCHOOL BUILDINGS AND INDOOR FACILITIES

The District is responsible for addressing the health, safety, and comfort of students and staff on extreme heat conditions days.

For purposes of this policy, the following definitions apply:

- a) Extreme heat condition days means days when occupiable educational and support services spaces are 82 degrees Fahrenheit or higher.
- b) Room temperature means the temperature measured at a shaded location, three feet above the floor near the center of the room.
- c) Support services spaces do not include kitchen areas used in the preparation of food for consumption by students.

Implementation Plan When the Temperature Reaches Eighty-Two Degrees Fahrenheit

The District is required to take action to relieve heat-related discomfort when the occupiable educational and support services spaces temperatures reach 82 degrees Fahrenheit. These actions may include, but are not limited to:

- a) Turning off the overhead lights;
- b) Pulling down shades or blinds;
- c) Turning on fans;
- d) Opening classroom doors and windows to increase circulation, if permitted;
- e) Turning off unused electronics that produce heat; and
- f) Providing water breaks.

Air conditioners, where available, may also be used to keep room temperatures from reaching 82 degrees Fahrenheit. The District may take the actions above earlier in the day or before school starts in an effort to keep the room temperature below 82 degrees Fahrenheit. This does not prohibit using air conditioning in response to a student's Individualized Education Plan, Section 504 Plan, or in response to a documented student medical need.

(Continued)

SUBJECT: MAXIMUM TEMPERATURE FOR SCHOOL BUILDINGS AND INDOOR FACILITIES (Cont'd.)Implementation Plan When the Temperature Reaches Eighty-Eight Degrees Fahrenheit

The District will remove students and staff from educational and support services spaces when the room temperature reaches 88 degrees Fahrenheit where practicable. The Superintendent or designee may direct building principals to evacuate the space by:

- a) Moving students and staff to cooler spaces within the school building(s); or
- b) Closing school early and sending students and staff home according to the District's emergency school closing policy and/or procedure which include communicating with parents and persons in parental relation.

The Board will consider the anticipated number of extreme heat condition days when adopting or adjusting the District's school calendar. The District will also be mindful of collective bargaining agreements.

Education Law Section 409-n

NOTE: Refer also to Policy #3510 -- Emergency School Closings

SUBJECT: EXPOSURE CONTROL PROGRAM

The District shall establish an exposure control program designed to prevent and control exposure to bloodborne pathogens. According to the New York State Department of Labor's Division of Safety and Health and Occupational Safety and Health Administration (OSHA) standards, the program shall consist of:

- a) Guidelines for maintaining a safe, healthy school environment to be followed by staff and students alike.
- b) Written standard operating procedures for blood/body fluid clean-up.
- c) Appropriate staff education/training.
- d) Evaluation of training objectives.
- e) Documentation of training and any incident of exposure to blood/body fluids.
- f) A program of medical management to prevent or reduce the risk of pathogens, specifically hepatitis B and HIV.
- g) Written procedures for the disposal of medical waste.
- h) Provision of protective materials and equipment for all employees who perform job-related tasks involving exposure or potential exposure to blood, body fluids or tissues.

Occupational Safety and Health Administration (OSHA)
29 CFR 1910.10:30

SUBJECT: COMMUNICABLE DISEASES

Whenever, upon investigation and evaluation by the Director of School Health Services or other health professionals acting upon their direction or referral, a student in the public schools shows symptoms of any communicable or infectious disease reportable under the public health law that imposes a significant risk of infection of others in the school, that student will be excluded from the school and sent home immediately. The Director of School Health Services will immediately notify a local public health agency of the disease.

Following absence on account of illness or from unknown cause, the Director of School Health Services may examine each student returning to a school without a certificate from a local public Health Officer, a duly licensed physician, physician assistant, or nurse practitioner.

The Director of School Health Services, or other health professionals acting upon their direction or referral, may make evaluations of teachers and any other school employees, school buildings and premises as, in their discretion, they may deem necessary to protect the health of the students and staff.

Education Law Section 906
8 NYCRR Sections 136.3(h) and 136.3(i)

Non-Instructional/Business
Operations

SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES

A student will not be denied the right to attend school or continue their education because they have been diagnosed with AIDS or any other human immunodeficiency virus (HIV)-related illness. In addition, an employee who has been similarly diagnosed will not be denied the right to continue their employment with the District based solely upon their AIDS/HIV status. The disclosure of confidential HIV-related information will be strictly limited.

Administrative procedures will be developed and implemented by the administration based on recommendations from the New York State Education Department and from consultation with appropriate professional and medical staff in the District.

The Superintendent will also establish protocols for routine sanitary procedures for dealing with the cleaning and handling of body fluids in school, with special emphasis placed on staff awareness.

Confidentiality:

Public Health Law, Article 27-F

SUBJECT: TRANSPORTATION PROGRAM

It is the intent of the Board to comply with the letter and spirit of the New York State Education Law; with the regulations of the Department of Motor Vehicles and of the Department of Transportation and with the Commissioner of Education's regulations and decisions pertinent to student transportation, and these shall govern any questions not covered by specific declaration of policy herein.

The purposes of the transportation program are to transport students to and from school, to transport them for extracurricular activities, to transport them on field trips, and to transport those requiring special services.

The Board recognizes and assumes the responsibility for all aspects of the transportation of children wherein the health and safety of students are involved, for the Board has a legal obligation to safeguard the welfare of bus-riding children.

Education Law Sections 3602(7) and 3635 et seq.

SUBJECT: TRANSPORTATION OF STUDENTS

Bus routes are authorized by the Board and any requests for a change must be submitted to the Director of Transportation.

Transportation services shall be provided to meet the needs of the students of the District within specified limits and areas established by the Board.

Transportation – Limits

The District will provide transportation for children in grades K-5 who live .3 mile or more from school, and for children in grades 6-12 who live .7 mile or more from school. The distance will be measured from the building entrances.

Before/After School

Students will be transported to/from licensed day care and latch key programs provided that the arrangement is on a regular basis to no more than two separate locations and that the locations are within the District boundaries. These services will be offered in accordance with the New York State Education Department regulations. Students will be transported to/from babysitters provided that the arrangement is on a regular basis to no more than two separate locations and that the locations are within the school attendance zone.

Bus Stop and Pick Up Points

The District will provide each eligible student one round trip daily from a designated bus stop to school and back. Student behavior at bus stops is the responsibility of the parents. Bus stops will be determined by the Director of Transportation in accordance with the following guidelines:

- a) Centralized pickup points will be used with an average of ten students/pickup for K-5, and an average of fifteen students/pickup for 6-12.
- b) School bus stops shall be located in accordance with established regulations for placing school bus stops.
- c) Buses will travel on private roads only when they are maintained by the towns.
- d) Shuttle buses will be used where practical.

Education Law Sections 3620-3628 and 3635-3636

(Continued)

SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)**Requests for Transportation to and from Nonpublic Schools**

The parent or person in parental relation of a parochial or private school child residing in the District who desires his or her child to be transported to a parochial, private, or charter school within or outside the District during the next school year, must submit a written request to the Board no later than April 1 of the preceding year, or within 30 days of moving into the District. The District will publish the April 1 date in its school calendar and/or local newspaper as a reminder to parents of this deadline.

Transportation to Nonpublic Schools on Holidays

The District will share its calendar and start and dismissal times with nonpublic schools before the start of the school year. The District is not required to provide transportation to nonpublic schools on days on which the District's schools are not in session.

Transportation for Nonpublic School Students with Disabilities who are Parentally Placed

For students with disabilities, ages 5 through 21, who are parentally placed in nonpublic schools outside their district of residency, if special education services are to be provided to a student at a site other than the nonpublic school, the school district of location is responsible for providing the special education services, including, as applicable, arranging and providing transportation necessary for the student to receive special education services.

The district of residence remains responsible for providing transportation to parentally placed nonpublic school students from the student's home to the nonpublic school. No transportation will be provided when the district is closed unless there is a District placed student in the same nonpublic school/program attending.

Transportation of Students with Disabilities

Transportation of students with disabilities in the District may not exceed 50 miles one way from the student's home to the appropriate special service or program, unless the Commissioner certifies that no appropriate nonresidential special service or program is available within 50 miles. In that event the Commissioner may then establish transportation arrangements.

Student Information

Upon written consent of the parent or person in parental relation, every school bus which is used to regularly transport students with disabilities will maintain the following information about each student with a disability being transported:

- a) Student's name;
- b) Nature of the student's disability;

(Continued)

SUBJECT: TRANSPORTATION OF STUDENTS (Cont'd.)

- c) Name of the student's parent, guardian, or person in parental relation and one or more telephone numbers where that person can be reached in an emergency; and/or
- d) Name and telephone number of any other person designated by such parent, guardian, or person in parental relation who can be contacted in an emergency.

This information will be used solely for the purpose of contacting the student's parent, guardian, person in parental relation, or designee in the event of an emergency involving the student, will be kept in a manner which retains the privacy of the student, and will not be accessible to any person other than the driver or a teacher acting in a supervisory capacity. In the event that the driver or teacher is incapacitated, this information may be accessed by any emergency service provider.

This information will be updated as needed, but at least once each school year and will be destroyed if parental consent is revoked, the student no longer attends the school, or the disability no longer exists.

Transportation of Non-Resident Students

Non-resident families must provide their own transportation.

Transportation to School-Sponsored Events

Where the District has provided transportation to students enrolled in the District to a school-sponsored field trip, extracurricular activity, or any other similar event, it will also provide transportation back to either the point of departure or to the appropriate school in the District unless a student's parent or legal guardian has provided the District with written notice, consistent with District policy, authorizing an alternative form of return transportation for the student. In cases where intervening circumstances make transportation of a student back to the point of departure or to the appropriate school in the District impractical, and the parent has not authorized alternative return transportation, a representative of the District will remain with the student until the student's parent or legal guardian has been contacted and informed of the intervening circumstances and the student has been delivered to his or her parent.

Transportation in Personal Vehicles

Personal cars of teachers and staff will not be used to transport students except in the event of extenuating circumstances and authorized by the administration.

Education Law Sections 1604, 1709, 1804, 1807, 1903, 1950, 2503, 2554, 2590-e, 3242, 3602-c, 3621(15), 3623-a(2c), 3635, 4401-a, 4401(4), 4402, 4404, 4405, and 4410-6
Vehicle and Traffic Law Section 375(20)(1) and 375(21-i)

NOTE: Refer also to Policy #7131 -- Education of Students in Temporary Housing

Pittsford Central School District Adopted: 4/15/80, 6/28/82, 1/9/89, 1/10/05, 11/6/06; 4/16/24, 7/8/25

SUBJECT: SCHOOL BUS SAFETY

The safe transportation of students to and from school is of primary concern in the administration of the school bus program. All state laws and regulations pertaining to the safe use of school buses will be observed by drivers, students, and school personnel.

Use of Portable Electronic Devices Prohibited

For purposes of this policy, and in accordance with applicable law, the terms below will be defined as follows:

- a) "Portable electronic device" means any mobile telephone (hand-held or "hands-free"), personal digital assistant (PDA), portable device with mobile data access, laptop computer, pager, broadband personal communication device, two-way messaging device, electronic game, portable computing device, or any other electronic device when used to input, write, send, receive, or read text for present or future communication.
- b) "Using" means holding a portable electronic device while viewing, taking or transmitting images, playing games, or for the purpose of present or future communication: performing a command or request to access a World Wide Web page, composing, sending, reading, viewing, accessing, browsing, transmitting, saving, or retrieving email, text messages, instant messages, or other electronic data.
- c) "In operation" means that the bus engine is running, whether in motion or not.

The use of portable electronic devices by a school bus driver at times the vehicle is in operation on the roadway poses a potential safety risk. All school bus drivers are prohibited from using portable electronic devices while the bus is in operation.

All school bus drivers' personal portable electronic devices must be placed in the "off" position when in the possession of the school bus driver while the bus is in operation. Portable electronic devices, including cell phones, may be used in case of emergency.

Safety Rules and Inspections

The Transportation Supervisor, in cooperation with the principals, has the responsibility of developing and publishing safety rules to be followed by drivers and passengers, including rules of student conduct. In order to ensure maximum safety to those riding school buses, it is necessary that students and drivers cooperate in this effort.

All buses and other vehicles owned and operated by the District will have frequent safety inspections, and will be serviced regularly. The Transportation Supervisor will maintain a comprehensive record of all maintenance performed on each vehicle.

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SUBJECT: SCHOOL BUS SAFETY (Cont'd.)

Every bus driver is required to report promptly to the Transportation Supervisor any school bus accident, regardless of the severity, involving death, injury, or property damage.

Education Law Section 3623

Vehicle and Traffic Law Sections 509-a(7), 509-i(1-b), 1174, 1225-c, and 1125-d

8 NYCRR Section 156.3

17 NYCRR Sections 720.2, 721.1, and 721.2

NOTE: Refer also to Policies #5683 -- Fire and Emergency Drills, Bomb Threats, and Bus
Emergency Drills
#5761 -- Drug and Alcohol Testing for School Bus Drivers

Non-Instructional/Business
Operations

SUBJECT: USE OF BUSES BY COMMUNITY GROUPS

Upon formal application to and approval by the Director of Transportation buses may be rented to a municipal corporation; to any senior citizen center recognized and funded by the Office for the Aging; to any not-for-profit organization serving those with disabilities; or, to any not-for-profit organization which provides recreational youth services or neighborhood recreation centers. Such rentals can be made only for times when vehicles are not needed for student transport.

Education Law Section 1501-b

SUBJECT: QUALIFICATIONS OF BUS DRIVERS

A person shall be qualified to operate a bus only if such person:

- a) Is at least 21 years of age;
- b) Has been issued a currently valid driver's license or permit which is valid for the operation of a bus in New York State;
- c) Has passed the annual bus driver physical examination in accordance with Commissioner of Education and Commissioner of Motor Vehicles regulations. In no case will the interval between physical examinations exceed a 13-month period;
- d) Is not disqualified to drive a motor vehicle under any provision of law or regulation;
- e) Has on file at least three statements from three different persons who are not related by either blood or marriage to the driver or applicant pertaining to the moral character and to the reliability of such driver or applicant;
- f) Has completed, or is scheduled to complete, New York State Education Department safety programs;
- g) Is in compliance with federal law and regulations, as well as District policy and/or regulations, as it pertains to meeting the standards governing alcohol and controlled substance testing of bus drivers if and when applicable;
- h) Has taken and passed a physical performance test at least once every two years and/or following an absence from service of 60 or more consecutive days from their scheduled work duties. In no case will the interval between physical performance tests exceed 25 months; and
- i) Is in compliance with all other laws and regulations for operating a school bus, including licensing and training requirements.

Special Requirements For New Bus Drivers

Before employing a new bus driver, the Superintendent or designee will:

- a) Require the person to pass a physical examination within eight weeks prior to the beginning of service;
- b) Obtain a driving record from the appropriate agency in every state in which the person resided, worked, and/or held a driver's license or learner's permit during the preceding three years;

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SUBJECT: QUALIFICATIONS OF BUS DRIVERS (Cont'd.)

- c) Investigate the person's employment record during the preceding three years;
- d) Require the person to submit to the mandated fingerprinting procedures and criminal history background check;
- e) Request the Department of Motor Vehicles to initiate a driving record abstract check; and
- f) Require that newly hired bus drivers take and pass the physical performance test, as mandated by Commissioner's regulations, before they transport students.

Occasional Drivers

Under Commissioner's regulations, an occasional driver is defined as a certified teacher who is employed by a school district or Board of Cooperative Educational Services (BOCES) whose employment does not include serving as either a regular or substitute school bus driver. Occasional drivers used for other than regular routes are not required to fulfill the training required for regular school bus drivers.

Omnibus Transportation Employee Testing Act of 1991 (Public Law 102-143)
49 USC Section 521(b)
Education Law Section 3624
Vehicle and Traffic Law Article 19-A
15 NYCRR Part 6 and Section 3.2
8 NYCRR Section 156.3

NOTE: Refer also to Policy #5761 -- Drug and Alcohol Testing for School Bus Drivers

SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

In order to help prevent accidents and injuries resulting from the misuse of drugs and/or alcohol by school bus drivers, the Board adopts this policy in compliance with federal and state law and regulation.

The District has designated the following individual to answer driver questions about this policy and related materials: Safety Coordinator

Drug and Alcohol Testing Program

School bus drivers are subject to drug and/or alcohol testing in a variety of circumstances. The District will comply with all federal and state law and regulation regarding the implementation of a drug and alcohol testing program for school bus drivers.

The District will either establish and manage its own drug and alcohol testing program or by contract have a consortium/third-party administrator manage all, or part of, its drug and alcohol testing program for school bus drivers.

Under federal law and regulation, individuals who operate a Commercial Motor Vehicle (CMV) designed to transport 16 or more occupants (including the driver) and are subject to commercial driver's license (CDL) requirements established by the United States Department of Transportation are safety-sensitive employees and are subject to the following drug and/or alcohol testing:

- a) **Pre-employment drug testing** which will be conducted after a conditional offer to hire has been extended, but before the actual performance of safety-sensitive functions for the first time. This pre-employment testing will also be required when employees transfer to a safety-sensitive position.
- b) **Random drug and/or alcohol testing** which will be conducted on an unannounced basis.
- c) **Reasonable suspicion drug and/or alcohol testing** which will be conducted when reasonable suspicion exists that a driver has engaged in prohibited use of drugs and/or alcohol. The required observation for reasonable suspicion drug and/or alcohol testing must be made by a supervisor or official who has been trained in accordance with federal law and regulation.
- d) **Post-accident drug and/or alcohol testing** which will be conducted as soon as practicable following certain occurrences involving a CMV operating on a public road.
- e) **Return-to-duty drug and/or alcohol testing** which will be conducted on a driver who has engaged in prohibited drug and/or alcohol conduct before the driver returns to perform a safety-sensitive function.

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SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (Cont'd.)

- f) **Follow-up drug and/or alcohol testing** which will be conducted on a driver who has engaged in prohibited drug and/or alcohol conduct and has returned to performing a safety-sensitive function. This testing will be conducted on an unannounced basis in accordance with a written follow-up testing plan developed by a substance abuse professional (SAP).

All procedures used to test for the presence of drugs and/or alcohol will conform to the requirements outlined in federal law and regulation for protecting the driver and the integrity of the testing process, safeguarding the validity of the test results, and ensuring that all test results are attributed to the correct driver.

Under New York State law and regulation, all school bus drivers are subject to pre-employment and random drug and alcohol testing in accordance with the provisions and requirements of federal regulations, regardless of CDL endorsement. Every school bus driver will be included in the random testing pool and must submit to testing when selected.

Prohibitions and Consequences for School Bus Drivers

Under federal law and regulation, individuals who operate a CMV designed to transport 16 or more occupants (including the driver) and are subject to CDL requirements established by the United States Department of Transportation are prohibited from:

- a) Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater. If testing shows an alcohol concentration of 0.02 or greater but less than 0.04, the employee must be removed from performing safety-sensitive functions for not less than 24 hours, but no punitive action will be taken by the employer;
- b) Using alcohol while performing safety-sensitive functions;
- c) Performing safety-sensitive functions within four hours after using alcohol;
- d) When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first;
- e) Refusing to submit to a drug or alcohol test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements;
- f) Refusing to submit to a pre-employment drug test;

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SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (Cont'd.)

- g) Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the driver uses any drugs, as defined by federal law and regulation. This prohibition does not apply when the use is pursuant to the instructions of a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance will not adversely affect the driver's ability to safely operate a CMV; or
- h) Reporting for duty, remaining on duty, or performing a safety-sensitive function, if the driver tests positive for drugs.

Additionally, under New York State law, all school bus drivers are prohibited from:

- a) Consuming a drug or intoxicating liquor, regardless of its alcoholic content, or be under the influence of a drug or intoxicating liquor, within six hours before going on duty or operating, or having physical control of a bus;
- b) Consuming a drug or intoxicating liquor, regardless of its alcoholic content while on duty, or operating, or in physical control of a bus; or
- c) Possessing a drug or intoxicating liquor, regardless of its alcoholic content while on duty, operating or in physical control of a bus. However, this paragraph does not apply to the possession of a drug or intoxicating liquor which is transported as part of a shipment or personal effects of a passenger or to alcoholic beverages which are in sealed containers.

It is the employer's responsibility to ensure that no school bus driver:

- a) Violates any of the above listed provisions of New York State law; or
- b) Be on duty or operate a school bus if, by a person's general appearance or by a person's conduct or by other substantiating evidence, a person appears to have consumed a drug or intoxicating liquor within the preceding eight hours.

Any violation of this policy, District procedures, and/or applicable federal and state law and regulation by a school bus driver will be grounds for disciplinary action and penalties including, but not limited to, fines, suspension, and/or discharge in accordance with the District's and/or the vendors' or contract bus companies' policies, collective bargaining agreements, and applicable law.

Drivers who are found to have engaged in prohibited conduct under federal law and regulation will be removed immediately from safety-sensitive functions and will not be allowed to return to perform safety-sensitive functions until they:

- a) Are evaluated by a SAP;

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SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (Cont'd.)

- b) Complete any requirements for rehabilitation as set by the employer and the SAP; and
- c) Pass a return-to-duty test with the result below 0.02 if the conduct involved alcohol, or a drug test with a verified negative result if the conduct involved drug use.

The Drug and Alcohol Clearinghouse

The Drug and Alcohol Clearinghouse ("Clearinghouse") is a secure online database that provides real-time information about CDL and commercial learner's permit holder's drug and alcohol program violations. The District will comply with all federal law and regulation regarding the Clearinghouse.

In accordance with 49 CFR Part 382, the following personal information will be collected, maintained, and reported to the Clearinghouse:

- a) A verified positive, adulterated, or substituted drug test result;
- b) An alcohol confirmation test with a concentration of 0.04 or higher;
- c) A refusal to submit to any required test;
- d) An employer's report of actual knowledge of:
 - 1. On duty alcohol use;
 - 2. Pre-duty alcohol use;
 - 3. Alcohol use following an accident; and
 - 4. Drug use;
- e) A SAP's report of the successful completion of the return-to-duty process;
- f) A negative return-to-duty test; and
- g) An employer's report of completion of follow-up testing.

Employee Notification

The Superintendent or designee will ensure that each school bus driver receives a copy of educational materials that explain the requirements of drug and alcohol testing law and regulation and any policies, regulations, and/or procedures developed by the District with respect to meeting those requirements. The Superintendent or designee will ensure that a copy of these materials is distributed to

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SUBJECT: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS (Cont'd.)

each school bus driver, who will sign for receipt of all of the above documents, as well as other appropriate personnel, prior to the start of any drug and/or alcohol testing as well as at the beginning of each school year or at the time of hire for any school bus driver. Representatives of applicable collective bargaining units will be notified of the availability of this information.

The Superintendent or designee will further ensure that each school bus driver receives educational materials concerning: the effects of drug and alcohol use on an individual's health, work, and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a co-worker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to any employee assistance program, and/or referral to management.

The Superintendent or designee will arrange for training of all supervisors who may be utilized to determine whether reasonable suspicion exists to test a driver for prohibited conduct involving drugs and/or alcohol.

Records Management and Retention

Employee records relating to drug and/or alcohol testing, as well as to substance abuse and/or alcohol prevention programs, will be maintained in accordance with law and regulation. All employee drug and/or alcohol testing will be kept confidential and will only be revealed as required or authorized by law or regulation.

49 USC Sections 31136 and 31306
49 CFR Parts 40, 382, and 383
Vehicle and Traffic Law Sections 142, 509-g, 509-1

SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS

The District recognizes the need to promote the health and safety of District students and staff and to protect the environment from harmful emissions found in bus and vehicle exhaust. The District will ensure that each driver of a school bus or other vehicle owned, leased, or contracted for by the District turns off the engine of the bus or vehicle while waiting for passengers to load or off load on school grounds, or while the vehicle is parked or standing on school grounds or in front of or adjacent to any school. Rather than waiting for all buses to arrive before loading or unloading, individual buses will be promptly loaded and unloaded to minimize idling.

Exceptions

Unless otherwise required by state or local law, the idling of a school bus or vehicle engine may be permitted to the extent necessary to achieve the following purposes:

- a) For mechanical work;
- b) To maintain an appropriate temperature for passenger comfort and/or safety; or
- c) In emergency evacuations and/or where necessary to operate wheelchair lifts.

Private Vendor Transportation Contracts

All contracts for pupil transportation services between the District and a private vendor will include a provision requiring the vendor's compliance with the provisions of reducing idling in accordance with Commissioner's regulations.

Education Law Section 3637
Vehicle and Traffic Law Section 142
8 NYCRR Section 156.3

SUBJECT: DISTRICT OPERATIONS DURING THE COVID-19 PANDEMIC

The Board of Education is mindful of the need for the District to be prepared for and responsive to evolving changes in its regular operations as a result of the COVID-19 pandemic. In doing so, the Board of Education recognizes its responsibility to adhere to the applicable executive orders of the Governor of the State of New York and directives and guidance issued by federal, state and local agencies, primarily the New York Department of Health (DOH), the New York State Education Department (NYSED) and the Monroe County Department of Public Health (MCDPH).

In accordance with this Policy, the Board of Education hereby directs the Superintendent or designee to develop such operational protocols as are necessary pursuant to governmental directives including, but not limited to, facial coverings, social distancing, employee travel/quarantine, health screening, emergency drills, facility cleaning and disinfecting, and District response to positive COVID tests, and to update such protocols as necessary. Individuals who repeatedly fail, refuse, to comply with such protocols may be subject to disciplinary consequences under the *Code of Conduct*, relevant collective bargaining agreement, or state law as appropriate.

To the extent that any Board of Education policy or administrative regulation/procedure/protocol previously adopted by the Board conflicts with current or future federal, state, or local law, regulation, executive order, and/or state or federal guidance released and applicable to District operations during the COVID-19 Pandemic, it is temporarily suspended until further action of the Board of Education.