

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026

1310

By-Laws

1 of 2

SUBJECT: POWERS AND DUTIES OF THE BOARD

As a Central School District, the Board shall have powers and duties as set forth in New York State Education Law, principally Articles 33, 35, and 37, and other applicable Federal and State laws and regulations. In general, the Board shall have in all respects the superintendence, management and control of the educational affairs of the District and shall have all the powers necessary to exercise these powers expressly granted to it by the laws of New York State and the Commissioner of Education. The following sets forth a few of the Board's basic responsibilities, and is in no way intended to limit the scope of its powers or duties provided under all applicable laws, rules and regulations:

- 1) Developing a philosophy of education and providing citizen leadership in determining the goals which public education in their community should strive to attain.
- 2) Determining policies which will assist in developing and improving the curriculum in furtherance of the philosophy and goals of the District.
- 3) Selection of a Superintendent who is competent to manage the District school system through the development and implementation of a realistic, comprehensive, strategic plan.
- 4) Evaluating the educational program of the schools as a continuing process.
- 5) Developing sound written policies as guidelines to action and decision.
- 6) Establishing conditions which will attract and retain an excellent professional staff.
- 7) Providing adequate financing for present needs and future plans of the total program.
- 8) Providing good physical facilities and equipment for carrying on the educational program.
- 9) Maintaining a program of public information for community understanding of the school's program and policies.
- 10) Providing necessary student services.
- 11) Engaging in self-improvement programs and activities for the purpose of rendering better Board service.

Although each of the foregoing responsibilities belongs ultimately to the Board, their definition and fulfillment requires the widespread cooperation of administrators, teachers and lay citizens if they are to represent an expression of community wishes, as well as a reflection of professional expertise, wisdom, experience, and research.

Continued

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026 1310

By-Laws 2 of 2

SUBJECT: POWERS AND DUTIES OF THE BOARD

General Duties and Responsibilities

The Board has general responsibilities to establish policies for the District, to employ a Superintendent to carry out its policies, to establish District goals, to evaluate the District's progress and in all instances, to balance the educational needs of the students with the interests and concerns of the public.

The Board acts as a body and individual members have no authority outside of a legal Board meeting.

Specific Duties and Responsibilities

Board Operations:

1. Establish policies for the operation of the District;
2. Establish the by-laws of the Board;
3. Provide guidelines for budget development and to approve the annual budget of the District;
4. In matters of administration, to act upon the recommendations of the Superintendent of Schools;
5. Be familiar with agenda and informational materials provided in the Board packet;
6. Request information from the Superintendent as needed;
7. Support Board decisions as a member of the Board team, even when representing a dissenting opinion;
8. Listen to residents, students and staff and then make decisions in the best interest of students and the District.

NOTE: Refer also to Policy # 6540 - Defense and Indemnification of Board Members and Employees

Education Law Sections 1709 and 1804

Adoption Date: 05/26/2026
05/24/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026

1311

By-Laws

SUBJECT: PRINCIPLES FOR SCHOOL BOARD MEMBERS

A Board member, operating under the highest ethical standards, should:

- a) Assure the opportunity for high quality education for every student;
- b) Observe state and federal laws and regulations pertaining to education;
- c) Accept office as a Board member as a means of unselfish service;
- d) Take official actions only in public sessions, unless otherwise authorized by law;
- e) Represent the entire community without fear or favor;
- f) Remember at all times the Board member is one of an educational team;
- g) Maintain confidentiality of privileged information;
- h) Recognize that the strength of a School Board is as a board, not as individuals;
- i) Delegate authority to the Superintendent as the Board's Chief Executive Officer and confine Board action to policy making;
- j) Employ only competent trained personnel;
- k) Preserve the obligation of having controversial issues presented fairly and without bias;
- l) Instill respect toward our Country and to each other.

New York State School Boards Association

Adoption Date: 05/26/2006 1320
05/24/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026

1320

By-Laws

SUBJECT: NOMINATION AND ELECTION OF BOARD OFFICERS AND DUTIES OF THE PRESIDENT AND VICE-PRESIDENT

Officers of the Board of Education shall be nominated and elected by the simple majority of the Board at its Annual Organizational Meeting for a term of one (1) year. They will take their oath as officers at this meeting along with newly elected members.

The elected officers of the Board of Education are:

- a) President;
- b) Vice-President.

Duties of the President of the Board of Education

- a) Presides at all meetings of the Board;
- b) Calls special meetings as necessary or on request;
- c) Appoints members to all committees of the Board;
- d) Serves ex-officio as a member of all committees;
- e) Executes documents on behalf of the Board;
- f) Performs the usual and ordinary duties of the office;
- g) Shall be the spokesperson for the Board of Education.

Duties of the Vice President of the Board of Education

The Board of Education may, in its discretion, elect one (1) of its members Vice President who shall have the power to exercise the duties of the President in case of the absence or disability of the President. In case of vacancy in the office of the President, the Vice President shall act as President until a President is elected.

Education Law Section 1701 AND 2102

Adoption Date: 05/26/2026
 05/24/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026 1330

Bylaws 1 of 2

SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD

Appointments

The Board is authorized to appoint individuals to positions which will facilitate the meeting of its responsibilities to the State, the District, and the community. These appointments usually take place at the Annual Organizational Meeting.

The following will be appointed annually:

- a) District Clerk;
- b) District Treasurer;
- c) Deputy Treasurer;
- d) Tax Collector and Deputies;
- e) External (Independent) Auditor;
- f) Central Treasurer, Extraclassroom Activities Account;
- g) Faculty Auditor, Extraclassroom Activities Account;
- h) Audit Committee.

The following must be appointed but need not be reappointed annually:

- a) Census Enumerator and assistants if District conducts census;
- b) School Physician;
- c) Supervisors of Attendance;
- d) Committee on Special Education and Committee on Preschool Special Education;
- e) Records Access Officer;
- f) Records Management Officer;
- g) Asbestos Hazard Emergency Response Act (AHERA) Local Educational Agency (LEA) designee;
- h) Civil Rights Compliance Officer(s) (coordinates the District's efforts to comply with civil rights laws such as Title VI, Section 504, the Americans with Disabilities Act, and the Age Discrimination Act);
- i) Title IX Coordinator(s) (coordinates the District's efforts to comply with Title IX; when appointing, District must "designate and authorize" the Title IX Coordinator(s));
- j) Liaison for Homeless Children and Youth (McKinney-Vento Liaison);
- k) Chemical Hygiene Officer;
- l) Dignity Act Coordinator (one in each building);
- m) Chief Emergency Officer.

The following may also be appointed:

- a) School Attorney;
- b) Claims Auditor/Deputy Claims Auditor;
- c) Internal Auditor;
- d) Insurance Advisor;
- e) Copyright Officer.

Continued

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026

1330

Bylaws

2 of 2

SUBJECT: APPOINTMENTS AND DESIGNATIONS BY THE BOARD

Designations

The following designations will be made by the Board at the Annual Organizational Meeting in July:

- a) Petty Cash Fund(s);
- b) Official Newspaper(s);
- c) Official Bank Depositories;
- d) Official Bank Signatories;
- e) Purchasing Agent;
- f) Certifier of Payrolls;
- g) Designated Educational Official (DEO) to receive court notification regarding a student's sentence/adjudication in certain criminal cases and juvenile delinquency proceedings;
- h) School Pesticide Representative;
- i) Reviewing Official, Hearing Official, and Verification Official for participation in the federal Child Nutrition Program (the Hearing Official may not be the same person as the Reviewing and/or Verification Official).

Authorizations

The following authorizations will be made by the Board at the Annual Organizational meeting in July:

- a) Approval of attendance at conferences, conventions, workshops, and the like;
- b) Superintendent to approve budget transfers within limits prescribed by Commissioner's regulation Section 170.2 and Board guidelines;
- c) Superintendent to apply for Grants in Aid (State and Federal) as appropriate;
- d) Establish mileage reimbursement rate;
- e) Other(s) as deemed appropriate/necessary.

McKinney-Vento Homeless Education Assistance Act, § 722, as reauthorized by the Every Student Succeeds Act (ESSA) of 2015
29 CFR § 1910.1450
Education Law §§ 305(31), 1709, and 2503
8 NYCRR Part 185
21 NYCRR Parts 1401, 9760

Adoption Date: 05/26/2026
05/24/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026 1331

2026

1311

By-Laws

SUBJECT: DUTIES OF THE DISTRICT CLERK

The Clerk of the Board will be appointed by the Board at its Annual Organizational Meeting and will serve for a period of one (1) year. The duties and responsibilities of the District Clerk include the following:

- a) Attends all meetings of the Board and keeps a record of its proceedings and records, by name, those in attendance;
- b) Prepares minutes of the meetings of the Board, obtains approval of the minutes by the Board at the next meeting, signs the minutes to signify their official standing and forwards copies of the minutes to each member of the Board of Education;
- c) Sends notices of special meetings to members of the Board; contacts and communicates with members as required;
- d) Sees that the proper legal notices and announcements are published on all specifications and items out on bid, in accordance with state law;
- e) Maintains up-to-date record of Board policies and by-laws;
- f) Delivers to, and collects from, the President (or Vice President) such papers for signature as may be necessary;
- g) Distributes notices to the public announcing availability of copies of the budget to be presented at the Annual District Meeting in compliance with the requirements of the State Education Law;
- h) Administers oaths of office, as required by Public Officers Law § 10;
- i) Gives written notice of appointment to persons appointed as inspectors of the election;
- j) Calls all meetings to order in the absence of the President and Vice President;
- k) Assumes other duties customary to the office.

The above duties of the District Clerk are not intended to be complete but should serve as a comprehensive guide in undertaking the duties of this office. The District Clerk shall perform such other duties as may be assigned from time to time by the Board.

Education Law Section 2121
Public Officers Law Section 104

Adoption Date: 05/26/2026
05/24/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026

1332

By-Laws

SUBJECT: DUTIES OF THE SCHOOL DISTRICT TREASURER

The Treasurer is appointed by the Board at the Annual Organizational Meeting and will be covered by a blanket bond. In addition to the routine duties of accounting, filing, posting and preparing reports and statements concerning District finances, the District Treasurer shall perform other specific tasks as follows:

- a) Acts as custodian of all moneys belonging to the District and lawfully deposits these moneys in the depositories designated by the Board;
- b) Pays all authorized obligations of the District as directed, including payments of bond principal and interest;
- c) Maintains proper records and files of all checks, and approved payment of bills and salaries;
- d) Makes all such entries and posts to all such financial ledgers, records and reports, including bond and note registers, as may be properly required to afford the District an acceptable and comprehensive financial accounting of the use of its moneys and financial transactions;
- e) Signs all checks drawn on District fund accounts provided that the District's Claims Auditor has attested to the authority to issue the check based upon proper evidence of a charge against the District's funds;
- f) Safeguards either their electronic signature and/or the check-signing machine and signature plate, personally overseeing all preparation of checks;
- g) Assumes other duties customary to the office.

Education Law Sections 2122, 2130 and 2523

Local Finance Law Sections 163 and 165

8 NYCRR Sections 170.2(g), 170.2(o) and 170.2(p)

9 NYCRR Section 540.4

Adoption Date: 05/26/2026
05/24/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026

1333

By-Laws

SUBJECT: DUTIES OF THE TAX COLLECTOR

The Tax Collector is appointed annually by the Board and shall be covered by a bond. It shall be the responsibility of the District Tax Collector to perform the following duties:

- a) Prepares and mails tax notices;
- b) Uses suitable printed tax receipt forms as prescribed by the State Tax Commission;
- c) Collects taxes in the amount of the warrant, upon the issuance of the tax warrant by the Board of Education and penalty fees in accordance with the terms of such warrant;
- d) Turns over daily to the District Treasurer all money collected by virtue of any tax list and warrant issued;
- e) Submits a report, certified by them to the Board, showing the amount of taxes and fees collected along with unpaid listing. The combination of taxes collected and uncollected shall equal the amount of the warrant;
- f) Turns over to the County Treasurer, prior to November 15, a list of unpaid taxes;
- g) Carries out such other duties of the position as prescribed in Education Law, Real Property Tax Law, or as established by the Regulations of the Commissioner of Education.

The position of Tax Collector is a part time position, payable by stipend, the amount of which shall be determined annually at the District's Organizational Meeting.

Education Law Sections 2126, 2130 and 2506
Real Property Tax Law Sections 922, 924, 1322, 1330 and 1338
8 New York Code of Rules and Regulations (NYCRR) Section 170.2

Adoption Date: 05/26/2026
05/24/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026

1334

By-Laws

SUBJECT: DUTIES OF THE EXTERNAL (INDEPENDENT) AUDITOR

The responsibility for engaging a qualified and competent Certified Public Accountant (CPA) or Public Accountant (PA) to perform the annual audit of the District's financial statements resides with the Board. State laws and regulations require that the annual audit be "accepted" by a resolution of the Board. This resolution along with the audit report must be filed with State Education Department (SED) in a timely manner. In addition, the independence and objectivity of the auditor may be enhanced when the Board and Audit Committee perform an oversight role with respect to the hiring and performance of the auditor, as required by law.

The independent auditor must conduct the audit in accordance with Generally Accepted Government Auditing Standards (GAGAS) issued by the Comptroller General of the United States. Standards of GAGAS are organized as general, fieldwork, and reporting.

Below are some important considerations the District shall expect of the auditor in preparing the audit; however, they should not be considered all-inclusive or a substitute for the auditor's professional judgment.

- a) Independence: The auditor must document that he/she is independent of the District and free of personal and external impairments. The auditor must establish an internal quality control system to identify any personal and external impairment and assure compliance with GAGAS independence requirements.
- b) Internal Quality Control System: The auditor must document that their internal quality control processes adequately demonstrate compliance with government auditing standards. They must establish an organizational structure, policies and procedures to provide reasonable assurance of complying with applicable standards governing audits.
- c) Internal Controls: The auditor must obtain a sufficient understanding of the District's internal controls and document such understanding covering the five interrelated components: the control environment, risk assessment, control activities, information and communication, and monitoring.
- d) Planning and Supervision: The auditor's work is to be properly planned and supervised and consider materiality in order to provide reasonable assurance of detecting misstatements resulting from direct and material illegal acts and material irregularities to financial statements. The auditor should also be aware of the possibility that indirect illegal acts may have occurred.
- e) Audit documentation: In order to meet the GAGAS requirements, the audit documentation should provide a clear understanding of its purpose, the source, and the conclusions the auditor reached. It should be organized to provide a clear link to the findings, conclusions, and recommendations contained in the audit report.
- f) Reporting on Internal Controls and Compliance: The auditor must report on and present the results of their testing of the District's compliance with laws and regulations and its internal controls over financial reports in light of irregularities, illegal acts, other material noncompliance, significant deficiencies, and material weaknesses in internal controls.

Generally Accepted Government Auditing Standards (GAGAS) Sections 3.50-3.54, 4.03, 4.19-4.24, and 5.07-5.20
Education Law Section 2116-a;

8 New York Code of Rules and Regulations (NYCRR) Sections 170.2, 170.3 and 170.12

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06/21/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026

1335

By-Laws

1 of 2

SUBJECT: APPOINTMENT AND DUTIES OF THE CLAIMS AUDITOR

The Board may adopt a resolution establishing the appointment of a Claims Auditor who shall hold the position subject to the pleasure of the Board and report directly to the Board on the results of audits of claims. The Board may require that the Claims Auditor report to the Clerk of the District or the Board, or to the Superintendent for administrative matters such as workspace, time and attendance.

School Boards may, at their discretion, adopt a resolution establishing the office of Deputy Claims Auditor to act as the Claims Auditor in the absence of the Claims Auditor. A Board may, by resolution, abolish the position of Deputy Claims Auditor at any time. The same eligibility requirements/qualifications that apply to a Claims Auditor apply to the Deputy Claims Auditor.

Qualifications

The Claims Auditor must have the necessary knowledge and skills to effectively audit claims including experience with purchasing, bidding and claims. The Claims Auditor must be bonded prior to assuming their duties.

No person shall be eligible for appointment to the office of Claims Auditor who shall be:

- a) A member of the Board;
- b) The Clerk or Treasurer of the Board;
- c) The Superintendent or official of the District responsible for business management;
- d) The Purchasing Agent;
- e) Clerical or professional personnel directly involved in accounting and purchasing functions of the District or under the direct supervision of the Superintendent;
- f) The individual or entity responsible for the internal audit function (the Internal Auditor);
- g) The External (Independent) Auditor responsible for the external audit of the financial statements;
- h) A close or immediate family member of an employee, officer, or contractor providing services to the District. A "close family member" is defined as a parent, sibling or nondependent child; an "immediate family member" is a spouse, spouse equivalent, or dependent (whether or not related).

The Claims Auditor is not required to be a resident of the District and shall be classified in the civil service exempt class.

Continued

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026 1335

By-Laws 2 of 2

SUBJECT: APPOINTMENT AND DUTIES OF THE CLAIMS AUDITOR

The Board may delegate this claims audit function by using inter-municipal cooperative agreements, shared services through a Board of Cooperative Educational Services, or independent contractors, providing that the individual or organization serving as independent contractor meets the following standards for independence between the Claims Auditor and the District:

- a) Has no other responsibilities related to the business operations of the District;
- b) Has no interest in any other contracts with, and does not provide any goods or services to, the District; and
- c) Is not a close or immediate family member of anyone who has responsibilities related to business operations of the District, or has an interest in any other contracts with the District. A "close family member" is defined as a parent, sibling or nondependent child; an "immediate family member" is a spouse, spouse equivalent, or dependent (whether or not related).

If the District delegates the claims audit function using an inter-municipal cooperative agreement, shared service or an independent contractor, the Board remains responsible for auditing all claims for services from the entity providing the delegated Claims Auditor, either directly or through a delegation to a different independent entity.

Valid claims against the District shall be paid by the Treasurer only upon the approval of the Claims Auditor. The Claims Auditor shall certify that each claim listed on the warrant was audited and payment was authorized. He/she shall:

- a) Examine all claim forms with respect to the availability of funds within the appropriate codes and adequacy of evidence to support the District's expenditure;
- b) Meet such other requirements as may be established by the Regulations of the Commissioner of Education and/or the Comptroller of the State of New York.

Education Law Sections 1604(35), 1709(20-a), 2526 and 2554(2)
8 New York Code of Rules and Regulations (NYCRR)Section 170.12(c)

Adoption Date: 05/26/2026
06/21/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026

1336

Bylaws

SUBJECT: DUTIES OF THE EXTRACLASSROOM ACTIVITY FUND CENTRAL TREASURERS

Extraclassroom Activity (ECA) Central Treasurers

The ECA Central Treasurers are appointed by the Board and has custody of all ECA funds. The ECA Central Treasurers' duties include, but are not limited to:

- a) Disbursing ECA funds by means of prenumbered check forms upon receipt of a payment order signed by the student activity treasurer and faculty advisor of the ECA, provided that there are sufficient funds in the account;
- b) Signing all checks disbursing ECA funds;
- c) Providing completed checks disbursing ECA funds to the student activity treasurer of the ECA;
- d) Signing a receipt for all ECA funds placed into their custody and depositing those funds promptly into a bank designated by the Board;
- e) Maintaining a record of the receipts and disbursements of each individual ECA account and of all the ECA accounts combined;
- f) Verifying bank statements and preparing a reconciliation of cash balances and ECA accounts to be forwarded to the Faculty Auditor monthly;
- g) Submitting to the Board a financial report relating to the receipts and expenditures for all ECA accounts on a quarterly basis; and
- h) Reporting to the Board or its designee regularly and independently of the Faculty Auditor.

8 NYCRR Part 172

NYSED Finance Pamphlet, The Safeguarding, Accounting,
and Auditing of Extraclassroom Activity Funds, Revised 2019

NOTE: Refer also to Policy: #5520 Extra Classroom Activity Fund

Adoption Date: 05/26/2026
06/21/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026 1337

By-Laws 1 of 2

SUBJECT: DUTIES OF THE SCHOOL ATTORNEY

Qualifications

- a) Must be admitted to practice before the Courts of the State of New York.
- b) Must be cognizant of Education Law, Civil Service Law, the New York Commissioner of Education's regulations and other legal matters pertinent to the legal operation of the Lewiston-Porter District.

General Duties and Responsibilities

The Board of Education may appoint one or more attorneys as legal counsel to the School District. A School Attorney shall perform as directed by the Board of Education and/or the Superintendent of Schools in the areas of routine legal services of a public School District, counseling to the Board of Education and the Superintendent, legal preparation as regards litigation, collective bargaining, labor relations and other matters as so directed.

School Attorneys are selected on the basis of their professional qualifications. The Board of Education prohibits discrimination in employment in accordance with all applicable federal and state laws and regulations. The Board of Education may conduct an annual performance review with its attorney(s) in order to enhance communications and to maintain the highest level of legal services for the School District. Compensation for the school attorney and special counsel shall be negotiated annually for each in the Board's employ.

Specific Duties and Responsibilities

- a) Prepares and conducts litigation and legal hearings, including those related to negotiated master agreements, as directed by the Superintendent of Schools or as authorized by the Board of Education. Performs all matters related thereto on behalf of the School District, including, but not limited to, the preparation of all pleadings, trial and hearings at the level of original jurisdiction or on appeal, and all other court or hearing appearances in order to represent most effectively the interests of the Lewiston-Porter Central School.
- b) Prepares and renders legal opinions and advice upon request of the Board of Education or the Superintendent of Schools.
- c) Attends and provides legal advice at meetings of the Board of Education and such other meetings as the Board of Education or the Superintendent of Schools might direct.
- d) Prepares, with the Board Clerk, all documents incident to the noticing, calling and conducting of the annual school election, school tax rate elections and school bond elections.
- e) Provides legal assistance in the drafting of bids, contracts and other legal documents, rules and regulations, resolutions, applications of diverse kinds and all other legal or quasi-legal papers upon request of the Board of Education or the Superintendent of Schools.
- f) Provides assistance in the drafting of legislation proposed by the Lewiston-Porter Central School for presentation to local municipal and State legislative bodies.
- g) Advises the Board on legislation in existence or being proposed, and interprets to the Board and the Superintendent the impact of such legislation on the interests of the Lewiston-Porter Central School.

Continued

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026 1337

By-Laws 2 of 2

SUBJECT: DUTIES OF THE SCHOOL ATTORNEY

- h) Conducts official legal correspondence for the Board and the Superintendent, and responds to informational inquiries from members of the Board, the Superintendent and the Superintendent's designee.
- i) Maintains files on Board policy, rules and regulations, and master agreements with employee groups, and assists in the legal interpretation of these documents when so directed by the Board or the Superintendent.
- j) Performs other duties as assigned by the Board and/or the Superintendent.

Adoption Date: 05/26/2026
06/21/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026

1338

By-Laws

SUBJECT: DUTIES OF THE SCHOOL PHYSICIAN/NURSE PRACTITIONER

The school physician/nurse practitioner shall be appointed by the Board. The duties of the school physician/nurse practitioner shall include, but are not limited to, the following:

- a) Performs professional medical services in the examination and care of school children;
- b) Performs routine examinations of school children to detect the presence of contagious diseases and physical defects;
- c) Serves as an on call member on the Committee on Special Education;
- d) Reports to the Board on school health services;
- e) e) Coordinates scheduling for physical examinations to all students participating in interscholastic athletics;
- f) Provides final medical clearance for a return to extra class athletic activities for all students who have or are believed to have sustained a mild traumatic brain injury (concussion);
- g) Develops the program of health service in accordance with policies approved by the Board and as directed by the Superintendent of Schools;
- h) Conducts physical exams for all bus drivers and substitutes prior to employment and annually thereafter;
- i) Conducts physical exams for all new employees (instructional and non-instructional);
- j) Conducts a medical evaluation on any employee at the request of the Board of Education.

8 NYCRR Section 136.5
Education Law Sections 902, 913 and 6902

Adoption Date: 05/26/2026
06/21/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026

1339

By-Laws

SUBJECT: DUTIES OF THE INTERNAL AUDITOR

The Internal Auditor reports directly to the Board.

The District may use its employees, inter-municipal cooperative agreements, shared services to the extent authorized by Education Law Section 1950, or independent contractors as the person/entity serving as Internal Auditor. The person or entity serving as Internal Auditor must follow generally accepted auditing standards, be independent of District business operations, and have the requisite knowledge and skills to complete the work.

The Internal Auditor is responsible for performing the internal audit function for the Board of Education which includes at a minimum:

- a) Development of a risk assessment of District operations, including but not limited to, a review of financial policies, procedures and practices;
- b) An annual review and update of such risk assessment;
- c) Annual testing and evaluation of one or more areas of the District's internal controls, taking into account risk, control weakness, size, and complexity of operations;
- d) Preparation of reports, at least annually or more frequently as the Board may direct, which:
 - 1. Analyze significant risk assessment findings;
 - 2. Recommend changes for strengthening controls and reducing identified risks; and
 - 3. Specify timeframes for implementation of such recommendations.

The position of Internal Auditor is a part time position, payable by stipend, the amount of which shall be determined annually at the District's Organizational Meeting.

Education Law Sections 1950, 2116-b and 2116-c
8 New York Code of Rules and Regulations (NYCRR) Section 170.12(d)

NOTE: Refer also to Policy #5573 - Internal Audit Function

Adoption Date: 05/26/2026
06/21/2021

SUBJECT: WELLNESS

The District is committed to providing a school environment that promotes and protects students' health, well-being, and ability to learn, by fostering healthy eating and physical activity before, during, and after the school day. This wellness policy outlines the District's approach to ensuring that there are opportunities for all students and personnel to practice healthy eating and physical activity behaviors throughout the school day. The District will work to ensure that all students and personnel across the District have equitable access to health and wellness efforts. This wellness policy applies to all students, personnel, and schools in the District.

Definitions

For the purpose of this wellness policy:

- a) "School campus" means all areas of property under the jurisdiction of the District that are accessible to students during the school day.
- b) "School day" means the period from the midnight before, to 30 minutes after the end of the official school day.

GovernanceDistrict Wellness Committee

The District has established a wellness committee that meets at least twice per year to oversee and establish goals for school health and safety policies and programs, including the development, implementation, and periodic review and update of this District-level wellness policy. The District Wellness Committee will evaluate and make recommendations that reflect the specific needs of the District and its students.

The District will actively seek members for the District Wellness Committee through the use of email, newsletters, the District's website, the District's social media page(s), and/or advertisements.

The District Wellness Committee membership will represent all school levels, and include (to the extent possible), but not be limited to, representatives from the following groups:

- a) Parents and caregivers, including leaders from different parent organizations;
- b) Students;
- c) Physical Education teachers;
- d) School health professionals;
- e) Specialized instructional support personnel such as school counselors, psychologists, or social workers;
- f) District food service program representatives;
- g) School Board;
- h) Community health professionals such as dietitians, doctors, nurses, or dentists;
- i) School administrators;
- j) General Education teachers;
- k) Supplemental Nutrition Assistance Program Education (SNAP-ED) coordinators; and
- l) The general public.

Continued

SUBJECT: WELLNESSDistrict Wellness Leadership

The following District official is responsible for the implementation and oversight of this District-level wellness policy: Bradly Halgash, Director of Athletics, Physical Education, Health & Wellness/Assistant Middle School Principal

The contact information for this individual is: bhalgash@lew-port.com

This individual will be referred to as District Wellness Coordinator throughout this wellness policy.

The District Wellness Coordinator will convene the District Wellness Committee, facilitate the development of and updates to this wellness policy, and serve as a liaison with community agencies. The District Wellness Coordinator will also work to ensure each school's compliance with this wellness policy.

Building-Level Wellness Teams

The District encourages individual buildings within the District to establish an ongoing building-level wellness committee that supports the implementation of this policy and the efforts of the District Wellness Committee.

District Advisory Board

The District will establish an Advisory Board as required by 7 CFR Part 210.16(a) (8). The Advisory Board will function as a sub-committee of the Wellness Committee. It will be composed of parents, teachers, and students to assist the Food Service Management Company (FSMC) in menu planning. A representative of the FSMC will meet with the Advisory Board to review menus and confirm that meal standards outlined in the bid specifications are being met.

Wellness Policy Implementation, Monitoring, and Accountability

The District will develop and maintain an implementation plan to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions, and timelines specific to each school. It also includes specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education, and other school-based activities that promote student wellness. In developing these goals, the District will review and consider evidence-based strategies and techniques.

Triennial Assessments

At least once every three years, the District will assess its compliance with this wellness policy. The triennial assessment will measure the implementation of this wellness policy, and include an assessment of:

- a) The extent to which schools in the District are in compliance with this wellness policy;
- b) The extent to which this wellness policy compares to model local school wellness policies; and
- c) A description of the progress made in attaining the goals of this wellness policy.

Continued

SUBJECT: WELLNESS

The following District official is responsible for managing the District's triennial assessment: Bradly Halgash. The contact information for this individual is: bhalgash@lew-port.com

The District will notify the public of the availability of the triennial assessment results.

Updating the Policy

This wellness policy will be assessed and updated, at a minimum, every three years based on the results of the triennial assessment. This wellness policy may also be updated as: District priorities change; community needs change; wellness goals are met; new health science, information and technology emerge; and/or new federal or state guidance or standards are issued.

Evaluation and feedback from interested parties are welcomed as an essential part of revising and updating this wellness policy.

School Meals

All schools within the District participate in the following federal Child Nutrition Programs: *National School Lunch Program; School Breakfast Program; Child and Adult Care Food Program; Summer Food Service Program; Fresh Fruit and Vegetable Program; Special Milk Program*. All school meals will meet or exceed nutrition requirements established by local, state, and federal laws and regulations.

In addition:

a) **Meal Modifications**

School meals will be accessible to all students, and the District will accommodate special dietary needs and food allergies as required by law and regulation. This includes making meal modifications, including substitutions for lunches and after-school snacks, for students with a disability whose disability restricts their diet. Any meal modification requested must be related to the disability or limitations caused by the disability and will be offered at no additional cost to the student. The District will notify parents of the procedures for requesting meal modifications for students with disabilities and the process of procedural safeguards related to meal modifications for disabilities. Please refer to 5661P, Meal Modification Procedures and 5661F, Meal Modification Form for Special Dietary Accommodations and 5661F1, Discontinuation of Special Dietary Accommodations for Meal Modifications.

b) **Qualified Nutrition Professionals**

School meals will be administered by a team of qualified nutrition professionals who meet or exceed the hiring and annual continuing education/training requirements of the USDA Professional Standards for Child Nutrition Professionals.

c) **Unpaid Meal Charges**

The District is committed to ensuring 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. The District has established procedures to address unpaid meal charges throughout the District in a way that does not stigmatize, distress, or embarrass students.

Continued

SUBJECT: WELLNESS

The District also operates additional nutrition-related programs and activities, including: *Farm to Schools*; *Breakfast After the Bell*.

The District promotes student health and aims to reduce childhood obesity by:

- a) Promoting student participation in Child Nutrition Programs and working to ensure that families are aware of what programs are available in the District and how to access those programs;
- b) Ensuring all students have a scheduled lunch period and that they are served lunch at a reasonable and appropriate time of day;
- c) When applicable, serving breakfast to students using a variety of service models to increase participation, such as "grab and go" breakfast or breakfast served in the classrooms.
- d) Providing all students with adequate time to eat meals, meaning that, when applicable, students will be allowed at least ten minutes to eat breakfast and at least 20 minutes to eat lunch, counting from the time they have received their meal and are seated;
- e) Promoting healthy food and beverage choices;
- f) Offering a variety of foods and beverages that are appealing and attractive to students;
- g) Serving meals in clean and inviting settings;
- h) Having lunch follow the recess period to better support learning and healthy eating;
- i) Posting menus on the District website and including nutrient content and ingredients;
- j) When feasible, purchasing, promoting, and serving fresh fruits, vegetables, and other foods from local farmers; and
- k) Not serving food and beverages where natural sugar has been replaced with high-intensity sweeteners or non-nutritive sweeteners.

Child Nutrition Programs aim to improve the diet and health of students, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

District food service personnel will meet with students in grades 4 through 12 twice annually to solicit feedback on the school breakfast and/or school lunch program(s).

Water

To promote hydration, free, safe, unflavored drinking water will be available to all students and personnel throughout the school day and throughout every school campus. The District will make drinking water available where school meals are served during meal times.

Continued

SUBJECT: WELLNESS**Foods and Beverages Provided, But Not Sold, to Students During the School Day**

The District is committed to ensuring that all foods and beverages available to students on the school campus during the school day support healthy eating. The foods and beverages provided, but not sold, to students on the school campus during the school day (e.g., classroom parties, classroom snacks brought by parents, or other foods given as incentives) will *meet or exceed the USDA Smart Snack in School nutrition standards*.

Competitive Foods and Beverages

All competitive foods will meet, at a minimum, the USDA Smart Snacks in School nutrition standards. The Smart Snacks in School nutrition standards aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits.

Competitive foods include all food and beverages available for sale to students on the school campus during the school day other than meals offered through the Child Nutrition Programs. This includes, but is not limited to, a la carte options in cafeterias, vending machines, school stores, and snack or food carts.

Fundraising

The District requires that all foods and beverages available for sale to students through fundraisers on the school campus during the school day will meet, at a minimum, the USDA Smart Snacks in School nutrition standards. The District encourages the use of fundraisers that promote physical activity (e.g., walk-a-thons, Jump Rope for Heart or fun runs).

School fundraisers conducted outside of the school day will be strongly encouraged to sell only non-food items or foods and beverages that meet or exceed the USDA Smart Snacks in School nutrition standards.

The District will provide to any individual or group conducting a school fundraiser the USDA Smart Snacks in School nutrition standards, as well as a list of healthy fundraising ideas.

Foods and Beverages Available for Sale at Events Outside of the School Day

The District is committed to ensuring that all foods and beverages available to students support healthy eating. The foods and beverages that are available for sale at school-sponsored events outside of the school day will *meet or exceed the USDA Smart Snack in School nutrition standards*.

Continued

SUBJECT: WELLNESS

The District is aware that certain scoreboards, signs, and other durable equipment it employs may market foods and beverages in a way that is inconsistent with the aims of this wellness policy. While the immediate replacement of this equipment is not required, as the District replaces or updates this equipment over time, it will ensure its replacement and purchasing decisions reflect the marketing guidelines established by this wellness policy.

Nutrition Promotion and Education

Nutrition promotion and education positively influence lifelong eating behaviors. The District will model and encourage healthy eating by:

- a) Promoting healthy food and beverage choices for all students by using Smarter Lunchroom techniques which guide students toward healthful choices, as well as by ensuring that 100% of foods and beverages promoted to students meet the USDA Smart Snacks in School nutrition standards;
- b) Cultivating a school environment that promotes a healthy body image, shape, and size among students and personnel;
- c) Encouraging and promoting food purchases from local vendors and advertising local farmers markets to families;
- d) Promoting nutrition education activities that involve parents, students, and the community;
- e) Promoting school and community awareness of this wellness policy through various means, such as publication on the District website;
- f) Encouraging and promoting wellness through social media, newsletters, and an annual family wellness event;
- g) Ensuring that the marketing and advertising of foods and beverages on school campuses during the school day is consistent with nutrition education and health promotion;
- h) Integrating nutrition education within the comprehensive health education curriculum and other instructional areas, as appropriate, and taught at every grade level, K through 12. Nutrition education follows applicable New York State standards and is designed to help students acquire:
 1. Nutrition knowledge, including, but not limited to: the benefits of healthy eating; essential nutrients; nutritional deficiencies; principles of healthy weight management; the use and misuse of dietary supplements; and safe food storage, handling, and preparation; and
 2. Nutrition-related skills, including, but not limited to: planning healthy meals; understanding and using food labels; critically evaluating nutrition information, misinformation, and commercial food advertising; assessing personal eating habits; and setting and achieving goals related to these concepts;
- i) Providing families and teachers with a list of healthy party ideas, including non-food celebration ideas;
- j) Providing families with a list of classroom snacks and beverages that meet USDA Smart Snacks in School nutrition standards;
- k) Discouraging personnel from using food as a reward or withholding food as punishment under any circumstance – teachers and other appropriate school personnel will be provided with a list of alternative ways to reward students; and
- l) Encouraging District personnel to model healthy eating, drinking, and physical activity behaviors for students.

Continued

SUBJECT: WELLNESS**Physical Activity and Education**Physical Activity

Since physical activity affects students' emotional and physical well-being, as well as their cognitive development, the District is committed to ensuring that all students, including students with disabilities requiring adaptations or modifications, are provided the opportunity to participate in physical activity before, during, and after school. Physical activity opportunities will be in addition to, not in lieu of, physical education.

Recess, physical education, or other physical activity time will not be cancelled for instructional make-up time, nor will it be withheld for disciplinary action unless the student is a danger to themselves or others. This does not include participation on sport teams that may have specific academic requirements. Classroom teachers will be provided with a list of ideas for alternative ways to discipline students.

The District is committed to encouraging physical activity through the following:

- a) Classroom Physical Activity Breaks (Elementary and Secondary)
All classroom teachers, and particularly those engaged in the instruction of K through 5 students, are strongly encouraged to incorporate into the school day short breaks for students that include physical activity, especially after long periods of inactivity.
- b) Recess (Elementary)
All elementary students will be offered one daily period of recess for a minimum of 20 minutes. This requirement will not apply on days where students arrive late, leave early, or are otherwise on campus for less than a full day. Outdoor recess will be offered when weather permits. In the event that indoor recess is necessary, it will be offered in a place that accommodates moderate to vigorous physical activity.
- c) Active Academics
Teachers are encouraged to incorporate kinesthetic learning approaches into core learning subjects, when possible, to limit sedentary behavior during the school day.
- d) Before and After School Activities
The District will offer opportunities for all students to participate in physical activity before and/or after the school day through various methods, such as physical activity clubs, intramurals, and interscholastic sports.
- e) Active Transport
The District supports active transport to and from school, i.e., walking or biking through programs such as Safe Routes to School. The District will encourage this behavior by securing storage facilities for bicycles and equipment and instructing students on walking and bicycling safety. The District strongly encourages the use of appropriate protective wear, such as helmets.
- f) Family and Community Engagement
Parents and family members are encouraged to participate in evening or weekend events involving physical activity.

Continued

SUBJECT: WELLNESSPhysical Education

The District will have a Board-approved Physical Education Plan on file with the New York State Education Department that meets or exceeds the requirements set forth in the Commissioner's regulations. All students will be required to fulfill the physical education requirements set forth in the Commissioner's regulations as a condition of graduating from the District's schools.

The District recognizes the importance of physical education classes in providing students with meaningful opportunities for physical exercise and development. Consequently, the District will ensure that:

- a) All physical education classes are taught or supervised by a certified physical education teacher;
- b) All physical education personnel receive professional development relevant to physical education on an annual basis;
- c) Interscholastic sports, intramural sports, and recess do not serve as substitutes for a quality physical education program;
- d) Students are afforded the opportunity to participate in moderate to vigorous activity for at least 50% of physical education class time;
- e) It provides adequate space and equipment for physical education and conforms to all applicable safety standards;
- f) An age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education is implemented, with a focus on students' development of motor skills, movement forms, and health-related fitness;
- g) A physical and social environment is provided that encourages safe and enjoyable activity for all students; and
- h) Activities or equipment are adapted or modified to meet the needs of students who are temporarily or permanently unable to participate in the regular program of physical education. In doing so, the District will abide by specific provisions in 504 Plans and/or individualized education programs (IEP). To that end, the Committee on Special Education (CSE) will ensure that a certified physical education teacher participates in the development of a student's IEP, if the student may be eligible for adapted physical education.

Other School-Based Activities that Promote Student Wellness

The District is committed to establishing a school environment that is conducive to healthy eating and physical activity for all. The District will, therefore, pursue the following:

Community Partnerships

The District will develop, enhance, and continue relationships with community partners in support of the implementation of this wellness policy. Existing and new community partnerships will be evaluated to ensure they are consistent with this wellness policy and its goals. The District will provide all community partners with a copy of this wellness policy so that they are aware of the District's requirements and goals.

Continued

SUBJECT: WELLNESS**Community Access to District Facilities for Physical Activities**

School grounds and facilities will be made available to students, personnel, community members and organizations, and agencies offering physical activity and nutrition programs consistent with District policy. Subject to provisions regarding conduct on school grounds and administrative approval of use by outside organizations.

Professional Learning, Awareness, and Support

All school nutrition program directors, managers, and personnel will meet or exceed hiring and annual continuing education and training requirements as specified in the USDA Professional Standards for School Nutrition Professionals. In order to locate the training that best fits their learning needs, school nutrition personnel will refer to the USDA's Professional Standards for School Nutrition Standards website.

When feasible, the District will offer annual professional learning opportunities and resources for personnel to increase knowledge and skills about promoting healthy behaviors in the classroom (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help District personnel understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing District improvement plans/efforts.

Personnel Wellness

To promote a healthy and productive environment, the District will promote personnel wellness. Promoting personnel wellness can lead to enhanced productivity, reduced absenteeism, and lowered healthcare costs.

The District Wellness Committee, in collaboration with community partners, will promote wellness through various initiatives and activities tailored to enhance personnel well-being. The specific offerings may change annually, providing flexibility to adapt to new trends and needs.

District personnel, including teachers, often serve as important role models for student well-being. By focusing on personnel wellness, the District aims to create a positive ripple effect, benefiting both personnel and students.

Notification

The District is committed to being responsive to community input, which begins with an awareness of this wellness policy. On an annual basis, the District will make this wellness policy available to families and the public. The District will also annually inform families and the public, in culturally and linguistically appropriate ways, of its content and implementation status, as well as any updates to this wellness policy. The District will make this information available via the District website and/or District-wide communications. The District will use these same means to inform families and the public about the results of the triennial assessment. The results of the triennial assessment will be made available in an easily understood format.

Continued

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2026

5661

Non-Instructional/Business Operations 10 of 10

SUBJECT: WELLNESS

The District will endeavor to share as much information as possible about its schools' nutrition environment, including a summary of school events or activities relative to this wellness policy implementation. Each year, the District will also publicize the name and contact information of the District official leading and coordinating the District Wellness Committee, as well as information on how the community may get involved with the District Wellness Committee.

Recordkeeping

The District will retain records to document compliance with the requirements of this wellness policy in the District Office and/or on the District's central computer network. Documentation maintained at this location includes, but is not limited to:

- a) The written wellness policy;
- b) Documentation demonstrating that this wellness policy has been made available to the public;
- c) Documentation of efforts to review and update this wellness policy, including an indication of who is involved in the update and methods the District uses to make stakeholders aware of their ability to participate on the District Wellness Committee;
- d) Documentation demonstrating compliance with the annual public notification requirements;
- e) The most recent triennial assessment on the implementation of this wellness policy; and
- f) Documentation demonstrating that the most recent triennial assessment results have been made available to the public.

42 USC Sections 1758 and 1758b
7 CFR Sections 210.10, 210.11, 210.31, and 220.8
Education Law Section 915
8 NYCRR Section 135.4

NOTE: Refer also to Policy #5660 - Meal Charging and Prohibition Against Meal Shaming
#7550 - Dignity for All Students

Adoption Date: 05/26/2026
10/28/2024
11/27/2023