

## **FOREWORD**

Contained herein are the regulations and/or procedures formulated by the administrators of the Alfred-Almond Central School District.

The organizing system in this manual utilizes the same numerical coding as in the Alfred-Almond Central School District Policy Manual. Each regulation is followed by the letter "R" and each procedure is followed by the letter "P". Any forms relating to the topics are followed by the letter "F".

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT**

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## Community Relations

**SUBJECT: MEDIA ACCESS: STUDENT INTERVIEWS, PHOTOGRAPHS AND VIDEOTAPES**

These regulations apply to all representatives of news media agencies and govern media access to students during instructional hours and/or school activities whether occurring on or off school grounds. These regulations do not apply to general media coverage of any events of public interest (such as an athletic event, lecture, school play, Board meetings, and the like) regardless of the time and location of such public interest events.

**Authorization**

All media representatives must report to the main office of the building to which access is requested in order to obtain authorization from the building principal or his/her designee for access to the building and/or to interview, photograph, or videotape District students.

Parental/guardian consent must be obtained prior to granting the media permission to interview students, or prior to the taking of photographs and/or videotapes (as well as subsequent publication) which would identify individual students or groups of students. In such instances, parents/guardians will be advised of the use and ultimate disposition of the interview, photograph and/or videotape to assist them in making their decision.

Parental/guardian permission is to be obtained beforehand by the signing, when possible, of a Release Form or, in the alternative, by contacting the parent/guardian by telephone. (For School District Media Releases, use Form #3110F; for Outside News Media Representatives, on a case-by-case basis, use Form #3110F.1). If the principal or his/her designee has concerns as to the nature of the requested media access, the principal/designee should contact the Superintendent, as well as the student's parent/guardian, for further direction.

No special permission shall be required from media representatives prior to the publishing of news articles, taking of photographs and/or videotapes of general school events which are of public interest as noted above.

Prior to granting media access to individual students, the principal or his/her designee shall be apprised of all information including, but not limited to, the date, location, purpose, and length of access time requested by the media representative. Where permission is granted, media representatives will be permitted access to the school building and/or students provided the presence of such representatives will not unduly disrupt the educational operations or instructional activities of the school.

If the student from whom information is sought by the media does not want to be interviewed, photographed and/or videotaped, or if the parent/guardian of the student denies permission for media access to his/her child, such access will be denied by the building principal/designee.

(Continued)

**SUBJECT: MEDIA ACCESS: STUDENT INTERVIEWS, PHOTOGRAPHS AND  
VIDEOTAPES (Cont'd.)**

**Time and Location of Access**

Media access to students while on school grounds and/or at school related activities may be granted only during non-instructional hours or during non-instructional time periods for the students involved such as study halls and lunch periods.

Access shall be limited to non-instructional areas as determined by the building principal/designee. Media access to public events shall be limited to the specific location and immediately surrounding areas where such public event is taking place.

The building principal/designee may place reasonable limitations on the length of any media access to students. Media access of public events shall be restricted to the time period for such events, along with a reasonable time period prior to and after the activity.

**Violations of District Regulations**

Any person who violates District rules and regulations governing the maintenance of public order on school property and/or media access to students shall be subject to appropriate sanctions including, but not limited to, suspension of access privileges by the Superintendent/Board of Education.

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
SCHOOL DISTRICT RELEASE FORM:  
STUDENT INTERVIEWS, PHOTOGRAPHS AND VIDEOTAPES**

Dear Parents/Guardians:

Please complete and return the bottom of this form to your child's teacher as soon as possible.

Thank you for your cooperation.

Sincerely,

\_\_\_\_\_  
Principal



**Please check only ONE item:**

[ ] I hereby consent that interviews, photographs and/or videotapes of my child may be taken or used by the Alfred-Almond Central School District *only* for public relations, educational or other purposes consistent with the purpose and mission of the Alfred-Almond Central School District, including publication on the Alfred-Almond Central School District website.

I further agree that said materials shall become the property of the Alfred-Almond Central School District, and I hereby release and discharge the Alfred-Almond Central School District and its representatives from any and all claims that may arise by reason of taking of said interviews, photographs and/or videotapes.

[ ] I do not give permission for my child to be interviewed, photographed, and/or videotaped for Alfred-Almond Central School District purposes.

CHILD'S NAME \_\_\_\_\_

HOMEROOM TEACHER \_\_\_\_\_

PARENT/GUARDIAN SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
OUTSIDE NEWS MEDIA REPRESENTATIVES RELEASE FORM:  
STUDENT INTERVIEWS, PHOTOGRAPHS AND VIDEOTAPES**

Dear Parents/Guardians:

Periodically outside news media representatives desire to do a feature or news story on an educational or safety topic concerning our schools. It is not unusual for photographs and/or videotapes of our students to accompany these articles for print or broadcast purposes.

The date, location, type of media release, and purpose for which parental/guardian consent is requested is as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Please complete and return the bottom of this form to your child's teacher as soon as possible.

Thank you for your cooperation.

Sincerely,

\_\_\_\_\_  
Principal

.....  
**Please check only ONE item:**

[ ] I give permission for my child to be interviewed, photographed and/or videotaped by outside news media representatives for press or media print or broadcast purposes as indicated above.

I further agree that such material shall become the property of the applicable media agency, and I hereby release and discharge the Alfred-Almond Central School District and its representatives from any and all claims that may arise by taking of such interviews, photographs and/or videotapes.

[ ] I do not give permission for my child to be interviewed, photographed, and/or videotaped by outside news media representatives for press or media print or broadcast purposes as indicated above.

CHILD'S NAME \_\_\_\_\_

HOMEROOM TEACHER \_\_\_\_\_

PARENT/GUARDIAN SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

## Community Relations

**SUBJECT: FLAG DISPLAY**

- 1) The flag **shall** be displayed daily during school days in, on or near every school. The flag will be displayed outdoors, weather permitting, during normal school hours. However, the flag may be displayed and appropriately lighted at night on special occasions as authorized by the Board or the Superintendent when it is desired to produce a patriotic effect.
- 2) The flag **shall** be displayed daily on or near the District's main administration building whenever it is open to the public.
- 3) The flag **shall** be displayed in every assembly room including the room where the Board of Education meetings are conducted.
- 4) The flag will be displayed in all rooms used for instruction. The Pledge of Allegiance shall be recited daily during the homeroom period.
- 5) The flag will be flown at full staff at all times except that it **shall be flown at half-staff**:
  - a. On Memorial Day until 12 noon, then raised to the top of the staff;
  - b. On Peace Officer's Memorial Day, May 15 (unless that day is also Armed Forces Day);
  - c. On Patriot Day, September 11;
  - d. On National Pearl Harbor Remembrance Day, December 7;
  - e. On a day as may be designated by the Board or Superintendent to commemorate the death of:
    - (1) a personage of national or state standing;
    - (2) a local serviceman, official or public servant who, in the opinion of the Board, contributed to the community;
    - (3) a present or former Board member, present employee, teacher, student, clerk or custodian.
- 6) The flag **may** be flown at half-staff during special periods of mourning designated by the President of the United States or the Governor of New York.
- 7) The flag will not be flown at half-staff in response to a petition from students, faculty, or other employees of the District, or petition from a member or members of the community, who have as their intent an expression of sympathy, support, dissent, or opposition to a cause which is political, social, or economic.

## Community Relations

**SUBJECT: FLAG DISPLAY**

<u>Responsibility</u>	<u>Action</u>
Student/Faculty/District Employee	1) Submits a request to display flag at half-staff with rationale to the Superintendent through the immediate supervisor or principal.
Superintendent	2) a. Approves or denies the request pending Board approval. In case of denial, provides a rationale for same. b. Submits request to the Board of Education for final action. c. If request is approved, notifies the custodial/maintenance provider.
Board of Education	3) Approve or denies request.
Custodial/Maintenance Provider	4) Ensures that flag is flown at half-staff for the duration as specified in request.

## Community Relations

**SUBJECT: SCHOOL VOLUNTEERS**

A school volunteer is defined as a non-paid person who assists District staff, including but not limited to instructional personnel, in curricular, co-curricular, or extracurricular programs. A volunteer is a person who offers to provide assistance or service of his/her own free will without legal obligations.

**General Guidelines**

- 1) Use of volunteers shall not conflict with or replace any duly appointed and/or authorized District personnel or the duties/job responsibilities of such personnel. Any information gained through volunteering must be held in strict confidence with the principal/designee assuring that the volunteer has no access to confidential student or personnel data unless as designated by a school official in accordance with the Family Educational Rights and Privacy Act (FERPA).
- 2) Volunteers may assist on an occasional or regularly scheduled basis, yet, may not teach or provide the initial instruction for accomplishing educational objectives; but may reinforce skills taught by the professional staff.
- 3) Volunteers may not provide transportation to students in their personal automobiles for any school-sponsored activities.
- 4) Volunteers may not be assigned the responsibility for disciplining students but may assist the teacher in maintaining proper behavior of students and report behavioral problems to the teacher.
- 5) Volunteers may not supervise a class in the absence of the teacher.
- 6) Volunteers are not to contact parents regarding the performance of students or write comments on any papers/school work sent home.

**Implementation of the Volunteer Program**

- 1) General administration of the volunteer program in the District shall be the responsibility of the Superintendent or his/her designee with principals assuming general authority over volunteers.
- 2) The need for volunteers will be determined by the principal and other personnel.
- 3) An application shall be filled out by each prospective volunteer and forwarded to the District Office for evaluation. All regularly scheduled volunteers will, at a minimum, complete an application, provide authorization for a reference check, and shall be screened and interviewed by the building principal or his/her designee. Occasional volunteers will be screened by the building principal in a manner of his/her choosing.

(Continued)

## Community Relations

**SUBJECT: SCHOOL VOLUNTEERS (Cont'd.)**

- 4) The building principal will forward his/her decisions concerning selection, placement and replacement of volunteers to the Superintendent for final evaluation. Following approval from the Superintendent of Schools, volunteers selected for work in the District shall be placed on the list of approved volunteers. However, the Superintendent retains the right to approve or reject any volunteer applications submitted for consideration.
- 5) Principals shall assume final responsibility for the assignment of volunteers from the approved list. Assignment of a volunteer must be acceptable to the supervisory staff member.
- 6) Orientation and inservice training will be provided by appropriate staff.
- 7) Volunteers will work under the supervision of appropriate staff and are expected to comply with all District rules and regulations.
- 8) An accurate list of volunteers shall be kept by each principal or supervisor and forwarded to the Superintendent. Also, a copy of each building's volunteer registry file will be forwarded to the Personnel Office.
- 9) The District does not carry health/accident insurance or Workers' Compensation on volunteers. They are covered for their actions or omissions within the scope of their approved authority under the liability section of the District's umbrella policy. However, this is not the case for visitors to the school who do not act in a volunteer capacity.
- 10) Volunteers must sign in and out in the school office.
- 11) Each school will keep a volunteer registry which will include, but not be limited to, the following information: name, address, telephone number, emergency contact.
- 12) Volunteers must wear appropriate identification to ensure immediate recognition as persons whose specific purpose is helping students and staff. Appropriate identification will be determined by the Superintendent or building principal/supervisor, or designee.



## Community Relations

**SUBJECT: STUDENT PRIVACY AND CONFIDENTIALITY AGREEMENT FOR  
SCHOOL VOLUNTEERS**

Your service as a volunteer in our schools is greatly appreciated. In your association with teachers and students, you may have access to student information that is not to be shared or discussed with anyone other than designated personnel. Confidentiality is of the utmost importance in your work with teachers and students. You may not discuss a child even with that child's parents/guardians; nor are you to contact parents/guardians regarding the behavior or performance of students. You must always refer any questions regarding students to the student's teacher or the building principal. If you need help with a student, discuss the matter professionally with the child's teacher or other designated school official. *Before beginning service as a volunteer in our School District, it is requested that you acknowledge your intent to fulfill this responsibility by endorsing the statement below.*

- 1) I will not discuss with others, when serving as a volunteer or when no longer in a volunteer role, the content of any confidential student information which was learned in the course of or because of my volunteer work in the school; nor will I disclose or permit to be disclosed, directly or indirectly, student education records, personally identifiable student information in such records, or other confidential information regarding any student. Exceptions to this rule include my ability to discuss student information with designated staff members and/or as authorized by administration.
- 2) The confidentiality of student information shall include, but not be limited to, the following topics:
  - a. Academic standing (including student grades and test scores);
  - b. Attendance;
  - c. Financial status;
  - d. Physical/mental health identity and history;
  - e. Disciplinary status/records.
- 3) I further understand that, in accordance with the Family Educational Rights and Privacy Act, "education records" (generally defined as "those records, files, documents, and other materials which contain information directly related to a student; and are maintained by an educational agency or institution or by a person acting for such agency or institution") cannot be released, except as enumerated in law, without parent/guardian permission.
- 4) As a volunteer, I understand that I am not authorized to examine, release or comment on student records/information unless expressly authorized by school officials in accordance with applicable law.
- 5) While in the possession and control of confidential student data, I understand that I must protect those documents from being viewed or obtained by non-authorized individuals.

(Continued)

**SUBJECT: STUDENT PRIVACY AND CONFIDENTIALITY AGREEMENT FOR SCHOOL VOLUNTEERS (Cont'd.)**

- 6) I will never take any confidential student data off campus unless authorized by the building principal or his/her designee.
- 7) Concerns or questions regarding student records or issues of confidentiality should be brought to the attention of the school administrator and/or staff member that supervises the volunteer.
- 8) I must report any breach or suspected breach in this confidentiality agreement to the building principal or his/her designee.

Volunteers in our School District shall perform tasks only under the supervision and guidance of appropriate staff, and are expected to comply with all District rules and regulations. Orientation and inservice training will be provided by appropriate staff to help ensure volunteer awareness of their duties, responsibilities, and expectations; and will stress the issues and importance of confidentiality of student information. Volunteers shall be given selected materials, including applicable Board policies and/or administrative regulations, that address the role of the volunteer.

Violation of these guidelines may constitute cause for termination of the volunteer's services. The Superintendent or his/her designee is responsible for decisions concerning continuation or discontinuance of a volunteer's activities.

**Volunteer Confidentiality Agreement and Signature** (required for all volunteers)

By signing, I acknowledge that I have read, understand, and will comply with the Confidentiality Statement above.

\_\_\_\_\_  
Name of Volunteer (please print)

\_\_\_\_\_  
Signature of Volunteer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Administrator

\_\_\_\_\_  
Date

This Confidential Agreement will be kept on file in the Main Office of the building to which the volunteer is assigned. A copy of the Agreement will be provided to the volunteer.

## Community Relations

**SUBJECT: VISITORS TO SCHOOL BUILDINGS**

Close communication and supportive relationships between parents/guardians and schools are essential to increasing student achievement and enhancing school climate. The Alfred-Almond Central School District supports these efforts through effective and appropriate visitations to schools and to classrooms by parents/guardians, community members, and other appropriate individuals, subject to the following guidelines:

- 1) Parents/guardians may request a visit to their child's classroom(s) through the building principal, at which time the purpose of the visit will be established. The date and time of the visit will be mutually agreed upon directly between the parent/guardian and the teacher. The building principal will be notified, in advance, of the arrangements which have been agreed upon for the visit.
- 2) Teachers may request that a parent/guardian visit the classroom by directly contacting the parent/guardian and establishing a mutually agreed upon time and date. The building principal will be notified of the visit, in advance.
- 3) Visitations by individuals other than parents/guardians shall be arranged directly between the building principal and the individual making the request. The purpose of the visit will be made clear at that time in order to facilitate appropriate arrangements.
- 4) Visitation will occur in a way that avoids or minimizes disruption to the normal learning process and the ordinary classroom routine. The building principal may be present when appropriate. Visitors agree to maintain confidentiality regarding information which they acquire during the course of the visit as explained to the visitor by the building principal.
- 5) Individuals visiting the schools are to go directly to the main office of the building which they are planning to visit, and follow the specific visitor procedures prescribed by that building.
- 6) If a staff member notices that a visitor does not report to the main office upon entering the building, he/she should report that occurrence to the building principal/designee.
- 7) Before a child may be taken from the building by a non-school person, the visitor must be recognized by the building principal or his/her designee as one having the legal right to take the child. The visitor will wait in the main office for the child to come from the classroom and/or follow other duly approved procedures for that building.
- 8) Signs will be posted throughout the school building directing visitors to report to the main office.

## Community Relations

**SUBJECT: VISITORS TO THE SCHOOL**

<u>Responsibility</u>	<u>Action</u>
Principal/Designee	1) Ensures that notices are posted at all building entrances directing visitors to report to the principal's office immediately upon arrival.
Visitor	2) Reports to the principal's office stating intended business to the principal/designee. Follows school's procedures for "signing in" and "signing out."
Principal/Designee	3) a. Grants permission for the visitor to carry out his/her stated business. b. Accompanies visitors where appropriate.  or c. Denies permission for access to the building and/or staff and explains the reason(s) for the decision. d. Escorts the visitor to the door and witnesses his/her departure from the building. e. If visitor refuses to leave, notifies the legal authorities.
Teacher	4) a. Notifies principal of scheduled visits to classroom in advance. b. Contacts parent/guardian directly to establish agreed-upon time and date for visitations requested by teacher.

## Community Relations

**SUBJECT: COMPLAINTS CONCERNING SCHOOL PERSONNEL**

Complaints or inquiries concerning school personnel shall be referred to the department or school to which the matter pertains.

Normally, such complaints or inquiries shall be referred to the immediate supervisor who will make initial inquiries and investigations, and if unable to resolve the matter satisfactorily shall refer the matter to the next appropriate level. If necessary the matter will be referred through successive levels of authority to the Superintendent of Schools.

All administrators will process such complaints in a thorough and expeditious manner.

Complaints against personnel will be discussed by supervisors only with superiors or with those persons directly involved in the matter.

Applicable provisions of all contracts with negotiating units, in addition to federal and state laws and Board of Education policies pertaining to Rights of Privacy, will be strictly observed in the processing of complaints and inquiries about Alfred-Almond Central School District employees.

## Community Relations

**SUBJECT: ANTI-DISCRIMINATION COMPLAINT GUIDELINES**

Any type of discrimination allegedly occurring within the District shall be investigated by the appropriate official in accordance with the following District regulations and procedures.

In following these procedures, should the investigating official be the alleged source of discrimination, then the employee/student or potential employee/student shall report his/her complaint to the next level of supervisory authority. Both informal and/or formal complaint procedures may be used to report allegations of discrimination.

All reports of alleged discrimination will be held confidential to the extent possible consistent with the District's legal obligations in conducting a thorough investigation and/or taking appropriate disciplinary measures. Subject to all applicable laws and collective bargaining agreements, the following guidelines shall be utilized in the investigation and resolution of discrimination complaints.

**Step 1 - Informal Complaint**

- 1) An employee or student who believes that he/she has been subjected to any type of discrimination shall immediately notify his/her immediate supervisor or principal on the complaint form provided by the District.
- 2) A potential employee or potential student who believes that he/she has been subjected to any type of discrimination shall immediately notify the District's Superintendent. Those procedures established under Step 2 - Formal Complaint will then apply (see below).
- 3) Within fourteen (14) days after receipt of the complaint the supervisor or principal will correct the situation stated in the complaint if he/she finds the complaint valid and if the correction of the complaint is within his/her scope of authority.

The action taken by the supervisor or principal will be noted on the complaint form.

- a. The supervisor or principal may consult with or seek the assistance of the Superintendent in resolving the complaint.
- b. If the supervisor or principal can not resolve the issues raised in the complaint within fourteen (14) days, he/she shall notify the complainant of that fact before the expiration of the fourteen (14) day period and he/she shall further indicate the approximate date on which his/her determination will be made.
- c. If resolution of the complaint is not within the scope of the authority of the supervisor or principal, he/she shall immediately notify the complainant who may then initiate those procedures set forth in the next section if he/she so desires.

(Continued)

**SUBJECT: ANTI-DISCRIMINATION COMPLAINT GUIDELINES (Cont'd.)****Step 2 - Formal Complaint**

If the complaint was not resolved at the informal stage to the satisfaction of the complainant, he/she may within fourteen (14) days of the decision of the supervisor or principal ask that the Superintendent or his/her designee review the allegations raised by stating his/her reasons on the complaint form provided by the District and filing them with the complaint officer.

The Superintendent or his/her designee will review the file and if necessary conduct his/her own investigation. The decision of the Superintendent will be made in writing within fourteen (14) days from presentation of the complaint to him/her unless the Superintendent has notified complainant that a period in excess of fourteen (14) days will be needed for him/her to conduct the investigation and render his/her decision.

**Step 3 - Corrective Action/Resolution**

If the Superintendent of Schools issues a finding that no form of discrimination has occurred, the complainant, if not satisfied with this resolution, may appeal the decision to the Board of Education. If the complainant is satisfied with the Superintendent's finding, the complainant will so indicate in writing and the matter will be deemed closed.

Should the Superintendent determine that corrective action is necessary, the Superintendent of Schools shall follow all applicable law and regulations and appropriate collective bargaining agreements in the resolution of the complaint.

The complainant shall receive a copy of any and all reports issued by the Superintendent pertaining to the investigation/outcome of the formal complaint.

**Step 4 - Appeal to the Board of Education**

In the event that a complainant files an appeal with the Board of Education following a finding by the Superintendent of Schools, the Board of Education will conduct a hearing and issue a written response to the complainant following completion of the hearing.

The District shall take all appropriate measures to prevent the occurrence or continuation of any type of discrimination and shall implement remedial or corrective action where necessary.

Regardless of whether a complaint has been filed, if the District knows or has reason to know of the existence of any type of discrimination, the District shall require a prompt and thorough investigation by appropriate personnel.

(Continued)

**SUBJECT: ANTI-DISCRIMINATION COMPLAINT GUIDELINES (Cont'd.)**

Scope of Legal Action

The filing of a complaint, and/or the rendering of a decision regarding the complaint shall in no way prohibit, prevent or limit the complainant from taking appropriate legal action in accordance with state and federal law.

NOTE: Refer also to Regulation #3420R -- Anti-Harassment in the School District

## Community Relations

**SUBJECT: ANTI-DISCRIMINATION COMPLAINT PROCEDURES**

<u>Responsibility</u>	<u>Action</u>
Complainant (Employee/Student)	1) Notifies his/her immediate supervisor or principal on the complaint form provided by the District.
Supervisor/Principal	2) a. Within fourteen (14) days after receipt of the complaint, corrects the situation stated in the complaint if he/she finds the complaint valid and if such action is within his/her scope of authority.  b. Notes on the complaint form the action taken.
Complainant	3) If the complaint has not been resolved to his/her satisfaction, may file a formal complaint with the Superintendent within fourteen (14) days of the decision of the supervisor or principal on the form provided by the District.
Superintendent	4) a. Reviews the file and, if necessary, conducts his/her own investigation.  b. Makes decision in writing within fourteen (14) days from receipt of the complaint, or notifies the complainant that more time will be needed for further investigation before rendering a decision.  c. Issues a finding as to whether discrimination has occurred.  d. If corrective action is deemed necessary, follows all applicable law and regulations and appropriate collective bargaining agreements in implementing such action.
Complainant	5) a. Receives a copy of any and all reports issued by the Superintendent pertaining to the investigation/outcome of the formal complaint.

(Continued)

**SUBJECT: ANTI-DISCRIMINATION COMPLAINT PROCEDURES (Cont'd.)**

Responsibility

Action

Complainant (Cont'd.)

- b. If satisfied with the resolution, so indicates in writing.
- c. If not satisfied, may appeal to the Board of Education or may take appropriate legal action in accordance with state and federal law.

Board of Education

- 6) If complainant files an appeal, conducts a hearing and issues a written response to the complainant.

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
ANTI-DISCRIMINATION COMPLAINT FORM**

Complainant:

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone \_\_\_\_\_ Date Filed \_\_\_\_\_

Description of Alleged Discrimination \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Time and Place of Violation \_\_\_\_\_

\_\_\_\_\_

Statement of Complaint \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Remedy Sought by Complainant \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reason for Dissatisfaction with Informal and/or Formal Steps (Steps one and/or two) of Anti-Discrimination Complaint Procedures (if applicable)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date \_\_\_\_\_ Signature of Complainant \_\_\_\_\_

(Continued)

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
ANTI-DISCRIMINATION COMPLAINT FORM (Cont'd.)**  
(To Be Completed by Various District Personnel)

Decision of Principal or Supervisor and Action Taken

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Decision of Superintendent \_\_\_\_\_

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Action Taken by Superintendent \_\_\_\_\_

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Action by the Board \_\_\_\_\_

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Other Comments \_\_\_\_\_

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\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Supervisor or Principal

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Superintendent

NOTE: Refer also to Form #3420F -- Harassment Complaint Form as may be applicable

## Community Relations

**SUBJECT: BOOSTER CLUBS**

Parents/guardians and members of the community who wish to organize a booster club for the purpose of supporting a specific District program shall adhere to guidelines established by the administration. Booster clubs will:

- 1) Be voluntary and foster support for a specific District activity and/or program;
- 2) Submit a fund-raising activity schedule in advance to the Board for approval;
- 3) Seek prior approval for any use of District facilities;
- 4) Avoid interference with the decision-making of any student group;
- 5) Acknowledge and adhere to the authority of District employees in the administration of their duties and responsibilities;
- 6) Assume complete financial responsibility for their organization including, but not limited to, providing adequate insurance coverage; and
- 7) Maintain accurate financial records, and make these records available for Board and/or public inspection upon request.

## Community Relations

**SUBJECT: SOLICITATION OF CHARITABLE DONATIONS FROM SCHOOL CHILDREN**

In accordance with Section 19.6 of the Rules of the Board of Regents and Alfred-Almond Central School District policy, the direct solicitation of charitable donations from public school students on school property during school hours in which they are compelled to be in attendance is strictly prohibited.

The District and the building administration are empowered to implement the terms of District policy and the Rules of the Board of Regents in accordance with the following regulations:

- 1) School children may be recruited to participate as fund raisers for the benefit of a charity on a voluntary basis when such fund raising is to be conducted off school premises and/or when school is not in session. School personnel may distribute flyers or other literature, put up posters or otherwise notify students of out-of-school fund raising activities. However, school personnel may not act as a conduit and collect funds from students on behalf of a charity for which they recruited, even though the funds were raised by students off school property and not during school hours.
- 2) The prohibition against solicitation of charitable donations "during school hours" extends to homerooms and lunch periods. School hours end when students are released from compulsory attendance, which means that the Rules of the Board of Regents and District policy prohibiting such solicitation of charitable donations from students does not apply to before-school or after-school extracurricular periods.
- 3) The District will allow school children to participate in fund raising athletic events, such as walk-a-thons in which the school children perform and receive pledges from parents/guardians and members of the community at large, as long as the school itself is not used as a conduit to collect the money earned on behalf of the organization.
- 4) The District may allow students to participate during the school day in a food drive or clothing drive or similar activity involving the donation of goods for the needy only where the food, clothing, other goods or funds are collected in a non-coercive and passive fashion, such as through a bin or receptacle placed in a hallway or other common area, so that the identities of students making and not making donations are not revealed. Collection of charitable contributions of food, clothing, other goods or funds from students in the classroom or homeroom is prohibited.
- 5) Student participation in fund raising activities off school premises which occurs as part of a community service program in which students receive high school credit for providing services to a charitable organization shall not be prohibited, provided that there is no solicitation of donations from students while they are attending school.

(Continued)

## Community Relations

**SUBJECT: SOLICITATION OF CHARITABLE DONATIONS FROM SCHOOL CHILDREN (Cont'd.)**

- 6) Student organizations, such as a key club, may engage in fund raising for charitable purposes as an extracurricular activity provided that the student organization does not solicit funds directly from students during school hours.
- 7) The sale of tickets to students for a social, musical, theatrical or athletic event where a portion of the proceeds go to a charitable purpose shall not be prohibited. For example, the purchase of a ticket to a dance to raise money for a student trip or scholarship fund or for a ticket to a concert or play or charity basketball game or similar event where a portion of the proceeds go to charity shall not be prohibited by District policy. In such a situation, the student is receiving consideration for the purchase of the ticket and the risk of coercion of economically disadvantaged students is diminished, since there are many reasons for declining to attend an event. However, in accordance with District policy and the Rules of the Board of Regents, the sale on school grounds during school hours of lottery tickets or tickets for chance would be prohibited because there is no benefit received by the purchaser in consideration of his/her purchase. Furthermore, the conduct of a lottery or other game of chance that is not specifically authorized by law constitutes a gambling offense proscribed by Article 225 of the Penal Law.
- 8) The direct solicitation of charitable donations from students is prohibited where the object is to raise money to defray medical expenses for another student or other member of the school community who is ill or to raise money for a scholarship fund in memory of a deceased member of the school community. However, such prohibition will not apply to the distribution of flyers requesting that students make contributions outside of school to a fund established for such purposes. Alternatively, funds could be collected for this purpose on school property through the establishment of a collection box or receptacle in a hallway or common area.
- 9) In accordance with District policy and the Rules of the Board of Regents, the prohibition against the solicitation of charitable donations during school hours does not contain any exceptions for charitable fund raising by students or for school related organizations, such as parent-teacher associations. Direct solicitation of students during school hours is prohibited regardless of the nature of the person or organization soliciting donations.
- 10) There is no prohibition against the kinds of organizations that can engage in fund raising activities. Rather, it is the final determination of the Board of Education as to which organizations, groups, etc. can solicit charitable donations and for what purposes, as long as the activities otherwise comply with District policy and regulations and the Rules of the Board of Regents.

## Community Relations

**SUBJECT: THE USE OF PRODUCTS, MATERIALS AND SERVICES PROVIDED BY COMMERCIAL (FOR PROFIT) ORGANIZATIONS**

Commissioner's Regulations prohibit commercial promotional activity on school premises, including school buses. Commercial promotional activity is defined to mean any activity designed to induce the purchase of a particular product or service by students or to extol the benefits of such product or service to students for the purpose of making its purchase more attractive and is conveyed to students through such media as, but not limited to, television and radio.

The Board of Education shall not enter into any contracts or arrangements which permit commercial promotional activity on school premises or school buses, including any bus radio service that includes commercial promotional activity.

The use of products, materials and services provided by commercial (for profit) organizations is governed by the following:

- 1) The Superintendent or his/her designee shall establish a committee of representatives from the school staff, parents/guardians, community and, as appropriate, students to make recommendations regarding the appropriateness of the use or distribution of a commercial product, promotion, or service.
- 2) Participation in any approved programs does not constitute an endorsement by the District. Endorsement of a commercial product or service by the school system is prohibited.
- 3) Giveaways, coupons, donations, and other kinds of promotions which require purchasing a product are prohibited unless it is the intent of the District to use such promotion to support a specific educational objective.
- 4) School publications such as yearbooks, programs and newspapers may include paid advertising obtained under procedures authorized by the Superintendent or his/her designee.
- 5) Instructional time should not be used by students or staff for any promotions.
- 6) This regulation applies to schools and school-sponsored organizations. Parental organizations may sponsor promotions following the approval of the Superintendent or his/her designee.
- 7) Individual employees may not benefit either monetarily or with products or services provided from programs involving students.
- 8) Officers and employees of the District are bound by the District's Code of Ethics. This code under Section 806 of the General Municipal Law prohibits officers and employees from soliciting any gift or accepting any gift worth more than seventy-five dollars (\$75) under circumstances in which it could reasonably be inferred that the gift was intended to influence them or was intended as an award for official action.

## Community Relations

**SUBJECT: USE OF SCHOOL FACILITIES, MATERIALS AND EQUIPMENT**

- 1) Requests for use of school facilities should be submitted to the Superintendent prior to the anticipated activity. Authorization to use school facilities will be granted on a "first come-first serve" basis. Two weeks advance notice to the Principal is recommended.
- 2) A custodian shall be on duty during a public event at which spectators or an audience will attend. Such supervision will be provided "at no cost" during regular working hours. When overtime services are required, a fee may be assessed to reimburse the District for this service.
- 3) The Alfred-Almond Central School District may not aid or perpetuate discrimination on the basis of race, creed, color, country of national origin, religion, sex, sexual orientation, age, marital status or disability. Community groups and organizations should review their use of school facilities request for conformity. The District reserves the right to require evidence of compliance with civil rights law. However, in accordance with law, the District will not discriminate in its community use of school facilities against any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United State Code. Nor will the District deny such access or opportunity for reasons based on the membership or leadership criteria or oath of allegiance to God and country. However, such use must be in accordance with the District's community use of school facilities guidelines.
- 4) All activities conducted on school property shall conform with federal and New York State laws and municipal ordinances.
- 5) Organizations authorized to use school facilities assume responsibility for the conduct of both participants and spectators. Each group shall designate a responsible adult representative who must be present at all times. Arrangements for supervision of anticipated crowds must receive prior approval of the Superintendent.
- 6) School facilities must be left in the same condition as they are found. Desks, displays, etc. should not be disturbed. All electrical equipment or movable properties owned by the District shall at all times remain under the control of the District.
- 7) The District will assume no responsibility for equipment or property belonging to a community group or organization. Such property shall not be stored on school property, unless specifically approved by the Superintendent or his/her designee.
- 8) Community groups shall be liable for any damage to school property resulting from activities they sponsor. A check of the school facility shall be made before and after each activity by the "person in charge" and the custodian assigned.

(Continued)

## Community Relations

**SUBJECT: USE OF SCHOOL FACILITIES, MATERIALS AND EQUIPMENT (Cont'd.)**

- 9) If the pool is to be used, an adult lifeguard, with a valid American Red Cross Advanced Life Saving and Water Safety Certificate must be on duty. Each group is responsible for providing and paying its own lifeguard. Rules for use of the pool are posted in the pool room and must be strictly observed.
- 10) Kitchen facilities are only available by prior arrangement with the Food Service Supervisor and only when a Food Service employee is on duty. When overtime pay for such services is required, a fee may be assessed to reimburse the District for this service.
- 11) Vehicles are not allowed on grassed areas or athletic fields. Parking for any large event should be controlled by sufficient personnel. Use of auxiliary police for this purpose may be required.
- 12) Admission charges, approved registration fees, or concessions may only be administered as stated on the request.
- 13) Except for rest room facilities, participants and spectators should remain in the area or room assigned for an activity.
- 14) The District assumes no liability for injuries resulting from community group activities. For certain activities, the District may require submission of a certificate of liability or insurance bond to the Superintendent or his/her designee.
- 15) The District or its representative must have free access to all facilities at all times.
- 16) The District reserves the right to revoke authorization to use school facilities at any time.
- 17) The Superintendent of Schools shall in the event of a contingent budget determine appropriate use fees to be charged after the close of school each day and on non-school days, to satisfy legal requirements related to contingent budgets.

**Tobacco Use, Drugs and Alcoholic Beverages**

Tobacco use shall not be permitted and no person shall use tobacco on school grounds at any time. For purposes of this regulation, "school grounds" means any building, structure, and surrounding outdoor grounds 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 all District vehicles, including vehicles used to transport children or school personnel.

(Continued)

**SUBJECT: USE OF SCHOOL FACILITIES, MATERIALS AND EQUIPMENT (Cont'd.)**

For purposes of this regulation, tobacco is defined to include any lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, and any other smoking product, and spit tobacco (smokeless, dip, chew and/or snuff) in any form.

No person shall knowingly have in his/her possession, upon any premises to which these rules apply, any alcoholic beverages and/or illegal or non-prescribed "controlled substance." ("Controlled substance" as defined by Penal Law Section 220.00.)

**SUBJECT: EQUAL ACCESS TO PUBLIC SCHOOL FACILITIES FOR THE BOY SCOUTS AND OTHER DESIGNATED YOUTH GROUPS**

The Boy Scouts Act applies to any local educational agency (LEA) that has a designated open forum or limited public forum and that receives funds made available through the U.S. Department of Education (DOE). It applies to any group officially affiliated with the Boy Scouts of America or any other youth group designated in Title 36 of the United States Code as a patriotic society.

Under this law, no covered entity shall deny equal access or a fair opportunity to meet, or discriminate against any group affiliated with the Boy Scouts of America or any other Title 36 patriotic youth group that requests to conduct a meeting within the covered entity's designated open forum or limited public forum. No covered entity shall deny access or opportunity or discriminate for reasons including the membership or leadership criteria or oath of allegiance to God and country of the Boy Scouts of America or of the Title 36 patriotic youth group.

The District may require that any group seeking equal access under the Boy Scouts Act inform the District whether the group is officially affiliated with the Boy Scouts or any other Title 36 Youth Group.

**Definitions**Boy Scouts of America

The organization named "Boy Scouts of America," which has a Federal charter and which is listed as an organization in Title 36 of the United States Code (Patriotic and National Observances, Ceremonies, and Organizations).

Title 36 Youth Group

A group or organization listed in Title 36 of the United States Code (as a patriotic society) that is intended to serve young people under the age of twenty-one (21).

Group Officially Affiliated with the Boy Scouts

A youth group formed as a result of a community organization charter issued by the Boy Scouts.

Group Officially Affiliated with Any Other Title 36 Youth Groups

A youth group resulting from the chartering process or other process used by that Title 36 youth group to establish official affiliation with youth groups.

(Continued)

**SUBJECT: EQUAL ACCESS TO PUBLIC SCHOOL FACILITIES FOR THE BOY  
SCOUTS AND OTHER DESIGNATED YOUTH GROUPS (Cont'd.)**

Covered Entity

Any public elementary or secondary school that has a designated open forum or limited public forum and that receives funds through the United States Department of Education.

Designated Open Forum

Whenever the school designates a time and place for one or more outside youth or community groups to meet on school premises or in school facilities, including during the hours in which attendance at the school is compulsory, for reasons other than to provide the school's educational program.

Limited Public Forum

Whenever the school involved grants an offering to, or opportunity for, one or more outside youth or community groups to meet on school premises or in school facilities before or after the hours during which attendance at the school is compulsory.

Premises or Facilities

All or any portion of buildings, structures, equipment, roads, walks, parking lots, or other real or personal property or interest in that property.

**Specific Requirements**

Meetings

Access to school premises and school facilities to conduct meetings.

Benefits and Services

May include but are not limited to:

- 1) The use of school-related means of communication such as bulletin board notices and literature distribution.
- 2) Access to students and student information for recruitment purposes in accordance with law.

(Continued)

**SUBJECT: EQUAL ACCESS TO PUBLIC SCHOOL FACILITIES FOR THE BOY SCOUTS AND OTHER DESIGNATED YOUTH GROUPS (Cont'd.)**

Fees

Fees may be charged in connection with the use of facilities, conducting meetings on school premises, using school-related means of communication, or conducting recruitment activities.

Terms

Any access, as well as any fees charged for access, must be provided on terms that are no less favorable than the most favorable terms provided to one or more outside youth or community groups.

Nondiscrimination

Any decisions relating to the provision of equal access must be made on a nondiscriminatory basis. Any determinations of which youth or community groups are outside groups must be made using objective, nondiscriminatory criteria, and these criteria must be used in a consistent, equal, and nondiscriminatory manner.

**Limitations**

- 1) The statute applies regardless of the entity's authority to make decisions about the use of its own school facilities.
- 2) No school is required to sponsor any group officially affiliated with Boy Scouts or any other Title 36 patriotic youth group.
- 3) The obligation to comply with the Boy Scouts Act is not obviated or alleviated by any State or local law or other requirement.

## Community Relations

**SUBJECT: ELECTION DAY SECURITY RECOMMENDATIONS FOR SCHOOLS**

Alfred-Almond Central School District buildings may be used as polling places. In an effort to maintain security in these facilities while not interfering with the voting process, school administrators are advised of the following security recommendations. Nothing in these recommendations should be interpreted as discouraging voter access to designated polling locations.

- 1) To ensure unlimited access to vote, provide clearly marked areas to indicate the location of the designated polling place in the school. If possible, the remainder of the school facility, other than the designated polling area, should be inaccessible from the polling place.
  - a. Maintain a single point of entry specifically for voting activities.
  - b. Post signs notifying the public that they are not permitted to access other areas of the school. If possible, designate a restroom near the voting area for voters and poll workers.
  - c. Ensure that poll supervisors are fully aware of this policy.
- 2) Remind school personnel of the procedures for handling school bomb threats. Keep a bomb threat question card by all telephones in the school.
- 3) Monitor the school facility and grounds (including designated voting areas) for unattended suspicious packages and objects. Do not touch or handle any such object - contact local law enforcement immediately.
- 4) Review school lockdown and lockout procedures with faculty and staff prior to Election Day. Include local emergency responders in planning, exercising, and evaluating lockdown, lockout, and other emergency response procedures.

## Community Relations

**SUBJECT: USE OF SCHOOL-OWNED MATERIALS AND EQUIPMENT**

Private and/or personal use of school-owned materials and equipment by community members, employees, or students may be permitted. Except when used in connection with or when rented under provisions of Education Law Section 414, school-owned materials and equipment may be used only in connection with school-related purposes.

The regular school program will have first priority on the use of school materials and equipment. Personnel approving applications for use of such materials and equipment by community members, employees and students must ensure that it is available for school use during regular school hours. The equipment must be returned promptly by the individual who borrows it by the agreed upon time.

A community member, employee or student borrowing materials and/or equipment will complete a Permission Form for Authorized Use of School-Owned Materials and Equipment (Form #3281F) and submit it to the Superintendent or his/her designee at least twenty-four (24) hours in advance. The Superintendent or his/her designee will approve or disapprove the application. Upon return of the materials and/or equipment, the Principal or his/her designee will inspect it for damage. The community member, employee or student or his/her parent/guardian may be held responsible for the cost of repair or replacement, with the exception of normal wear and tear, in accordance with applicable law.

In addition to the above restrictions, District equipment may not be used for:

- 1) Any public meeting or entertainment that reflects in any discriminatory way on a citizen's race, color, creed, national origin, sex, sexual orientation, disability or age. However, in accordance with law, the District will not discriminate in its community use of school-owned materials and equipment against any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United State Code. Nor will the District deny such access or opportunity for reasons based on the membership or leadership criteria or oath of allegiance to God and country. However, such use must be in accordance with the District's community use of school-owned materials and equipment guidelines.
- 2) Any use that is likely to result in damage to the equipment.
- 3) A meeting of any group whose purpose is to overthrow the government of the United States or New York State.
- 4) For personal gain or any type of business activity.

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
PERMISSION FORM FOR AUTHORIZED USE OF  
SCHOOL-OWNED MATERIALS AND EQUIPMENT**

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

TO: \_\_\_\_\_  
(Superintendent)

I request permission to use the following piece(s) of school-owned materials and/or equipment.

<u>Material/Equipment</u>	<u>School</u>	<u>Model #</u>	<u>Serial #</u>

I shall require use of this material and/or equipment from \_\_\_\_\_  
to \_\_\_\_\_.

Reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that I assume the responsibility for returning the materials and/or equipment in the same condition it was borrowed. The community member, employee or student (or his/her parent/guardian) may be held responsible for the cost of repair or replacement, with the exception of normal wear and tear, in accordance with applicable law.

\* \_\_\_\_\_  
(Signature)

\* \_\_\_\_\_  
(Superintendent Signature)

\*If the request is being made by a student under eighteen (18) years of age, the form is to be signed by a parent/guardian.

**SUBJECT: RULES AND REGULATIONS FOR THE OPERATION OF STUDENT/STAFF  
MOTOR VEHICLES ON SCHOOL GROUNDS**

For the purpose of safety and control, the Alfred-Almond Central School District establishes the following rules and regulations regarding the operation of motor vehicles on school property. Students and staff will be required to adhere to the rules and regulations and the administrative procedures as outlined.

- 1) **Parking Areas:** Parking areas for students and staff, as well as areas where parking is restricted, will be designated and so posted. Such areas will be determined by the administration and reviewed annually.
- 2) **Speed Limit:** An appropriate speed limit of 15 MPH will be posted by the District.
- 3) **Traffic Flow:** Where necessary, one-way traffic will be posted by the District on those roads that are determined by the administration to be one-way thoroughfares. All other roads will be considered two-way.
- 4) **Vehicle Registration:** All personal motor vehicles belonging to or used by students shall be registered on an annual basis as determined by the administration.
- 5) **District Liability:** It shall be the understanding of all persons who operate a motor vehicle on school property that the Alfred-Almond Central School District accepts no liability for personal injury or personal property damage or loss. Each person drives and parks at his/her own risk on school property.
- 6) **Control and Enforcement:** The control and enforcement of regulations regarding motor vehicle use on school property shall be the responsibility of the building administration as authorized through the Superintendent by the Board of Education.

Infractions of the following rules and regulations shall be subject to the penalties identified below:

- 1) All student vehicles must be registered.
- 2) All vehicles must park in the proper areas as posted by the District (i.e., student: student parking areas; staff: staff parking areas). These areas will be identified for the operator at the beginning of the school year or at the time of registration.
- 3) Students will only be allowed to park in the lots designated for student parking.
- 4) The speed limit on school property is 15 MPH.

(Continued)

**SUBJECT: RULES AND REGULATIONS FOR THE OPERATION OF STUDENT/STAFF  
MOTOR VEHICLES ON SCHOOL GROUNDS (Cont'd.)**

- 5) Students who drive to school must be on time. Continued tardiness of drivers will be considered a violation of driving privileges.
- 6) Students are not to take their vehicles off school grounds during school hours without prior permission by the administration.
- 7) Speeding, driving in a reckless manner or any other vehicle violation will be considered an infraction of driving regulations.
- 8) Students are not allowed in the parking lots or in cars during school hours (including lunch periods).
- 9) The suspension of driving privileges pertains to both the driver and the vehicle. The driver may not drive on school property, and the vehicle will not be allowed on school property, during the suspension period.
- 10) Owners of unauthorized/unregistered/or illegally parked vehicles will be warned at the first violation. The vehicle will be towed away at the owner's expense at the next violation.

**Student Driving Privileges**

Driving an automobile and parking on school property is a privilege provided for the students. Each student requesting permission to drive a vehicle to school will be required to have his/her parent/guardian sign a statement authorizing the student to drive and to use a specific automobile. The permission slip will incorporate a statement as to the parent/guardian assuming responsibility for any/all riders who may at any time accompany the driver to/from school premises.

Failure to comply with the above-noted procedure, driving and/or parking regulations will be cause for disciplinary action as described in the Student Handbook.

**SUBJECT: PUBLIC ACCESS TO RECORDS****Purpose and Scope**

- 1) The people's right to know the process of government decision-making and the documents and statistics leading to determinations is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality.
- 2) These regulations provide information concerning the procedures by which records may be obtained from an agency as defined by Public Officers Law Section 86(3). No District regulations shall be more restrictive than this Public Officers Law Article 6.
- 3) The District Records Access Officer shall furnish to the public the information and records required by the Freedom of Information Law, as well as records otherwise available by other applicable law.
- 4) Any conflicts among laws governing public access to records shall be construed in favor of the widest possible availability of public records.
- 5) The District shall amend existing regulations or adopt new regulations to implement the Freedom of Information Law in conformity with any amendments to this law.

**Designation of Records Access Officer**

- 1) The Board of Education shall be responsible for insuring compliance with the regulations herein, and shall designate one person as Records Access Officer by name or by specific job title and business address, who shall have the duty of District response to public requests for access to records.
- 2) The Records Access Officer is responsible to:
  - a. Maintain an up-to-date subject matter list;
  - b. Assist the requester in identifying requested records, if necessary;
  - c. Upon locating the records, take one of the following actions:
    - (1) Make records available for inspection; or
    - (2) Deny access to the records in whole or in part and explain in writing the reasons therefore;

(Continued)

**SUBJECT: PUBLIC ACCESS TO RECORDS (Cont'd.)**

- d. Upon payment of, or offer to pay, the established fee (if applicable):
  - (1) Provide copies of records;
  - (2) Upon request, certify that a record is a true copy;
- e. Upon failure to locate records, certify that:
  - (1) The District is not the custodian for such records, or
  - (2) The records cannot be found after diligent search.

**Subject Matter List**

The District will maintain a reasonably detailed current list by subject matter of all records in its possession and whether or not available pursuant to the Freedom of Information Law.

The subject matter list shall be sufficiently detailed to permit identification of the category of the record sought.

The subject matter list shall be updated annually, and the date of the most recent update shall appear on the first page of the subject matter list.

**Requests for Public Access to Records**

The Board of Education designates the Central Office as the location where records shall be available for public inspection and copying.

The District shall accept requests for public access to records and produce records during all hours it is regularly open for business.

- 1) The District requires that a request be made in writing.
- 2) A request shall reasonably describe the record or records sought. Whenever possible a person requesting records should supply information regarding dates, file designations or other information that may help to describe the records sought.

**Requests for Public Access Records via E-mail**

The District shall accept requests for records submitted in the form of electronic mail and respond to such requests by electronic mail using the forms supplied by the District. This information

(Continued)

**SUBJECT: PUBLIC ACCESS TO RECORDS (Cont'd.)**

shall be posted on the District web site, clearly designating the e-mail address for purposes of receiving requests for records via this format.

When the District maintains requested records electronically, the response shall inform the requester that the records are accessible via the internet and in printed form either on paper or other information storage medium.

The District shall respond to a request within five (5) business days of the receipt of a request. Should all or part of the request need to be denied, the District shall respond in the manner set forth by the rules and regulations stipulated by the Committee on Open Government.

(Note: For sample e-mail request and response forms, see websites:  
<http://www.dos.state.ny.us/coog/emailrequest.htm> or  
<http://www.dos.state.ny.us/coog/emailresponse.htm>)

**Response to Requests for Access to Records**

- 1) The District will, in accordance with its published rules, make available for public inspection and copying all records, except that such agency may deny access to records or portions thereof that:
  - a. Are specifically exempted from disclosure by state or federal statute;
  - b. If disclosed would constitute an unwarranted invasion of personal privacy under the provisions of Public Officers Law Section 89(2);

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

- (1) Disclosure of employment, medical or credit histories or personal references of applicants for employment;
- (2) Disclosure of items involving the medical or personal records of a client or patient in a medical facility;
- (3) Sale or release of lists of names and addresses if such lists would be used for commercial or fund raising purposes;
- (4) Disclosure of information of a personal nature when disclosure would result in economic or personal hardship to the subject party, and such information is not relevant to the work of the agency requesting or maintaining it; or

(Continued)

**SUBJECT: PUBLIC ACCESS TO RECORDS (Cont'd.)**

- (5) Disclosure of information of a personal nature reported in confidence to the District and not relevant to the ordinary work of the District.

Unless otherwise provided by the Freedom of Information Law, disclosure shall not be construed to constitute an unwarranted invasion of personal privacy:

- (1) When identifying details are deleted;
  - (2) When the person to whom a record pertains consents in writing to disclosure;
  - (3) When upon presenting reasonable proof of identity, a person seeks access to records pertaining to himself/herself.
- c. If disclosed would impair present or imminent contract awards or collective bargaining negotiations;
- d. Are compiled for law enforcement purposes and which, if disclosed would:
- (1) Interfere with law enforcement investigation or judicial proceedings;
  - (2) Deprive a person of a right to a fair trial or impartial adjudication;
  - (3) Identify a confidential source or disclose confidential information relating to a criminal investigation; or
  - (4) Reveal criminal investigative techniques or procedures, except routine techniques and procedures.
- e. If disclosed would endanger the life or safety of any person;
- f. Are inter-agency or intra-agency materials which are not:
- (1) Statistical or factual tabulations or data;
  - (2) Instructions to staff that affect the public;
  - (3) Final agency policy or determinations; or
  - (4) External audits, including but not limited to audits performed by the comptroller and the federal government.

(Continued)

## Community Relations

**SUBJECT: PUBLIC ACCESS TO RECORDS (Cont'd.)**

- g. Are examination questions or answers which are requested prior to the final administration of such questions.
  - h. Are computer access codes.
- 2) The District shall, within five (5) business days of receipt of a written request for records(s) reasonably described, make the record(s) available to the person requesting them, deny the request in writing or furnish a written acknowledgment of receipt of the request and a statement of the approximate date when such request will be granted or denied.
  - 3) In cases when a determination has been made to grant a request for a record and circumstances prevent disclosure of the record within twenty (20) business days from the date of the acknowledgement of the request, to state in writing both the reason for the District's inability to grant the request within twenty (20) business days and a date certain, within a reasonable period, depending upon the circumstances, when the request will be granted in whole or in part.
  - 4) Denial of access shall state the reason for the denial and advise the person denied access of his/her right to appeal to the person or body established to hear appeals. That person or body shall be identified by name, title, business address and business telephone number. The Records Access Officer shall not be the appeals officer.

**Situations Constituting Denial**

A failure to comply with the time limitations described herein shall constitute a denial of a request that may be appealed. Such failure shall include situations in which the District:

- 1) Fails to grant access to the records sought, deny access in writing or acknowledge the receipt of a request within five (5) business days of the receipt of a request;
- 2) Acknowledges the receipt of a request within five (5) business days but fails to furnish an approximate date when it will grant or deny a request in whole or in part;
- 3) Furnishes an acknowledgment of the receipt of a request within five (5) business days with an approximate date for granting or denying access in whole or in part that is unreasonable under the circumstances of the request;
- 4) Fails to respond to a request within a reasonable time after the approximate date given or within twenty (20) days after the date of its acknowledgment of the receipt of a request;
- 5) Determines to grant a request in whole or in part within twenty (20) business days of its acknowledgment of the receipt of a request, but fails to do so, unless the District provides

(Continued)

**SUBJECT: PUBLIC ACCESS TO RECORDS (Cont'd.)**

the reason for its inability to do so in writing and a date certain within which the request will be granted in whole or in part;

- 6) Does not grant a request in whole or in part within twenty (20) business days of its acknowledgment of the receipt of a request and fails to provide the reason in writing explaining its inability to do so and a date certain by which the request will be granted in whole or in part; or
- 7) Responds to a request, stating that more than twenty (20) business days is needed to grant or deny the request in whole or in part and provides a date certain within which it will do so, but such date is unreasonable under the circumstances of the request.

**Appeals**

- 1) Any person denied access to records may appeal within thirty (30) days of a denial.
- 2) Denial of access shall be in writing stating the reason for denial and advising the person denied access of his/her right to appeal to the person or body designated to determine appeals. Such person or body shall be identified by name, title, business address and business phone number. The District Records Access Officer shall not be the appeals officer.
- 3) The Superintendent shall hear appeals or shall designate a person or body to hear appeals regarding denial of access to records under the Freedom of Information Law.
- 4) The time for deciding an appeal by the individual or body designated to hear appeals shall commence upon receipt of written appeal identifying:
  - a. The date and location of the request for records;
  - b. The records that were denied; and
  - c. The name and return address of the appellant.
- 5) A failure to determine an appeal within ten (10) business days of its receipt by granting access to the records sought or fully explaining the reasons for further denial in writing shall constitute denial of the appeal.
- 6) The District shall transmit to the Committee on Open Government copies of all appeals upon receipt. Such copies shall be addressed to:

Committee on Open Government  
Department of State  
41 State Street  
Albany, New York 12231

(Continued)

**SUBJECT: PUBLIC ACCESS TO RECORDS (Cont'd.)**

- 7) The person or body designated to hear appeals shall inform the appellant and the Committee on Open Government of its determination in writing within ten (10) business days of receipt of an appeal.
- 8) Further denial of access by the Superintendent/Appeals Officer to a requested record shall be subject to court review in accordance with Civil Practice Law and Rules Article 78.

**Fees**

- 1) There shall be no fee charged for the following:
  - a. Inspection of records;
  - b. Search for records;
  - c. Certification of documents;
  - d. Copies of documents which have been printed or reproduced for distribution to the public.
- 2) The District may charge a fee for copies of records provided that:
  - a. The fee for copying records shall not exceed twenty-five cents (25¢) per page for photocopies not exceeding 8 1/2 by 14 inches except when a different fee is otherwise prescribed by law.
  - b. The fee for copies of records not covered by subparagraph 2)a of this regulation shall not exceed the actual reproduction cost.

**Public Notice**

The District shall publicize by posting in a conspicuous location in the Central Office:

- 1) The location where records shall be made available for inspection and copying.
- 2) The name, title, business address, and business telephone number of the designated Records Access Officer.
- 3) The right to appeal by any person denied access to a record and the name and business address of the person or body to whom an appeal is to be directed.

## Community Relations

**SUBJECT: PUBLIC ACCESS TO RECORDS**

<u>Responsibility</u>	<u>Action</u>
Requester	<ol style="list-style-type: none"><li>1) <ol style="list-style-type: none"><li>a. Obtains Application For Public Access To Records request (Form #3310F) to inspect or copy record(s) from Records Access Officer.</li><li>b. Completes Application For Public Access To Records request (Form #3310F) and submits to Records Access Officer.</li></ol></li></ol>
Records Access Officer	<ol style="list-style-type: none"><li>2) Determines if record(s) specified on form is/are available for inspection and copying:<ol style="list-style-type: none"><li>a. If available, directs requester within five (5) business days of receipt of request to place where record(s) may be inspected and copied.</li><li>b. If not available, notes reason for unavailability on request form, returns copy to requester within five (5) business days of receipt of request, and informs requester of right to appeal.</li><li>c. If unable to grant or deny access to records within five (5) business days of receipt of request, furnishes written acknowledgment of receipt of request and statement of approximate date when determination will be made.</li><li>d. In cases when a determination has been made to grant a request for a record and circumstances prevent disclosure of the record within twenty (20) business days from the date of the acknowledgement of the request, to state in writing both the reason</li></ol></li></ol>

(Continued)

## Community Relations

**SUBJECT: PUBLIC ACCESS TO RECORDS (Cont'd.)**

<u>Responsibility</u>	<u>Action</u>
Records Access Officer (Cont'd.)	for the District's inability to grant the request within twenty (20) business days and a date certain, within a reasonable period, depending upon the circumstances, when the request will be granted in whole or in part.
Requester	3) If not satisfied with response submits written appeal to the Appeals Officer within thirty (30) days.
Superintendent/Appeals Officer	4) Within ten (10) business days of the receipt of an appeal, shall: <ul style="list-style-type: none"> <li data-bbox="834 1050 1481 1115">a. Further deny access to records sought, fully explaining in writing or;</li> <li data-bbox="834 1146 1354 1180">b. Provide access to the records sought.</li> <li data-bbox="834 1211 1481 1272">c. Submits to Committee on Open Government a copy of Appeal and final determination.</li> </ul>
Requester	5) If denied further access by the Appeals Officer, may bring a proceeding for review of such denial pursuant to Article 78 of the Civil Practice Law and Rules.



## Community Relations

**SUBJECT: DEVELOPMENT GUIDELINES FOR CODES OF CONDUCT ON SCHOOL PROPERTY**

The Alfred-Almond Central School District has developed and will amend, as appropriate, a written Code of Conduct for the Maintenance of Order on School Property, including school functions, which shall govern the conduct of students, teachers and other school personnel, as well as visitors. The District shall further provide for the enforcement of such Code.

For purposes of this regulation and the implemented Code of Conduct, school property means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the District's elementary or secondary schools, or in or on a school bus as defined in Vehicle and Traffic Law Section 142; and a school function shall mean a school-sponsored extracurricular event or activity regardless of where such event or activity takes place: including those in another state.

The District Code of Conduct has been developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel, and has been approved by the Board of Education.

The Code of Conduct shall include, at a minimum:

- 1) Provisions regarding conduct, dress and language deemed appropriate and acceptable on school property, including school functions; and conduct, dress and language deemed unacceptable and inappropriate on school property. Examples of potential items to be considered include:
  - a. Dress codes;
  - b. Bill of student rights and responsibilities. (Refer also to #19).
- 2) Provisions regarding acceptable civil and respectful treatment of teachers, school administrators, other school personnel, students, and visitors on school property, including school functions. Examples of potential items to be considered include:
  - a. Adoption of a Civility Policy;
  - b. Prohibition of swearing and/or use of abusive language.
- 3) The appropriate range of disciplinary measures which may be imposed for violation of such Code of Conduct.
- 4) The roles of teachers, administrators, other school personnel, the Board of Education, and parents/persons in parental relation to the student.
- 5) Standards and procedures to assure security and safety of students and school personnel.

(Continued)

## Community Relations

**SUBJECT: DEVELOPMENT GUIDELINES FOR CODES OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)**

- 6) Provisions for the removal from the classroom, and from school property and school functions, of students and other persons who violate the Code of Conduct. Examples of potential items to be considered include:
- a. Grounds for teacher removal of "disruptive students" (as defined in accordance with Education Law and Commissioner's Regulations) from the classroom:  
  
A "disruptive student" is defined as an elementary or secondary student under twenty-one (21) years of age who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. (Refer also to #16.)
  - b. Provisions prescribing the period for which a disruptive student may be removed from the classroom for each incident by the teacher. However, no such "disruptive" student shall return to the classroom until the Principal (or his/her designated School District administrator) makes a final determination, pursuant to Education Law Section 3214(3-a)(c) (see "c" below) or the period of removal expires, whichever is less.
  - c. The Principal/designee shall not set aside the discipline imposed by the teacher unless the Principal/designee finds that:
    - (1) The charges against the student are not supported by substantial evidence;
    - (2) The student's removal is otherwise in violation of law; or
    - (3) The conduct warrants suspension from school pursuant to Education Law and a suspension will be imposed.
  - d. Teachers are required to **immediately** report and refer "violent students" (as defined in accordance with Education Law) to the Principal or Superintendent for a violation of the Code of Conduct and a minimum suspension period pursuant to Education Law Section 2801. (Refer also to #17.)
- 7) Disciplinary measures to be taken in incidents involving the possession or use of illegal substances or weapons, the use of physical force, vandalism, violation of another student's civil rights, harassment and threats of violence.
- 8) Provisions for detention, suspension and removal of students from the classroom, consistent with the Education Law Section 3214 and other applicable federal, state, and local laws.

(Continued)

## Community Relations

**SUBJECT: DEVELOPMENT GUIDELINES FOR CODES OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)**

- 9) Procedures to ensure the provision of continued educational programming and activities for students removed from the classroom, placed in detention, or suspended from school, which shall include alternative educational programs appropriate to individual student needs.
- 10) Procedures by which violations are reported and determined; and disciplinary measures imposed and carried out.
- 11) Provisions ensuring that the Code of Conduct, and its enforcement, are in compliance with state and federal laws relating to students with disabilities.
- 12) Procedures by which local law enforcement agencies shall be notified of Code violations which constitute a crime.
- 13) Provisions setting forth the circumstances under and procedures by which parents/persons in parental relation to the student shall be notified of Code violations by their children.
- 14) Circumstances under and procedures by which a complaint in criminal court, a juvenile delinquency petition or person in need of supervision ("PINS") petition as defined in Articles 3 and 7 of the Family Court Act will be filed.
- 15) Circumstances under and procedures by which referral to appropriate human service agencies shall be made.
- 16) Delineation of a **minimum** suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom. However, the suspending authority may reduce the suspension period on a case-by-case basis consistent with any other state and federal law.

The determination of students who "repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom" shall be in accordance with definitions enumerated in Commissioner's Regulations. For purposes of this requirement:

"Repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom" shall mean engaging in conduct which results in the removal of the student from the classroom by teacher(s) pursuant to Education Law Section 3214(3-a) and the provisions set forth in the Code of Conduct on four (4) or more occasions during a semester, or three (3) or more occasions during a trimester, as applicable.

(Continued)

## Community Relations

**SUBJECT: DEVELOPMENT GUIDELINES FOR CODES OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)**

- 17) Delineation of a **minimum** suspension period for acts that would qualify the student to be defined as a "violent student" pursuant to Education Law Section 3214(2-a)(a) and enumerated below. However, the suspending authority may reduce the suspension period on a case-by-case basis consistent with any other state and federal law.

Pursuant to Education Law, a "violent student" is defined as an elementary or secondary student under twenty-one (21) years of age who:

- a. Commits an act of violence upon the teacher, administrator or other school employee;
  - b. Commits, while on School District property, an act of violence upon another student or any other person lawfully upon such property;
  - c. Possesses, while on School District property, a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death;
  - d. Displays, while on School District property, what appears to be a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing death or physical injury;
  - e. Threatens, while on School District property, to use any instrument that appears capable of causing physical injury or death;
  - f. Knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other School District employee, or any person lawfully upon School District property; or
  - g. Knowingly and intentionally damages or destroys School District property.
- 18) Consistent with the federal Gun-Free Schools Act, any student who is determined to have brought a firearm to school or possessed a firearm at school shall be suspended for a period of not less than one (1) calendar year. However, the Superintendent has the authority to modify this suspension requirement on a case-by-case basis.
- 19) A Bill of Rights and Responsibilities of Students which focuses upon positive student behavior, and which shall be publicized and explained to all students on an annual basis.
- 20) Guidelines and programs for in-service education programs for all District staff members to ensure effective implementation of school policy on school conduct and discipline.

The Code of Conduct has been adopted by the Board of Education only after at least one (1) public hearing that provided for the participation of school personnel, parent/persons in parental relation, students, and any other interested parties.

(Continued)

## Community Relations

**SUBJECT: DEVELOPMENT GUIDELINES FOR CODES OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)**

Distribution of the Code of Conduct shall include, but not be limited to, the following methods of dissemination:

- 1) Copies of a summary of the Code of Conduct shall be provided to all students at a general assembly held at the beginning of each school year.
- 2) Copies of the Code of Conduct shall be made available to parents/persons in parental relation to students at the beginning of each school year.
- 3) A plain language summary of the Code of Conduct shall be mailed to all parents/persons in parental relation to students **before** the beginning of each school year, and such summary of the Code shall be made available thereafter upon request.
- 4) Each existing teacher shall be provided with a copy of the Code of Conduct and a copy of any amendments to the Code as soon as practicable following initial adoption or amendment of the Code, and new teachers shall be provided with a copy of the current Code upon their employment.
- 5) Copies shall be made available for review by students, parents/persons in parental relation to students, non-teaching staff, and other community members
- 6) The District shall further take reasonable steps to ensure community awareness of the Code provisions.

The District's Code of Conduct shall be reviewed by the Board of Education on an annual basis and updated as necessary, taking into consideration the effectiveness of Code provisions and the fairness and consistency of its administration. The District is authorized to establish a committee to facilitate the review of the Code of Conduct and the District's response to Code of Conduct violations. Any such committee shall be comprised of similar individuals designated to develop the original Code of Conduct (see above).

The Board of Education shall reapprove any such updated Code of Conduct or adopt revisions only after at least one (1) public hearing that provides for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties.

The District shall file a copy of its Code of Conduct and all amendments to the Code with the Commissioner of Education no later than thirty (30) days after their respective adoptions.

## Community Relations

**SUBJECT: MAINTENANCE OF PUBLIC ORDER ON SCHOOL PROPERTY**

<u>Responsibility</u>	<u>Action</u>
Administrator/Designee	1) a. Determines if person(s) is/are in violation of the Code of Conduct for the Maintenance of Order on School Property. b. Determines the cause of the conduct in question and makes a reasonable effort to persuade those engaged in the conduct to desist. He/she must try to resort to permissible methods for the resolution of any issues which may be presented. c. Tells the person(s) that their conduct is in violation of the Code of Conduct and warns the person(s) involved in the conduct of the consequences if they persist in the prohibited conduct. d. If a visitor or other third party on school premises refuses to discontinue such conduct, ejects the person(s) from the premises where the conduct is taking place. e. May apply to the public authorities for any aid he/she deems necessary in causing the ejection of any violator of the rules. f. May request school counsel to apply any legal course of action to the violators.
School Counsel	2) Assists in application to court of appropriate jurisdiction for an injunction to restrain the violation or threatened violation of these rules, subject to provisions of applicable law.
Administrator/Designee	3) If violator is a student or an employee of the District, applies appropriate disciplinary procedures in accordance with law, the Code of Conduct, District policies, and, if applicable, collective bargaining agreement. 4) Informs and submits a written report to the Board.

## Community Relations

**SUBJECT: VANDALISM PROTECTION**

<u>Responsibility</u>	<u>Action</u>
Employee	1) Reports damage or act of vandalism to the principal.
Principal/Designee	2) a. Investigates damage or act of vandalism. b. Reports findings of the investigation to the Superintendent.
Superintendent/Designee	3) a. Determines the extent (if any) of police involvement. b. Notifies parents/guardians and student (if known) and confers with them regarding damages done. c. Submits to the student/parents/guardians a description of damages and a bill for their repair.
Student/Parents/Guardians	4) a. Agrees to pay for damages.  or b. Agrees to work for the District until the debt is paid.  or c. Refuses to provide restitution.
Superintendent/Designee	5) Initiates legal action if option 4(c) is exercised by the student/parents/guardians.

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
VANDALISM, BURGLARY, THEFT, OR ILLEGAL ENTRANCE REPORT**

(Report to Buildings and Grounds Superintendent immediately.)

DATE \_\_\_\_\_

1) School Building \_\_\_\_\_

2) Principal \_\_\_\_\_

3) Name of employee who reported the incident \_\_\_\_\_

Title \_\_\_\_\_

4) Date Incident occurred \_\_\_\_\_

5) Approximate time of Incident \_\_\_\_\_

6) Remarks (Include a complete description of the event; damage to equipment, floors, windows, etc. State when event or damage was discovered and to whom it was reported).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(use back of the form for additional comments)

7) Estimated Cost \_\_\_\_\_

8) Final Disposition \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Superintendent of Buildings and Grounds

Copies to: Superintendent  
Business Manager  
Principal

**SUBJECT: EARLY WARNING SIGNS OF STUDENT VIOLENCE**

While it is not always possible to predict behavior that will lead to violence, staff members can recognize certain early warning signs. It is the responsibility of all staff to help ensure a safe school environment, and to inform the building principal when such staff member is aware of and/or notices a student who may be potentially violent.

**Early Warning Signs**

The following early warning signs are offered as an aid in identifying and referring students who may be potentially violent and are in need of help. It is important to note that these early warning signs are not equally significant and are not presented in order of seriousness. Furthermore, it is inappropriate, and potentially harmful, to use the following warning signs as a checklist against which to match individual students. Staff are to use the early warning signs for identification and referral purposes only; it is the responsibility of trained professionals to make diagnoses in consultation with the student's parents or guardians.

The early warning signs include, but are not limited to, the following:

- 1) Social withdrawal.
- 2) Excessive feelings of isolation and being alone.
- 3) Excessive feelings of rejection.
- 4) Being a victim of violence.
- 5) Feelings of being picked on and persecuted.
- 6) Low school interest and poor academic performance.
- 7) Expression of violence in writings and drawings.
- 8) Uncontrolled anger.
- 9) Patterns of impulsive and chronic hitting, intimidating, and bullying behaviors.
- 10) History of discipline problems.
- 11) Past history of violent and aggressive behavior.
- 12) Intolerance for differences and prejudicial attitudes.

(Continued)

**SUBJECT: EARLY WARNING SIGNS OF STUDENT VIOLENCE (Cont'd.)**

- 13) Drug use and alcohol use.
- 14) Affiliation with gangs.
- 15) Inappropriate access to, possession of, and use of firearms.
- 16) Threats of violence.

**Student Referrals**

Staff members who observe any of the above warning signs in a student, and who believe that such student is a threat to himself/herself and/or others, or may display aggressive rage or violent behavior, shall immediately notify the building principal. As deemed necessary and/or appropriate, the principal will contact the following individuals: the student's parents/guardians; the school psychologist and/or counselor; and the Director of Special Education, if applicable, in order to discuss the student's behavior and implement a plan of appropriate intervention as may be necessary.

The Superintendent will be kept informed as to any actions taken by the building principal.

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
THREATS OF VIOLENCE IN THE SCHOOL:  
NOTIFICATION TO PARENTS/GUARDIANS**

\_\_\_\_\_  
(Date)

Dear Parents/Guardians:

Due to recent events which have occurred in schools throughout the country, our School District has placed renewed efforts and priority on helping to ensure a safe and secure school environment for our students and staff, and to implement measures to prevent school violence.

We are asking your cooperation in helping us address the issue of violence in our schools. It is only through cooperation with the home that the schools can be successful in implementing appropriate standards of student behavior.

Attached to this letter is a copy of our School District Policy addressing Threats of Violence in the School. We have also enclosed for your review a copy of a summary of the *Code of Conduct For the Maintenance of Order on School Property* which provides a list of sample proscribed activities (which is not intended to be exhaustive), as well as the range of disciplinary actions which may be taken. The complete *Code of Conduct* shall be available upon request.

Effective immediately, if your child threatens violence against others, whether staff and/or students, or makes threats involving the school or school buildings, he/she will face immediate disciplinary action as well as possible referral to local law enforcement agencies.

Additionally, the Alfred-Almond Central School District retains the right to seek restitution for any costs or damages incurred as a result of a student's actions and/or threats, such as the evacuation of the school building.

We are requesting that you discuss with your child the importance of his/her cooperation in reporting threats of violence against others, suicide threats, or threats involving the school building by calling the school hotline or reporting the threat to faculty members or the building principal.

Please discuss the attached Policy and *Code of Conduct* summary with your child; sign and return the bottom portion of this form to the classroom teacher within the next seven (7) days.

Sincerely,

\_\_\_\_\_  
(Principal)

-----  
Please detach and have your child return to his/her classroom teacher.

My child, \_\_\_\_\_, and I have read, discussed and understand the Policy addressing Threats of Violence in the School and the *Code of Conduct* summary.

Signature of Parent(s)/Guardian(s) \_\_\_\_\_ Date \_\_\_\_\_

## Community Relations

**SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT**

The Alfred-Almond Central School District is committed to creating and maintaining a working and learning environment which is free of discrimination and intimidation. Based upon the principle that every individual is entitled to be treated with dignity and respect, and a recognition that harassment is a violation of law and District policy, the District strictly prohibits communication (verbal, written or graphic) and/or physical conduct which constitutes harassment based on an individual's actual or perceived race, color, creed, religion, national origin, sexual orientation (the term "sexual orientation" means heterosexuality, homosexuality, bisexuality, or asexuality, whether actual or perceived), political affiliation, sex, age, marital status, military status, veteran status, or disability. The District also prohibits harassment based on an individual's opposition to discrimination or participation in a related investigation or complaint proceeding under the anti-discrimination statutes.

Anyone who is in violation of District policy and/or regulation will be subject to sanctions and/or disciplinary action as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with applicable laws and/or regulations, District policy and regulation, and the District Code of Conduct. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, the Code of Conduct, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors/contractors, etc.) who are found to have violated District policy and/or accompanying regulations, and the Code of Conduct, will be subject to appropriate sanctions as warranted and in compliance with law.

**Prohibition of Retaliatory Behavior**

Retaliation against any individual for filing a charge of harassment or reporting allegations of harassment is illegal and prohibited. Similarly, retaliation against any person who participates in a related investigation or proceeding and/or hearing of such a charge or complaint of harassment is also prohibited. Any employee or student who retaliates against another individual shall be subject to disciplinary action, as warranted, in accordance with legal guidelines, applicable contractual mandates and/or the Code of Conduct.

**Definitions/Examples of Prohibited Conduct**

The District strictly prohibits all forms of harassment on school premises and in school buildings; and at all school-sponsored programs, activities and events, including those which take place off school premises.

(Continued)

## Community Relations

**SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**

Harassment can include any unwelcome verbal, written, e-mail or physical conduct which offends, denigrates, or belittles any individual because of any of the characteristics described above. Such conduct includes, but is not limited to, derogatory remarks, jokes, demeaning comments or behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting, or the display or circulation of written materials or pictures.

Harassment Based on Race, Color and/or National Origin

Harassment based on race, color and/or national origin consists of communication (verbal, written, or graphic) and/or physical conduct relating to an individual's race, color, or national origin (including an individual's ancestry, country of origin, or country of origin of the individual's parents, family members, or ancestors) that is sufficiently severe, pervasive, or persistent so that such conduct:

- 1) Has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment;
- 2) Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
- 3) Otherwise adversely affects an individual's employment or academic opportunities.

Examples of such conduct include, but are not limited to, the following:

- 1) Intimidation and implied or overt threats of physical violence motivated by race, color, and/or national origin.
- 2) Physical acts of aggression or assault upon another, or damage to another's property that is motivated by the individual's race, color, and/or national origin.
- 3) Demeaning jokes based on an individual's race, color and/or national origin, taunting, racial slurs and derogatory racial "nicknames," innuendoes, or other negative or derogatory remarks of a racial nature or relating to national origin.
- 4) Graffiti and/or slogans or visual displays such as cartoons or posters depicting racial/ethnic slurs or racially/ethnically derogatory sentiments.
- 5) Criminal offenses directed at persons because of their race, color, and/or national origin.

(Continued)

**SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**Sexual Harassment

Sexual harassment consists of unwanted and unwelcome sexual or gender-based behavior including, but not limited to, sexual advances, requests for sexual favors, sexually motivated physical conduct, or other communication (verbal, written or graphic) and/or physical conduct of a sexual nature when:

- 1) Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, of an individual's employment or education.
- 2) Submission to, or rejection of, such conduct or communication is used as a factor in decisions affecting an individual's employment or education.
- 3) Such conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's work or education; or creates an intimidating, hostile or offensive work or educational environment.

*For specific information relating to sexual harassment complaints, prohibited conduct, and grievance procedures, please refer to the District's policies and/or regulations addressing Sexual Harassment of District Personnel and Sexual Harassment of Students.*

Harassment Based on Disability

For purposes of this regulation, harassment because of disability consists of severe, persistent or pervasive communication (verbal, written or graphic) and/or physical conduct relating to an individual's physical or mental impairment such that it substantially or unreasonably interferes with an individual's work or academic environment; affects an individual's ability to participate in or benefit from employment/educational programs or activities; or creates an intimidating, threatening or abusive work/educational environment. Such harassing conduct includes any unwelcome verbal, written or physical conduct directed at the characteristics of a person's disabling condition, such as imitating manner of speech or movement, or intentional interference with necessary equipment.

Examples of prohibited conduct include, but are not limited to, the following:

- 1) Graffiti containing offensive language which is derogatory to others because of their physical or mental disability.
- 2) Threatening or intimidating conduct directed at another because of the other's physical or mental disability.
- 3) Jokes, rumors or name calling based upon an individual's physical or mental disability.

(Continued)

## Community Relations

**SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**

- 4) Slurs, negative stereotypes, and hostile acts which are based upon another's physical or mental disability.
- 5) Graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes.
- 6) A physical act of aggression or assault upon another because of an individual's physical or mental disability.
- 7) Other kinds of aggressive conduct such as theft or damage to property which is motivated by an individual's physical or mental disability.

Harassment Based on Religion and/or Creed

Harassment on the basis of religion and/or creed consists of unwelcome communication (verbal, written or graphic) and/or physical conduct directed at the characteristics of a person's religion or creed including, but not limited to, derogatory comments regarding surnames, religious tradition, religious clothing, or religious slurs or graffiti. It has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment; or substantially or unreasonably interferes with an individual's work or academic performance; or otherwise adversely affects an individual's employment or academic opportunities.

Other Forms of Harassment

In accordance with applicable laws, as well as District policy, regulation, collective bargaining agreements, and/or the District Code of Conduct, the District condemns and prohibits all other forms of unlawful harassment based on the characteristics named above that substantially or unreasonably interfere with an individual's work/academic environment; adversely affect an individual's work/academic performance; or otherwise adversely affect an individual's employment or academic opportunities in violation of law and regulations, District policies, collective bargaining agreements and/or District Code of Conduct, as applicable.

*This regulation should not be read to abrogate other District policies and/or regulations prohibiting other forms of unlawful discrimination, inappropriate behavior, and/or hate crimes within this District. It is the intent of this District that all such policies and/or regulations be read consistently to provide the highest level of protection from unlawful discrimination in the provision of employment/educational services and opportunities. However, different treatment of any member of the above named group which has a legitimate, legal and nondiscriminatory reason shall not be considered a violation of District policy and/or regulation.*

(Continued)

**SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)****Authority and Responsibility**

It is the responsibility of all Alfred-Almond Central School District employees and students to ensure that their behavior and environment are maintained free of harassment. Furthermore, each administrator and supervisor has the responsibility to maintain a non-threatening environment which includes discussing the District's policy and regulation pertaining to harassment with all employees and students, and assuring students and staff that they are not required to endure insulting, degrading or exploitative treatment.

All complaints of harassment, whether written or verbal, formal or informal, will be thoroughly investigated to determine whether the totality of the alleged behavior and circumstances may constitute harassment. It is recommended that any individual of the above named group who believes he/she has been subjected to harassment, or has reason to know of and/or witnesses any incident of harassment by a District employee, student, or other third party subject to the control and supervision of the District, submit a *written* complaint; however, complaints may be filed verbally and the absence of a written complaint does not negate the District's responsibility to investigate such allegations as thoroughly as possible. School officials are required to provide a written report of investigation findings and any action taken to resolve the complaint within time frames as established by the District.

Any individual of the above named group who believes he/she has been subjected to harassment in the school environment or at school-sponsored activities, including those which take place off school premises, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of harassment, shall promptly report such occurrence; the report is to be directed to or forwarded to the District's designated Complaint Officer(s) or as otherwise indicated in this regulation. The District will designate, at a minimum, two Complaint Officers, one of each gender. If the individual is in doubt as to the "seriousness" of the incident and/or whether such behavior constitutes harassment, he/she is still encouraged to immediately report such conduct for resolution. If the Complaint Officer is the alleged offender, the report shall be directed to the next level of supervisory authority as indicated below. Allegations of harassment may be reported through informal and/or formal complaint procedures; and utilization of the District's grievance guidelines does not preclude an individual from pursuing other avenues of legal recourse.

If there is some reason why an individual cannot make a report to the designated Complaint Officer, the individual may report the matter to the next level of supervisory authority or building administrator as appropriate. However, if the individual reports such occurrence to any other school employee, the individual shall be informed of the employee's obligation to report the complaint to administration. The administrator who is made aware of the occurrence of possible harassment, whether or not a complaint has been filed, is required to promptly report the incident(s) to the Superintendent and/or designated Complaint Officer as appropriate.

(Continued)

**SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**

Complaints of harassment will be investigated thoroughly, promptly and impartially in accordance with law and regulations as well as any applicable collective bargaining agreement(s). *However, when school officials receive a complaint or report of alleged harassment that is criminal in nature or that could lead to in-school or out-of-school violence, law authorities should be immediately notified.*

The Superintendent is to be informed as soon as possible regarding all complaints and/or reports regarding harassment, and the status of any investigations.

**Reporting of Complaints: General Guideline**

Any individual of the above named group who believes that he/she has been subjected to harassment or who is made aware of and/or witnesses any possible occurrence of harassment shall report such complaint as soon as possible after the alleged incident occurs in order to help the District effectively and promptly investigate and resolve the complaint. In order to assist in the investigation, victims and/or witnesses should document the harassment as soon as it occurs, providing as much detail as possible including, but not limited to, the following:

- 1) The name, address and telephone number of the complainant.
- 2) The name and/or description of the alleged offender or offenders.
- 3) The specific nature of the alleged harassment including the complainant's explanation of why he/she believes it to be harassment.
- 4) A thorough and detailed account of the actions and/or dialogue which occurred between the alleged harasser and the complainant. This account should include the frequency of the conduct, the date, time, location of the incident, and the complainant's actions and responses during the incident(s).
- 5) The names of witnesses or of persons who have knowledge of the incident, including the names of persons with whom the complainant discussed the incident, and the time and date of this discussion.
- 6) Written material, documents, or other evidence related to the incident.

In investigating the complaint, the designated Complaint Officer will meet separately with the complainant and the alleged harasser, and will follow applicable law and regulations as well as any applicable collective bargaining agreement(s).

(Continued)

**SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**

All parties will be assured that complaints and discussions will remain as confidential as possible, and will be disclosed only on a "need to know" basis in order to effectively investigate the complaint and/or as mandated by law or court order. However, a written record of the investigation and any action taken will be established. Additionally, parents of students subjected to possible harassment and/or students filing a harassment complaint, as well as parents of accused students, may be notified by the appropriate administrator of such occurrence and/or allegations as warranted and in accordance with legal guidelines. If the accused student has been identified as having a disability (or is suspected of having a disability) pursuant to Section 504/Individuals with Disabilities Education Act, a student referral shall be made to the Section 504 Team/Committee on Special Education for evaluation/assessment and/or a manifestation determination, as may be applicable in accordance with state and federal law and regulations, to determine whether the student's conduct is caused or affected by his/her disability.

The complainant, the alleged harasser and any witnesses will be directed to refrain from talking about the investigation while it is pending.

The Superintendent will begin investigating the allegations of harassment no later than three (3) working days following receipt of the complaint; and will report the findings of the investigation to the Board of Education no later than twenty (20) working days following receipt of the complaint. In the case of extenuating circumstances, the Complaint Officer will file a status report with the Board of Education if it becomes necessary to extend the timeline for completion of the investigation.

During the course of the investigation and thereafter, the Complaint Officer will instruct the alleged harasser to have no contact or communication regarding the complaint with the victim and/or any witnesses; and that retaliation, whether direct or indirect, against the victim and/or witnesses is prohibited and may be subject to disciplinary action. Similarly, the Complaint Officer will instruct the victim and/or witnesses to refrain from contacting or communicating with the alleged harasser regarding the complaint. The Complaint Officer will ask the victim what specific action the victim wants taken by the District in order to satisfactorily resolve the complaint.

If the complainant attempts to withdraw a complaint, the Complaint Officer will determine that the withdrawal is not caused by retaliation and then document the complainant's reasons and ask the complainant to sign the documentation. A copy of all written material pertaining to the case/investigation will be retained in a separate confidential file.

**Step 1 – Informal Complaints**

An individual of the above named group who believes that he/she has been subjected to harassment or anyone who is aware of or who has knowledge of or witnesses an occurrence of harassment may file an informal complaint, whether verbal or written, by requesting a meeting between himself/herself and the Superintendent ( or by reporting such occurrence as otherwise

(Continued)

**SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**

indicated in this regulation) in order to discuss the allegations and further appropriate actions, if any. The Superintendent will next discuss the complaint with the alleged offender; if the alleged offender is a District employee, the investigation will be in accordance with any applicable collective bargaining agreement. All complaints, whether formal or informal, concerning allegations of harassment are to be reported immediately to the Building Principal and Superintendent for his/her information; the Superintendent will keep the Building Principal/supervisor informed throughout all stages of the investigation. The Principal/supervisor will be kept informed of the complainant's and/or accused's response and recommended course of action, if any.

If the initial investigation results in a finding that harassment did occur, the Superintendent will notify the Building Principal/supervisor of his/her recommendations. The Superintendent will then take prompt disciplinary action in accordance with the terms of District policy and regulations, federal and state law and regulations, and/or the applicable collective bargaining agreement. The Superintendent will notify the complainant and the accused, in person and in writing, as to the finding and/or course of action within twenty (20) working days following receipt of the complaint.

If the complainant is satisfied with the report of the Complaint Officer, the complainant will so indicate in writing. If not satisfied with the Complaint Officer's report, the complainant and/or the accused may proceed to file a formal complaint.

Informal complaint procedures will generally take place at the building level and involve resolution steps short of a comprehensive investigation and/or formal hearing. For example, in attempting to resolve a complaint informally, the Complaint Officer may interview the alleged harasser, inform the alleged harasser of the complaint, question the harasser about the alleged incidents, and review the District's policy and regulations regarding harassment. The Complaint Officer will inform the alleged harasser that he/she must immediately stop any offensive conduct or face appropriate disciplinary action. The Complaint Officer will follow the provisions of any applicable collective bargaining agreement(s) throughout the course of such investigation(s).

**Step 2 – Formal Complaint**

An individual of the above named group may file a formal complaint of harassment as an initial step or as a result of an unsatisfactory resolution of an informal complaint. The formal complaint should include all applicable information as indicated in this regulation as well as any other pertinent information which may be helpful in the course of the investigation.

As noted above, the complainant, the alleged harasser and any witnesses will be directed to refrain from talking about the investigation while it is pending. Disclosure of information will be on a "need to know" basis.

(Continued)

## Community Relations

**SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**

The formal complaint will be filed with the Superintendent who will submit a copy of the complaint to the Building Principal/supervisor. The Complaint Officer will, in accordance with federal or state laws and regulations and any applicable collective bargaining agreement(s), conduct a prompt and thorough investigation no later than three (3) working days following receipt of the complaint.

If the formal investigation results in a finding that harassment did occur, the Superintendent will notify the Building Principal/supervisor of his/her recommendations. The Superintendent will then take prompt disciplinary action in accordance with the terms of District policy and regulations, federal and state law and regulations, and/or the applicable collective bargaining agreement. The Superintendent will notify the complainant and the accused, in person and in writing, as to the finding and/or course of action within twenty (20) working days following receipt of the formal complaint.

If the complainant is satisfied with the report of the Superintendent, the complainant will so indicate in writing. If not satisfied with the Complaint Officer's report, the complainant and/or the accused may appeal the determination to the Board of Education. The appeal should be in writing and submitted no later than ten (10) working days following receipt of the Complaint Officer's decision.

**Step 3 – Appeal to the Board of Education**

In the event that a complainant and/or accused files an appeal with the Board of Education following an investigation by the Superintendent of Schools, such appeal must be submitted within ten (10) working days of receipt of the Superintendent's report. The Board of Education will conduct a hearing and issue a written response to the complainant and the accused following completion of the hearing within thirty (30) days of receipt of the complaint. If additional time is needed, a written status report shall be submitted to all parties, indicating the need for additional time.

**Prohibition of Retaliation**

Regardless of the stage of the investigation, the victim will be instructed by the Complaint Officer to report immediately if the offensive behavior occurs again and/or if the alleged harasser retaliates against him/her. Any witnesses who cooperated in the investigation of the complaint will be similarly instructed to report to the Complaint Officer immediately as to any retaliatory action(s). Additionally, the designated Complaint Officer will make follow-up inquiries to ensure that harassment has not resumed and 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.

**Discipline/Penalties**

Based upon the result of the District's investigation, immediate corrective action will be taken. Should the offending individual be a school employee, appropriate disciplinary measures will be

(Continued)

**SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)**

applied, up to and including termination of the offender's employment, in accordance with contractual and legal guidelines.

Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with applicable law, regulation, and the Code of Conduct.

Vendors/contractors and other individuals who do business with the District, who have been found to violate the terms of the anti-harassment policy and/or regulation by engaging in prohibited conduct, will be subject to appropriate sanctions up to and including loss of District business. School volunteers who are found to have violated District policy and regulation may face loss of volunteer status.

Should the offending individual be a visitor, guest or other third party, then any corrective action deemed appropriate will be taken, including, but not limited to, expulsion from the District premises and/or school activities/events under the control and supervision of the Alfred-Almond Central School District.

The application of such disciplinary measures by the District does not preclude the appropriate filing of civil and/or criminal charges as may be warranted.

**Finding That Harassment Did Not Occur**

At any level/stage of investigation of alleged harassment, if a determination is made that harassment did not occur, the Complaint Officer will so notify the complainant, the alleged offender and the Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or regulation and/or pursuing other legal avenues of recourse.

However, even if a determination is made that harassment did not occur, the Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the school community is not conducive to fostering harassment in the workplace.

In all cases, the Superintendent will inform the Board of Education of the results of each investigation involving a finding that harassment did not occur.

**Knowingly Makes False Accusations**

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of harassment may also face appropriate disciplinary action.

(Continued)

**SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)****District Responsibility/Training**

Regardless of whether a complaint has been filed, if the District knows of the occurrence or the possible occurrence of any harassment, the District will require a prompt and thorough investigation by appropriate personnel. Even if an anonymous complaint has been filed, the District will respond to the greatest extent possible.

Principals in each school building and/or program supervisors will be responsible for informing students and staff on a yearly basis of District policy and regulations regarding the prohibition of harassment, including the procedures established for the investigation and resolution of harassment complaints, the general legal issues pertaining to harassment, and the rights and responsibilities of employees and students.

Those administrators and/or supervisors who have specific responsibilities for the investigation and resolution of harassment complaints will receive specialized training on conducting such investigations and application to applicable laws and collective bargaining agreements.

**Privacy Rights**

As part of the investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of students and staff, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

**Dissemination of District Policy/Regulation and Evaluation**

A copy of District policy and regulations pertaining to prohibition of harassment will be available upon request. A copy of District policy and regulations may be posted in various locations throughout each school building. Additionally, the District's policy and regulations will be published in appropriate school publications such as teacher/employee handbooks, student handbooks, and/or school calendars.

The Superintendent of Schools, or his/her designee(s), has a responsibility to review District policy and regulations to ensure continued effectiveness and compliance with applicable law. The Superintendent will recommend revisions as may be warranted to the Board of Education.

NOTE: Refer also to Regulations #3230R.1 -- [Anti-Discrimination Complaint Guidelines](#)  
#6121R -- [Sexual Harassment](#)  
#6122R -- [Employee Discrimination Grievance Guidelines](#)  
#6410R -- [Staff Use of Computerized Information Resources](#)  
#7315R -- [Student Use of Computerized Information Resources](#)  
#7550R -- [Student Discrimination Grievance Guidelines](#)

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
HARASSMENT COMPLAINT FORM**

Name and Position of Complainant: \_\_\_\_\_

Address: \_\_\_\_\_ Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Date Complaint Filed: \_\_\_\_\_

Name and/or Description of Alleged Harasser: \_\_\_\_\_

If the Alleged Harassment was toward Another Person, Identify that Other Person: \_\_\_\_\_

Description of Alleged Harassment: Describe the incident(s) as clearly as possible, including such things as any verbal statements made (e.g., threats, requests, demands); what, if any, physical contact was involved; etc. Attach additional pages if necessary. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date and Place of Incident(s): \_\_\_\_\_

Were there Other Individuals Involved in the Alleged Harassment? \_\_\_\_\_

If Yes, Name the Other Individual(s) and Their Role in the Alleged Harassment: \_\_\_\_\_

\_\_\_\_\_

Names of Witnesses (if applicable): \_\_\_\_\_

\_\_\_\_\_

Has the Incident Been Previously Reported? \_\_\_\_\_

(If Yes, When and to Whom?) \_\_\_\_\_

Describe the Outcome and/or Resolution: \_\_\_\_\_

\_\_\_\_\_

(Use additional sheets to provide additional information if necessary.)

Remedy Sought by Complainant: \_\_\_\_\_

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Complainant

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
HARASSMENT COMPLAINT FORM (Cont'd.)**

(To Be Completed By Various District Personnel)

Decision of Complaint Officer and Action Taken: \_\_\_\_\_

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Action Taken by Superintendent (if applicable): \_\_\_\_\_

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Action by the Board (if applicable): \_\_\_\_\_

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Other Comments: \_\_\_\_\_

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\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Complaint Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Superintendent

*NOTE: For complaints regarding allegations of **Sexual Harassment**, please refer to Form #6121F -- Sexual Harassment Complaint Form.*



**SUBJECT: EMERGENCY CLOSINGS**

The Superintendent is empowered to close the District Schools, delay the opening, or to dismiss students early in the event of hazardous conditions, including weather, which threaten the safety of students.

In making the decision to close schools, either the Superintendent or his/her designee shall consider many factors, including the following:

- 1) The availability of parent(s)/guardians(s) to receive the student at home in the event schools should be dismissed early.
- 2) The health and safety of students remaining in a school environment.
- 3) Weather conditions, both existing and predicted.
- 4) Driving and traffic conditions affecting public and private transportation facilities.
- 5) Continuance or discontinuance of the operations of business, commercial and professional people in the area.

Facts will be assembled from the appropriate agencies and organizations before any decisions are made. For example, the Highway Department, Police Department, Weather Bureau, transportation companies and other governmental agencies, as needed, will be called.

Following the decision, communications will begin for the total notification of the students and staff. Either the Superintendent or his/her designee shall notify the public media. Employees should listen to broadcasts beginning at 6 a.m. Any employee who is doubtful about reporting should contact his/her immediate supervisor.

**Utility Outages**

Operating a school building without electricity or water violates Commissioner's Regulation 155.7, "Health and Safety in Existing Educational Facilities". Included in this Regulation, among others, are the following items:

- 1) Inoperative mechanical systems resulting in inadequate ventilation
- 2) Bathrooms lacking lights (electricity) or water (water main breaks)
- 3) Classrooms lacking lights

(Continued)

**SUBJECT: EMERGENCY CLOSINGS (Cont'd.)**

- 4) Dark corridors darkening after emergency lighting becomes weak
- 5) Non-functioning sprinkler systems due to lack of water
- 6) Smoke and fire control systems, including fire alarms, losing battery power

Instances of school closings for power outages should be reported to SED through the District Superintendent as required by Commissioner's Regulation 155.17(h) for the School Safety Plan (School Emergency Management Plan).

Exception: Short-term outages of a determinative length and in consultation with SED Facilities Planning may not necessitate school closing.

**Delayed School Plan**

When it appears likely that weather and/or street conditions will improve later in the morning, a "delayed school opening" announcement may be made to the public. Employees shall make an effort to report to their assignment at the regular starting time.

"A" Schedule (One (1) hour delay in all school starting times):

All schools will begin one (1) hour later than normal starting times and dismiss at regular time.

"B" Schedule (Two (2) hour delay in all school starting times):

All schools will begin two (2) hours later than normal starting times and dismiss at regular time.

**Early Dismissal School Plan**

When a sudden, unanticipated emergency condition, including weather alert, arises after school has commenced, and it is deemed appropriate to close schools and offices, the following actions will be followed:

- 1) The media will be called and the public will be informed of the decision.
- 2) Schools will be dismissed with dismissal time arranged to parallel the arrival of buses. No staff member may leave his/her assignment until all students have left the building (unless authorized to do so by the Principal).
- 3) Elementary students can be released to the custody of their parent(s)/guardian(s) or another designated adult.

(Continued)

**SUBJECT: EMERGENCY CLOSINGS (Cont'd.)****Staff Assignments**

The Superintendent is responsible for the effective operation of the Alfred-Almond Central School District at all times. Under Education Law, Sections 1711 and 3012, the Superintendent is empowered to require certain groups of employees to work while other employees are not required to work because the absence of students reduces the productivity of these employees.

When schools are officially closed for students due to inclement weather or other emergency conditions:

- 1) In general, school-based personnel will not report with the exception of the building plant operators, custodians, maintenance, and janitorial staff, as per negotiated agreement.
- 2) The Superintendent of Buildings and Grounds, the transportation supervisor and the Superintendent will report to work, along with other designated employees.
- 3) Principals will remain responsible for security of their schools and for seeing that the building and grounds are made as ready as possible for school on the next scheduled day.

**Parent/Guardian Notifications**

Principals have the responsibility to urge parents/guardians to make plans for the emergency supervision of their children should an all-day closing, a delayed opening, or an early closing of school be necessary.

Radio and television announcements, electronic mail (e-mail), District website, or telephone trees may be used to notify staff members.

## Community Relations

**SUBJECT: EMERGENCY CLOSINGS**

<u>Responsibility</u>	<u>Action</u>
<b>Before School</b>	
Superintendent/Designee	<ol style="list-style-type: none"> <li>1) Consults with highway officials or other agencies regarding road conditions and predicted weather patterns.</li> <li>2) Makes decision as to closing.</li> <li>3) If decision is to close, notifies:               <ol style="list-style-type: none"> <li>a. Radio and television stations</li> <li>b. Principals</li> </ol> </li> </ol>
<b>During School</b>	
Transportation Supervisor	<ol style="list-style-type: none"> <li>1) Consults with highway officials or other agencies regarding road conditions and predicted weather patterns.</li> <li>2) Informs Superintendent of adverse conditions.</li> </ol>
Superintendent/Designee	<ol style="list-style-type: none"> <li>3) Makes decision as to closing.</li> <li>4) If decision is to close, notifies:               <ol style="list-style-type: none"> <li>a. Transportation Supervisor</li> <li>b. Radio and television stations</li> <li>c. Principals</li> <li>d. Staff and Students</li> </ol> </li> </ol>
Transportation Supervisor	<ol style="list-style-type: none"> <li>5) Notifies drivers and substitutes where necessary.</li> <li>6) Reschedules school pickups as soon as decision is made.</li> </ol>

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Non-Instructional/Business  
Operations

**Alfred-Almond Central School District**

**NUMBER**

**BUDGET**

1.1 Budget Planning and Development  
Regulation.....5110R

**INCOME**

2.2 District Investments  
Regulation: Investment Guidelines.....5220R  
2.5 Sale and Disposal of District Property  
Regulation.....5250R

**EXPENDITURES**

3.2 Expenditures of School District Funds  
Regulation: Guidelines for Use of Claim Forms .....5320R  
3.2.3 Reimbursement for Meals/Refreshments at Staff/Board Meetings and  
District Events  
Regulation.....5323R

**PURCHASING**

4.1 Purchasing  
Regulation: Purchasing: Vendor Business Guidelines .....5410R  
Regulation: Procurement Guidelines .....5410R.1  
Regulation: Competitive Purchasing of Goods and Services .....5410R.2  
Regulation: Criteria for Awarding Contracts to the Lowest  
Responsible Bidder .....5410R.3

**FISCAL ACCOUNTING AND REPORTING**

5.2 Extraclassroom Activity Funds  
Regulation: Safeguarding, Accounting and Auditing of  
Extraclassroom Activity Funds.....5520R  
5.3 Petty Cash Funds and Cash in School Buildings  
Regulation: Petty Cash Funds.....5530R  
5.4 Employee Personal Identifying Information .....5565R  
5.7 Financial Accountability  
Regulation: Revenue and Cash Management .....5570R

**NUMBER****NON-INSTRUCTIONAL OPERATIONS**

6.3	Facilities: Inspection, Operation and Maintenance	
	Regulation: Operation and Maintenance of Facilities .....	5630R
	Form: Custodial Repair Work Request.....	5630F
	Form: Facility Damage/Loss Report.....	5630F.1
	Regulation: Hazard Communication Program.....	5631R
6.6	School Food Service Program (Lunch and Breakfast)	
	Regulation: Free and Reduced Price Meal Program.....	5660R
	Regulation: Non-Discrimination and Hearing Procedure Assurances .....	5660R.1
	Procedure: Free and Reduced Price Meal Program .....	5660P
6.7	Records Management	
	Regulation.....	5670R
6.7.1	Regulation: Disposal of Consumer Report Information and Records .....	5671R
6.7.2	Form: Information Security Breach and Notification Reporting Form .....	5672F
6.8	Safety and Security	
	Regulation: Regulations and Regulatory Agencies that Affect School District Facilities and Employees .....	5680R
	Regulation: Building Security .....	5680R.1
	Regulation: Hazard Communication Program.....	5680R.2
	Regulation: Hazardous Materials.....	5680R.3
6.8.1	School Safety Plans	
	Regulation.....	5681R
6.8.2	Cardiac Automated External Defibrillators (AEDs) in Public School Facilities	
	Regulation.....	5682R
6.8.3	Fire Drills, Bomb Threats and Bus Emergency Drills	
	Regulation: Bomb Threat Response Guidelines.....	5683R
	Form: Bomb Threat Call Checklist.....	5683F
	Form: School Bomb Threat and Serious Incident Reporting Form.....	5683F.1
6.8.4	Anthrax and Other Biological Terrorism: Prevention Protocols/ Protocols for Mail Handling	
	Regulation.....	5684R
6.9	Exposure Control Program	
	Regulation: Exposure Control Program: Responsibilities of the School Administrator.....	5690R
	Regulation: Staff Education/Training Regarding Bloodborne Pathogens .....	5690R.1
	Form: Universal Precautions Inservice Attendance Record .....	5690F
	Form: Blood and Body Fluids Incident Form.....	5690F.1
6.9.1	Communicable Diseases	
	Regulation.....	5691R
6.9.2	Human Immunodeficiency Virus (HIV) Related Illnesses	
	Regulation: HIV Related Illnesses: Employees.....	5692R

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Non-Instructional/Business  
Operations

**NUMBER**

**NON-INSTRUCTIONAL OPERATIONS (Cont'd.)**

Regulation: HIV Related Illnesses: Students.....	5692R.1
Form: Authorization for Release of Confidential HIV Related Information .....	5692F
Form: Authorization for Release of Confidential HIV Related Information to the Superintendent of Schools and the Board of Education .....	5692F.1
6.9.3 Idling School Buses on School Grounds .....	5751R

**SUBJECT: BUDGET PLANNING AND DEVELOPMENT**

The budget reflects the educational aims of the Alfred-Almond Central School District. This means that items placed in the budget should be a direct reflection of the educational aims of the people of the District as determined by the Board of Education. As Chief Executive Officer of the Board of Education, the Superintendent has the basic responsibility for the preparation of the proposed annual budget. However, the budget-making process must involve other administrators and employees. The general procedure to be followed in preparing the proposed annual budget will be:

**School Business Official**

- 1) The School Business Official shall be responsible for the preparation of the final copy of the proposed budget for presentation to the Board of Education by the Superintendent.
- 2) Although he/she shall not be charged with the assignment of specific items in the budget, unless those items are within the scope of his/her direct responsibility, he/she shall scrutinize each item and offer his/her advice to the Superintendent regarding each item.
- 3) The School Business Official shall be responsible for the assignment of items in the proposed budget to the proper budget category.
- 4) The School Business Official will submit budgetary requests in the categories for which he/she is directly responsible to the Superintendent as outlined in the District's budget planning booklet.

**Preparation of Budget**

- 1) All budgetary requests from all administrators, and from any other sources, shall be submitted to the Superintendent as outlined in the District's budget planning booklet.
- 2) All budget requests will be carefully reviewed by the Superintendent with the assistance of the School Business Official.
- 3) A draft budget will be available for Board of Education review by April 1.
- 4) The Board will hold the necessary number of work sessions to discuss the budget proposal with a view to having a Board approved budget available for review by District residents in accordance with time frames as enumerated in law.
- 5) A budget hearing must be held not less than seven (7) nor more than fourteen (14) days prior to the Annual District meeting and Election at which the budget vote will occur. The proposed budget must be completed at least seven (7) days prior to the budget hearing at which it is to be presented.

(Continued)

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

- 6) Copies of the proposed annual operating budget for the succeeding year to be voted upon may be obtained by any District resident, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen (14) days immediately preceding the Annual District Meeting and Election.
- 7) All Alfred-Almond Central School District budgets which are submitted for voter approval must be presented in three (3) components to be voted upon as one (1) proposition: a program component, an administrative component, and a capital component. The law prescribes the types of items to be included in each component and further prescribes that all relevant costs be included in each component.
- 8) Additionally, the District will prepare and append to copies of the proposed budget, a School District Report Card and Property Tax Report Card, pursuant to the Regulations of the Commissioner of Education, referencing measures of academic and fiscal performance. A detailed statement of the total compensation to be paid to various administrators as enumerated in law and/or regulation will also be appended to copies of the proposed Budget.
- 9) All budget documents for distribution to the public will be written in plain language and organized in a manner which best promotes public comprehension of the contents. The documents must be complete and accurate and contain sufficient detail to adequately inform the public regarding such information as mandated by law and/or regulation.

**Early Placement of Orders**

- 1) Bids may be received and orders placed with suppliers prior to public approval of the budget provided the following clause, or its equivalent, is inserted in requests for bids and all purchase orders:  
  
"Bids received and orders placed on the following year's budget prior to approval of such budget by the voters are subject to the approval of the budget at the annual meeting. In the event of non-approval of the budget by the public, any orders placed will not be binding upon the Alfred-Almond Central School District."
- 2) It is desirable to have purchase requisitions in such form that upon approval of the budget by the electorate, deliveries can be received and the majority of them completed no later than June 30.

**SUBJECT: INVESTMENT GUIDELINES****Scope**

This investment regulation applies to all moneys and other financial resources available for investment on behalf of the Alfred-Almond Central School District or on behalf of any other entity or individual.

**Objectives**

The primary objectives of the local government's investment activities are, in priority order:

- 1) To conform with all applicable federal, state and other legal requirements (legal).
- 2) To adequately safeguard principal (safety).
- 3) To provide sufficient liquidity to meet all operating requirements (liquidity).
- 4) To obtain a reasonable rate of return (yield).

**Delegation of Authority**

The Board of Education's responsibility for administration of the investment program is delegated to the school business official who shall follow appropriate procedures for the operation of the investment program consistent with investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

**Prudence**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Alfred-Almond Central School District to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

(Continued)

**SUBJECT: INVESTMENT GUIDELINES (Cont'd.)**

**Diversification**

It is the policy of the Alfred-Almond Central School District to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

**Internal Controls**

It is the policy of the Alfred-Almond Central School District for all moneys collected by any officer or employee of the District to transfer those funds to the school business official within five (5) working days of deposit, or within the time period specified in law, whichever is shorter.

The school business official is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

**Designation of Depositories**

The banks and trust companies authorized for the deposit of moneys up to the following maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount</u>	<u>Officer</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

These Depositories may vary from year to year and are reestablished yearly at the Reorganization Meeting.

**SUBJECT: INVESTMENT GUIDELINES (Cont'd.)****Collateralizing of Deposits**

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the Alfred-Almond Central School District, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- 1) By a pledge of "eligible securities" with an aggregate "market value," as provided by General Municipal Law, Section 10, equal to the aggregate amount of deposits from the categories designated in Appendix A of this regulation.
- 2) By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the Alfred-Almond Central School District for a term not to exceed ninety (90) days with an aggregate value equal to one hundred forty percent (140%) of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one (1) of the three (3) highest rating categories by at least one (1) nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
- 3) By an eligible surety bond payable to the Alfred-Almond Central School District for an amount at least equal to one hundred percent (100%) of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two (2) nationally recognized statistical rating organizations.

**Safekeeping and Collateralization**

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure Alfred-Almond Central School District deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released, and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the Alfred-Almond Central School District, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Alfred-Almond Central School District or its custodial bank.

(Continued)

**SUBJECT: INVESTMENT GUIDELINES (Cont'd.)**

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the Alfred-Almond Central School District, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Alfred-Almond Central School District a perfected interest in the securities.

**Permitted Investments**

As authorized by General Municipal Law, Section 11, the Alfred-Almond Central School District authorizes the school business official to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- 1) Special time deposit accounts;
- 2) Certificates of deposit;
- 3) Obligations of the United States of America;
- 4) Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- 5) Obligations of the State of New York;
- 6) Obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Alfred-Almond Central School District;
- 7) Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorized such investment;
- 8) Certificates of Participation (COPs) issued pursuant to General Municipal Law, Section 109-b;
- 9) Obligations of this School District, but only with any moneys in a reserve fund established pursuant to General Municipal Law, Sections 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Alfred-Almond Central School District within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Alfred-Almond Central School District within two (2) years of the date of purchase.

(Continued)

**SUBJECT: INVESTMENT GUIDELINES (Cont'd.)****Authorized Financial Institutions and Dealers**

The Alfred-Almond Central School District shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the Alfred-Almond Central School District conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the School District. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The school business official is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

**Purchase of Investments**

The school business official is authorized to contract for the purchase of investments:

- 1) Directly, including through a repurchase agreement, from an authorized trading partner.
- 2) By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5-G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Alfred-Almond Central School District.
- 3) By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the School District.

All purchased obligations, unless registered or inscribed in the name of the Alfred-Almond Central School District, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the School District by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Section 10.

(Continued)

**SUBJECT: INVESTMENT GUIDELINES (Cont'd.)**

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for the Alfred-Almond Central School District, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the Alfred-Almond Central School District a perfected interest in the securities.

**Repurchase Agreements**

Repurchase agreements are authorized subject to the following restrictions:

- 1) All repurchase agreements must be entered into or subject to a Master Repurchase Agreement.
- 2) Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- 3) Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- 4) No substitution of securities will be allowed.
- 5) The custodian shall be a party other than the trading partner.

(Continued)

**APPENDIX A**  
**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT**  
**Schedule of Eligible Securities**

- Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district, or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than sixty (60) days from the date they are pledged.
- Zero coupon obligations of the United States government marketed as "Treasury strips."

**SUBJECT: SALE AND DISPOSAL OF DISTRICT PROPERTY****Rationale**

Building administrators and support staff supervisors are responsible for identifying obsolete and surplus equipment and supplies within their area(s) of responsibility.

Periodically, a determination shall be made as to what equipment, supplies and/or materials are obsolete and cannot be salvaged or utilized effectively or economically by the Alfred-Almond Central School District. Such equipment, supplies or materials shall be sold through bid procedures, if possible, for the highest possible price.

**Guidelines**

The school business official shall be authorized to dispose of obsolete or surplus equipment and supplies in the following manner:

- 1) Reassign the items, as needed, to other locations within the Alfred-Almond Central School District;
- 2) Centralize the storage of items of potential usefulness;
- 3) Discard or sell as surplus those items determined to be of no further use or worth.

Following approval by the Board of Education, items may be sold in the following manner:

- 1) Items sold at a public sale. In the event of a public sale, notice of availability of such equipment, supplies and materials and requests for bids shall be disseminated through announcements in local newspapers and such other appropriate means. The general public, as well as staff members, shall be eligible to bid on the equipment, supplies and/or materials.
- 2) Remaining items shall be sold as scrap for the highest obtainable amount or discarded in the safest, least expensive manner.

**SUBJECT: GUIDELINES FOR USE OF CLAIM FORMS**

Claim forms are for the use of employees for reimbursement of their personal use of money for miscellaneous work related expenditures, when it is not feasible or economical to use a purchase order.

The procedures for completing a Claim Form are as follows:

- 1) Claim forms used by employees are not to exceed one hundred fifty dollars (\$150).
- 2) All appropriate original receipts must be attached. Reimbursements will not be approved if copies of receipts are used. In circumstances where a personal check or credit card is used, a copy of the check front and back or credit card statement will be acceptable. If a gift certificate is purchased, a copy of the certificate with the student's name identified on it will also be required with the receipt.
- 3) Only one employee can submit for reimbursement per receipt.
- 4) Proper types of receipts include:
  - a. Store register tapes showing the store name/description of item/date.
  - b. Invoices with company letterhead listing the employee as the purchaser and stamped paid in full.
  - c. Employee credit card statement and shipping document (if purchased by phone).
  - d. Copy of front and back of canceled check along with order form or registration form. For meals over twenty-five dollars (\$25), an itemized receipt is required (these receipts are now standard in most restaurants). All costs for alcoholic beverages need to be deducted.
- 5) The complete budget code must be entered, or the claim form will be returned to the Supervisor, which could delay processing.
- 6) Claim forms are not to be used to pay for contractual services such as for bus transportation or field trip admissions. In those cases a purchase order should always be used.
- 7) Supervisor's approval is required.

Non-Instructional/Business  
Operations

**SUBJECT: REIMBURSEMENT FOR MEALS/REFRESHMENTS AT STAFF/BOARD MEETINGS AND DISTRICT EVENTS**

It is the position of the New York State Comptroller's Office that meals of public officers and employees may not be reimbursed or paid by the municipal entity unless the officer or employee is traveling outside his/her regular work area on official business for an extended period of time. The School District requires overnight travel to be eligible for such meal expenses. This regulation also applies to any meals provided at staff meetings except under the following circumstances:

- 1) Meals may be considered a proper municipal expense where the School 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.
- 2) 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:
  - a. 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;
  - b. Scheduling prevents the meeting from being held at a different time;
  - c. 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 am to 2 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 at 12 noon.
- 3) When claiming such expenses for reimbursement or requesting that payment be made, you must justify on the claim form the need for such expense as outlined above.
- 4) Before meal expenses for meetings with staff members can be reimbursed or paid, the following information must be provided to the Business Office:
  - a. What was the purpose of the meeting?
  - b. When was the meeting held?
  - c. What time was the meeting held?
  - d. What was the reason that the meal had to be served during the meeting?

These guidelines apply to all employees of the School District and are effective immediately.

**SUBJECT: PURCHASING: VENDOR BUSINESS GUIDELINES**

- 1) Vendor, as defined for this regulation, includes any business, organization, or individual doing business with the School District; any of its organizations, or employees; and student organizations, approved to operate within the policies and regulations of the School District.
- 2) The Board shall not enter into contracts with vendors and/or sales representatives in which an individual Board member, school official or employee is in a position to benefit personally from the exercise of his/her official authority with respect to that contract. Any violation of this regulation would bar the vendor from doing business with the District.
- 3) For vendors of instructional materials, preference will be given to vendors who agree to provide materials in alternative formats (i.e., any medium or format, other than a traditional print textbook, for presentation of instructional materials that is needed as an accommodation for a student with a disability). Alternative formats include, but are not limited to, Braille, large print, open and closed captioned, audio or an electronic file in an approved format as defined in Commissioner's Regulations.
- 4) Apparel and Sports Equipment Purchases

Competitive Bidding Purchases

The Board of Education will only accept bids from "responsible bidders." A determination that a bidder on a contract for the purchase of apparel or sports equipment is not a "responsible bidder" shall be based upon either or both of the following considerations:

- a. The labor standards applicable to the manufacture of the apparel or sports equipment, including but not limited to employee compensation, working conditions, employee rights to form unions, and the use of child labor; or
- b. The bidder's failure to provide information sufficient for the Board of Education to determine the labor standards applicable to the manufacture of the apparel or sports equipment.

Non-Competitive Bidding Purchases

The Board's internal policies and procedures governing procurement of apparel or sports equipment, where such procurement is not required to be made pursuant to competitive bidding requirements, shall prohibit the purchase of apparel or sports equipment from any vendor based upon either or both of the following considerations:

(Continued)

**SUBJECT: PURCHASING: VENDOR BUSINESS GUIDELINES (Cont'd.)**

- a. The labor standards applicable to the manufacture of the apparel or sports equipment, including but not limited to employee compensation, working conditions, employee rights to form unions, and the use of child labor; or
  - b. The bidder's failure to provide information sufficient for the Board of Education to determine the labor standards applicable to the manufacture of the apparel or sports equipment.
- 5) The District will maintain a list of responsible bidders, suppliers and vendors.
  - 6) The Business Office shall develop, maintain, and upon request provide the names of potential vendors and bidders for various types of materials, equipment, and supplies to schools and organizations.
  - 7) All staff and students will comply with the School District's procedures and applicable state law. Any building, department, program, or organization shall obtain quotations if required by District procedures.
  - 8) School facilities may be used by an outside or private vendor when such use satisfies a legitimate school purpose. Such practice may be authorized only upon:
    - a. Approval of the Superintendent and Board of Education,
    - b. The full and equal opportunity for all approved prospective vendors to compete,
    - c. The involvement of students in the process, and
    - d. Students are not compelled to use a designated vendor.

**District Plan Regarding Alternative Formats for Instructional Materials**

As required by federal law and New York State Regulations, the District has adopted the National Instructional Materials Accessibility Standard (NIMAS) to ensure that curriculum materials are available in a usable alternative format for students with disabilities. To facilitate this process, the District will participate in the National Instructional Materials Access Center (NIMAC) and will require that all contracts with publishers for textbooks and other printed core materials executed after December 2006 include a provision requiring the publisher to produce NIMAS files and send them to NIMAC.

(Continued)

**SUBJECT: PURCHASING: VENDOR BUSINESS GUIDELINES (Cont'd.)**

The District will establish a plan to ensure that all instructional materials in a usable alternative format for each student with a disability (including students requiring Section 504 Accommodation Plans) are based upon the student's educational needs and course selections, and will be available at the same time as such instructional materials are available to non-disabled students.

"Alternative format" is defined as any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a student with a disability enrolled in the School District, including but not limited to Braille, large print, open and closed captioned, audio, or an electronic file. An electronic file must be compatible with at least one alternative format conversion software program that is appropriate to meet the needs of the individual student.

The Plan shall:

- 1) Ensure that the District gives a preference in the purchase of instructional materials it has selected for its students to those vendors who agree to provide such instructional materials in alternative formats;
- 2) Specify, when an electronic file is provided, how the format will be accessed by students and/or how the District will convert to an accessible format;
- 3) Specify the process to be used when ordering materials to identify the needs of students with disabilities residing in the District for alternative format materials;
- 4) Specify ordering timelines to ensure that alternative format materials are available at the same time as regular format materials are available; and
- 5) Include procedures so that when students with disabilities move into the School District during the school year, the process to obtain needed materials in alternative formats for such students is initiated without delay.

**SUBJECT: PROCUREMENT GUIDELINES**

This resolution sets forth the guidelines to meet the requirements of General Municipal Law, Section 104-b.

**Purpose**

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public monies, in the best interest of the taxpayers to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the governing Board has adopted internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, Section 103 or any other general, special or local law.

**Procedures for Determining Whether Procurements are Subject to Bidding**

The procedures for determining whether a procurement of goods and services is subject to competitive bidding and determining that competitive bidding is not required by law is as follows:

- 1) The Board is required by law to award all purchase contracts for supplies, materials and equipment involving expenditures in excess of ten thousand dollars (\$10,000) and all contracts for public works in excess of thirty-five thousand dollars (\$35,000) to the lowest responsible bidder after advertising for public sealed bids.
- 2) When a contract involves acquisition of both goods and services, a judgment must be made as to the primary purpose of the contract. If the services are minor, incidental or customarily provided by the vendor in connection with the goods purchased, the contract should be viewed as a purchase contract. If the service component is extensive or predominant or involves special skills, the contract should be treated as one for public works.
- 3) In determining the necessity for competitive bidding, the aggregate amount to be expended during the fiscal year on an item or those of a similar nature (a "reasonable commodity grouping") must be considered. For example, office supplies or art materials would constitute an appropriate grouping for bidding purposes.

Additionally, in determining whether the dollar requirements have been reached, allowances for any trade-in related to the purchase must be treated as an expenditure; the estimated gross cost of the item is controlling. Net cost is relevant only to the determination of the low bid.

(Continued)

**SUBJECT: PROCUREMENT GUIDELINES (Cont'd.)****Guidelines for Purchasing Supplies and Equipment when Competitive Bidding is Not Required by Law**

<u>Estimated Amount of Purchase</u>	<u>Procedure/Requirements</u>	<u>Responsibility</u>
Less than \$1,000	One price from the selected vendor.	Originator can select the vendor.
\$1,000 - \$2,500	At least two (2) catalog or price sheet comparisons.	Obtained by the originator. The originator shall indicate on the purchase requisition form the basis for the determination that the suggested vendor be used.
\$2,500 - \$4,000	Two (2) verbal quotations, name of vendor and date of quote.	Obtained by the originator. The originator shall indicate on the purchase requisition form the basis for the determination that the suggested vendor be used.
\$4,001 - \$20,000	Three (3) formal written quotations.	Obtained by the school business official.
In excess of \$20,000	Public advertised bids in accordance with General Municipal Law.	Obtained by the school business official.

- NOTE:
- 1) For products available under State contract, which are below the State contract price, no further quotes are required provided the product is the same brand and model number and below the \$20,000 bid threshold.
  - 2) When procurement can be accomplished through the following sources, competitive bidding or procedure requirements listed above are not required.
    - a. Under State Contract;
    - b. Under a County contract;

(Continued)

**SUBJECT: PROCUREMENT GUIDELINES (Cont'd.)**

- c. From State Correctional Institutions (Corrections Law Sections 184 and 186);
- d. From State agencies for the blind and severely disabled (State Finance Law, Section 162);
- e. Emergencies (General Municipal Law, Section 103[4]);
- f. Sole source, professional services, true leases and insurance;
- g. Second-hand equipment from another government agency.

**Guidelines for Public Works Projects when Competitive Bidding is Not Required by Law**

<u>Estimated Amount of Purchase</u>	<u>Procedure/Requirement</u>	<u>Responsibility</u>
Less than \$2,000	No quotation required.	Originator must substantiate the need and choice of contractor.
\$2,001 - \$35,000	Three (3) formal written quotations.	Obtained by the School Business Official.
In excess of \$35,000	Public, advertised bids.	Obtained by the School Business Official.

**Annual Review**

Comments concerning the policies and procedures shall be solicited from employees of the Base School District involved in the procurement process from time to time.

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

**Unintentional Failure to Comply**

The unintentional failure to fully comply with the provisions of General Municipal Law, Section 104-b, shall not be grounds to void action taken or give rise to a cause of action against the Base School District or any officer or employee thereof.

**SUBJECT: COMPETITIVE PURCHASING OF GOODS AND SERVICES****General Statements**

The purchasing policy of the Base School District is to secure supplies, materials, equipment and services in an efficient, economical and timely fashion to meet the District's needs.

The purchasing procedures employed shall comply with all applicable laws and regulations of the State and Commissioner of Education.

**Authority/Responsibility**

In accordance with law, the District must identify the individual or individuals responsible for purchasing and their respective titles. Such information shall be updated biennially.

The District purchasing function will be centralized in the business office under the general supervision of the Purchasing Agent designated by the Board of Education. The Board of Education has designated the School Business Official as the Purchasing Agent for the School District. The Purchasing Agent shall be responsible for developing and administering the purchasing program of the School District.

**Quality**

The purchasing function shall consider circumstances and use as determining factors in quality selection. The Board of Education expects the purchasing agent to make every effort to receive the maximum educational value for every dollar expended.

Items commonly used in the various schools therefore shall be standardized whenever consistent with the educational goals and in the interest of efficiency and economy.

**Vendors and Contractors**

One of the purposes of the purchasing function is to purchase competitively, without prejudice or favoritism. Each order shall be placed on the basis of quality, price, delivery and past service being a factor if all other considerations are equal.

No Board member, officer or employee of the Base School District shall be interested financially in any contract entered into by the Board. This shall also preclude acceptance of any gratuities, financial or otherwise, by the above persons, from any supplier of materials or services to the District.

(Continued)

**SUBJECT: COMPETITIVE PURCHASING OF GOODS AND SERVICES (Cont'd.)****Requesting Bids and Quotations**

The purpose of obtaining bids or quotations is to encourage competition in the procurement of supplies, equipment and services which will be paid for from public funds. Competitive bids or quotations shall be solicited in connection with all purchases whenever feasible and in the best interest of the Base School District.

Contracts will be awarded to the lowest responsible bidder; residence or place of business of the local bidders may be a consideration only in cases where identical bids have been submitted.

All purchase contracts for materials, equipment or supplies involving an annual expenditure of over ten thousand dollars (\$10,000) and all public works involving an expenditure of more than thirty-five thousand dollars (\$35,000) will be awarded on the basis of public advertising and competitive bidding.

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

A statement of "General Conditions" will be included with all specifications submitted to suppliers for their bids.

**Request for Proposal Process for the Independent Auditor**

In accordance with law, no audit engagement shall be for a term longer than five (5) consecutive years. The District may, however, permit an independent auditor engaged under an existing contract for such services to submit a proposal for such services in response to a request for competitive proposals or be awarded a contract to provide such services under a request for proposal process.

**Bid Opening**

Sealed bids should be received, time-stamped, recorded and kept in a safe place until the appointed day and time when they are publicly opened and read. It is important to note that the law requires SEALED BIDS; therefore, "FAXED" bids MAY NOT be accepted.

Bids should be checked and analyzed for compliance with specifications and law. The right to reject all bids for valid cause is reserved to the School District. Also reserved is the right to reject, for cause, any bid in whole or in part; to waive technical defects, qualifications, irregularities and omissions if in its judgment the best interests of the District will be served. Also reserved is the right to reject bids and to purchase items on State Contract if such items can be obtained on the same terms, conditions, specifications, and at a lower price.

(Continued)

**SUBJECT: COMPETITIVE PURCHASING OF GOODS AND SERVICES (Cont'd.)****State Contracts**

Purchases shall be made through available State contracts of the Office of General Services Division of Standards and Purchase, whenever such purchases are in the best interest of the Base School District. However, whenever possible, if quotations can be obtained from suppliers locally at similar prices and equal quality to the State contract, then residence or place of business may be considered if all bidding conditions are met.

**Purchase Orders**

The Purchasing Agent shall be authorized to issue pre-numbered purchase orders for all goods and services where a budgetary appropriation has been made. When formal bidding procedures are required by law, the purchase order will be issued after the Board award of the bid and will refer to the bid submitted, to the specifications which will be attached as part of the contract and will bear the price or prices indicated by the bidder in the bid.

Blanket purchase orders issued yearly to local dealers shall be used only for day-to-day custodial needs or minor repairs.

Purchase orders shall also indicate the address for delivery. All goods received must be accepted by an authorized Base School District employee who shall certify that the goods were received in good condition, before payment can be approved.

No payment for goods or services shall be made unless both an itemized invoice showing name of the person or firm to whom payment is due, and a receiving copy of the purchase order, bearing the signature of an authorized school employee are present. Furthermore, the invoice must have been issued in response to an approved purchase order.

**SUBJECT: CRITERIA FOR AWARDING CONTRACTS TO THE LOWEST RESPONSIBLE BIDDER**

The award of public contracts is of vital interest to the taxpayers and citizens. Many state laws provide for award to the lowest responsible bidder in order to avoid favoritism and its concomitant evils. It would be unfair to bidders, who have expended time and money in the preparation of bids, to be denied equal consideration.

The basis of making awards to the lowest responsible bidder has been adopted with the view of enabling a public body to enter into contracts with the same efficiency and economy that a prudent business person does in the conduct of everyday business affairs. This beneficial result cannot always be obtained when the award goes to the lowest bidder. Definite specifications must be adopted to enable all bidders to make intelligent bids. This establishes a common standard by which to measure the respective bids to determine the lowest responsible bidder.

The New York Courts define the term lowest responsible bidder as one able to respond or answer in accordance with what is expected or demanded. More specifically, the lowest responsible bidder has been interpreted as requiring the successful bidder to possess:

- 1) Financial or procuring ability to complete the contract;
- 2) Integrity and trustworthiness;
- 3) Skill;
- 4) Judgment;
- 5) Ability to perform faithful and conscientious work;
- 6) Promptness;
- 7) Experience;
- 8) Previous performance of satisfactory work;
- 9) Other essential factors which may depend upon the type and kind of contract involved. For example, for vendors of instructional materials, preferences will be given to vendors who agree to provide materials in alternative formats. For apparel or sports equipment vendors, responsible bidders will be considered to be those that comply with fair and proper labor standards including those related to child labor, employee compensation, employees' rights to form unions, and working conditions.

(Continued)

**SUBJECT: CRITERIA FOR AWARDING CONTRACTS TO THE LOWEST RESPONSIBLE BIDDER (Cont'd.)**

On opening and tabulating the bids, the public official must determine two things to make a valid award:

- 1) The responsibility of the bidder;
- 2) Which of the responsible bidders has submitted the lowest bid.

Awarding a contract required to be let to the lowest responsible bidder is mandatory. No authority, except by statute, authorizes the official to accept any other bidder.

Determination of the responsibility of a bidder by the official requires the exercise of judgment and discretion in favor of the institution for which he/she works. This discretion must be exercised honestly and fairly, not arbitrarily nor capriciously. The decision must be based on facts obtained after investigation into the responsibility of the bidders which show that the lowest bidder to whom the award was not made was not a responsible bidder. Failure to make such an investigation invalidates the contract award and such award will not be upheld.

The lowest bidder who is not the lowest responsible bidder must prove that the investigation of the responsibility of bidders was not made or that such action was not the result of the exercise of honest and fair discretion in determining the responsibility of the bidders, but was arbitrary or capricious. The ultimate facts must be recorded.

It is the policy of the District to provide equal opportunities for awarding contracts regardless of race, color, creed, national origin, political affiliation, sex, sexual orientation, age, marital status, military status, or disability.

**SUBJECT: SAFEGUARDING, ACCOUNTING AND AUDITING OF EXTRACLASSROOM  
ACTIVITY FUNDS**

There are certain principles and procedures that should be followed in establishing an adequate accounting system for extraclassroom activity funds. The following basic devices are essential to the proper management of such funds:

**Basic Principles**

- 1) Two (2) separate and independent sets of records of receipts and expenditures shall be maintained.
- 2) The authority to expend moneys shall be distinct and separate from the custody of these moneys.
- 3) At least two (2) individuals shall take part in each act of disbursing money.
- 4) The custodian of funds shall report to the Board of Education regularly at monthly intervals.
- 5) All accounts shall be audited at least annually.
- 6) Procedures shall be established which will ensure a prompt and careful examination and check of each receipt and each payment.
- 7) The accounting system shall be such that it will yield the largest possible educational return to students without sacrificing the safety of funds or exposing students to undue responsibility or unnecessary routine.

**Functions and Duties of Officers**Chief Faculty Counselor (usually the building principal)

It shall be the duty of this officer to coordinate the financial planning of all projects of the various student organizations in his/her building; to consult with the Faculty Advisors; to appoint a Faculty Advisor for each activity in his/her building on a year-to-year basis; and to submit to the Board of Education for approval all new activity organizations initiated by the students. He/she shall investigate all problems and disputes concerning the student organizations under his/her jurisdiction and shall effect action that will enable these problems and disputes to be resolved.

Faculty Advisor

It shall be the duty of these officers to guide and advise the student officers in planning extraclassroom activities and the planning of financial budgets. The advisors shall assist the Activity

(Continued)

**SUBJECT: SAFEGUARDING, ACCOUNTING AND AUDITING OF EXTRACLASSROOM  
ACTIVITY FUNDS (Cont'd.)**

Treasurer in the preparation of statements and sign them as acknowledgment of verification of the income statement to be attached to deposit slips. The advisor shall guide the student treasurer in posting to the account ledger and from time to time shall check the balancing of the Activity Treasurer's accounts and the completeness of their supporting evidence. The Faculty Advisor shall supervise expenditures by insuring that funds are available before approving each proposed purchase and by signing all pay orders drawn on the Central Treasurer for disbursement of funds. The Faculty Advisor is responsible for determining which of the activities of the organization are subject to sales tax and for taking steps to see that all tax information is accurately recorded and sent to the Central Treasurer. The Faculty Advisor shall constantly work toward the goal of insuring the largest educational return from the activities participated in by the students.

Activity Treasurer

The Activity Treasurer shall receive all moneys raised by student activity and shall immediately deposit such funds with the Central Treasurer. Duplicate deposit slips shall be made out and signed by both the advisor and Activity Treasurer. One of these deposit slips is to be retained by the Central Treasurer, and one deposit slip, after being signed by the Central Treasurer, is to be returned to the Activity Treasurer together with a Central Treasurer's receipt.

The Activity Treasurer shall pay all bills by issuing pay orders signed by himself/herself, the Faculty Advisor and the chief faculty counselor. It is the responsibility of the Activity Treasurer to verify the balance in his/her account when submitting a payment order. This form is to be made in duplicate and is an order on the Central Treasurer to issue a check for payment of the invoice which shall be attached to the pay order. The Central Treasurer will keep one copy of the pay order and return the other copy together with the completed check. The Activity Treasurer will then send the check to the vendor involved after posting.

The Activity Treasurer shall keep a ledger showing all receipts and expenditures and indicating a daily running balance which shall be on a form prescribed by the Board of Education. He/she shall file all supporting data, chronologically, as evidence for the entries made in the ledger.

Central Treasurer

It shall be the duty of the Central Treasurer to have custody of all funds. All disbursements of funds shall be by means of pre-numbered check forms signed by the Central Treasurer upon receipt of a payment order signed by the Activity Treasurer, Faculty Advisor and Chief Faculty Counselor. The Central Treasurer shall have no part in the approval of payments but shall disburse funds only on the

(Continued)

**SUBJECT: SAFEGUARDING, ACCOUNTING AND AUDITING OF EXTRACLASSROOM  
ACTIVITY FUNDS (Cont'd.)**

presentation of a properly signed pay order in duplicate providing, of course, that there are sufficient funds available in the account. The completed check will be returned to the student treasurer who will send it to the vendor after posting.

The Central Treasurer shall sign a receipt for all funds placed in his/her custody, and shall deposit these funds promptly in a bank designated by the Board of Education.

The Central Treasurer shall keep an account listing the receipts and expenditures of each individual activity and post a register of all the receipts and disbursements of the combined student organizations on ledger forms prescribed by the Board of Education.

Once each month, the Central Treasurer shall receive and verify the bank statements and prepare reports for presentation to the Faculty Auditor and the Board of Education. These reports to the Board should show beginning balances, receipts for the month and the ending balances for each organization as well as a copy of the bank reconciliation.

This is taken from the State Education Department's book "The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds."

**Extracurricular Account Procedures**

Each class/club organization has an extracurricular account as a depository for class/club organization funds. The Extracurricular Funds Treasurer is appointed annually by the Board of Education and has responsibility for the extracurricular accounts of all school class/club organizations.

All funds, raised in any manner in the name of a respective class/club organization, are to be deposited in the respective extracurricular account. Both the class/club advisor and organization treasurer will be responsible for making an appointment with the Extracurricular Funds Treasurer to complete the necessary forms in the depositing of funds.

The expenditures and/or disbursement of all funds from any extracurricular class/club organizations must have prior approval from the principal. The class treasurer will be responsible for working with the Extracurricular Funds Treasurer to complete the necessary forms in the expending and disbursing of funds. Itemized disbursements are to be provided to the principal prior to approval being granted.

Prior to the close of the school year, it will be the responsibility of both the advisor and class/organization treasurer to make an appointment with the Extracurricular Funds Treasurer to conduct account closing procedures. At this time the class advisor will receive remuneration for

(Continued)

**SUBJECT: SAFEGUARDING, ACCOUNTING AND AUDITING OF EXTRACLASSROOM  
ACTIVITY FUNDS (Cont'd.)**

his/her duties. Advisor responsibilities for each year are not completed until account books have officially been closed.

**Deposit Procedures**

- 1) Upon receiving money, the Activity Treasurer will count the money received and complete a Recap of Receipts form in duplicate.
- 2) If the deposit cannot be taken to Central Treasurer at that time it should then be placed in the school vault until the next school day. **No activity money should be taken home by anyone.**
- 3) The Central Treasurer will sign the recap sheet and return together with a receipt for the money deposited. If the Central Treasurer is not available to count the money then the Activity Treasurer should see that someone from the business office counts the money and issues a receipt. If money is left, uncounted, at the Central Treasurer's office it will be understood that it is NOT the Central Treasurer's responsibility if there is a discrepancy in the amount of deposit.
- 4) The Activity Treasurer shall enter the amount of the deposit in the activity fund register indicating the source from which the funds were received (i.e., dance, magazine sales, etc.).
- 5) File chronologically the supporting data consisting of the duplicate recap sheet, Central Treasurer's receipt and, if applicable, the statement of admissions. These forms provide the evidence for the entries made in the Activity Treasurer's books.

**Withdrawal Procedures**

- 1) Upon receiving an invoice for goods received or services rendered the activity treasurer and the Faculty Advisor should determine that the bill is correct and all items have, in fact, been received as billed.
- 2) A payment order is prepared in duplicate and signed by the Activity Treasurer, Faculty Advisor.
- 3) An invoice, receipt or statement to substantiate expense **MUST** accompany all payment orders before the Central Treasurer can issue a check.
- 4) The balance in the activity's account must be verified and indicated on the payment order.

(Continued)

**SUBJECT: SAFEGUARDING, ACCOUNTING AND AUDITING OF EXTRACLASSROOM  
ACTIVITY FUNDS (Cont'd.)**

- 5) The payment order is sent to the Central Treasurer for payment. Checks are issued each Thursday for all payment orders received by Wednesday afternoon of that week.
- 6) The Central Treasurer will return a copy of the payment order with the date paid and check number indicated. When an address is included the Central Treasurer will send the check to the address listed unless otherwise advised. Where no address is given the check will be returned to the Faculty Advisor for mailing.
- 7) The activity advisor makes the necessary entry in his/her books indicating to whom the check is made out and the reason. The pay order is filed to give supporting evidence for the entry.

**Monthly Reconciliation**

The Activity Treasurers shall reconcile their records with those of the Central Treasurer. At the end of every month the Central Treasurer will send every activity an Activity Reconciliation Report which will be verified by the Activity Treasurer. This will list the transactions for the month including interest earned for the previous month. At the bottom of the report is the statement:

The information on this report is correct and complete to the best of my knowledge.

Signature \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_  
(Please sign and return to Central Treasurer)

**SUBJECT: PETTY CASH FUNDS****Use of Funds**

Petty cash should be used for incidental items of expense up to twenty-five dollars (\$25). The cost of money orders or cashier checks can be included.

**Disbursement of Cash**

- 1) Petty cash expenditures must be covered by a printed voucher form. This should be completed and signed by the person receiving reimbursement from the fund.
- 2) All purchases reimbursed by petty cash must be evidenced by a receipt, sales slip, canceled check or some proof of purchase.
- 3) Vouchers must be approved by the custodian of petty cash funds, which is the school business official, principal, food service manager or transportation supervisor. Until the final claim is submitted, use the vendor number assigned to the custodian of petty cash.
- 4) Do not mingle cash collected from books, fines, fees, etc., with petty cash funds.

**Replenishing of Funds**

- 1) Petty cash funds may be replenished periodically as soon as one half (1/2) of the fund has been disbursed.
- 2) Petty cash expense can be charged to any regular budget code.
- 3) A claim form and petty cash journal record is required when submitting a claim. These reports together with the signed vouchers and receipts must be forwarded to the business office each time the fund is to be replenished.
- 4) Accounts Payable verifies the coding of each petty cash receipt. If changes are made by the business office, the custodian of petty cash is notified.
- 5) After verification has taken place checks are made out to the custodian of petty cash.
- 6) Checks are forwarded to the custodian of petty cash following the Board meeting.
- 7) The petty cash report form must be submitted to the business office before the next Board meeting.

(Continued)

**SUBJECT: PETTY CASH FUNDS (Cont'd.)****Safeguarding Funds**

- 1) Funds should be reconciled periodically by an employee independent of the custodian.
- 2) All petty cash must be returned to the working fund for the District before June 30. A reminder will be forwarded during June.

**SUBJECT: EMPLOYEE PERSONAL IDENTIFYING INFORMATION**

In accordance with Section 203-d of the New York State Labor Law, the District shall restrict the use and access to employee personal identifying information. As enumerated in law, "personal identifying information" shall include 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 shall not unless otherwise required by law:

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

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

**Assessing District Procedures for Safeguarding Employee "Personal Identifying Information"**

District procedures that are to be followed to help safeguard the use of and access to personal identifying information as required by law include, but are not limited to, the following:

- 1) Access to personal identifying information will be restricted to those District employees whose job responsibilities require access to such data; unless otherwise authorized in accordance with law.
- 2) Any document containing personal identifying information should not be left unattended while visible on a computer monitor or a desk.
- 3) Personal identifying information and other confidential or potentially confidential information will not be shared over the telephone unless the caller's identity can be positively confirmed.
- 4) Firewalls will be used on all computers; antivirus software will be used on all servers, desktops and laptops; access to programs or databases containing personal identifying information will be password protected granting access only on a "need-to-know" basis.

(Continued)

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Non-Instructional/Business  
Operations

**SUBJECT: EMPLOYEE PERSONAL IDENTIFYING INFORMATION (Cont'd.)**

District procedures for safeguarding employee "personal identifying information" shall be periodically evaluated by the Superintendent/designee, Human Resources Official, School Business Official, Internal Auditor, and others as deemed necessary.

**Notice to Employees**

District staff shall be informed of and have access to Board Policy and Administrative Regulations addressing "**Employee Personal Identifying Information**," notifying them of their rights and responsibilities in accordance with Labor Law Section 203-d.

Employees who have access to "personal identifying information" as part of their job responsibilities shall be advised as to the restrictions on release of such information in accordance with law.

**SUBJECT: REVENUE AND CASH MANAGEMENT****Cash Receipts and Revenue**

- 1) The Board has authorized all District bank accounts.
- 2) Procedures are in place to periodically verify that only Board-authorized accounts have been established.
- 3) Employees who handle cash are bonded.
- 4) Only Board-authorized individuals collect cash and pre-numbered triplicate receipt forms are used when the funds are collected.
- 5) The District uses receipt forms or some other method (cash register, logs of tickets sold, pre-numbered tickets) to establish accountability for all funds collected including such items as school lunch sales, soft drink sales, library fines, lost book fees, ticket sales for sporting events, concerts, plays, adult education tuition, or other miscellaneous fees and charges.
- 6) Individuals, other than the Treasurer, collecting cash use pre-numbered triplicate receipt forms. One of the receipts should be issued to the payer, another receipt should be issued to the Treasurer, and the last receipt should be retained by the individual collecting the funds to establish accountability. The individual collecting the cash should sign the receipt form.
- 7) Someone independent of other cash and record keeping functions opens the mail, restrictively endorses all checks, establishes a record of all funds received, and prepares the deposit slip.
- 8) The District reconciles actual collections to budgeted amounts, especially in the extraclassroom and lunch areas. If an extraclassroom fundraiser is expected to sell 100 candy bars for \$1 each, the reconciliation should show either \$100 in revenue or \$90 plus 10 candy bars to be returned.
- 9) The Treasurer audits the triplicate receipt books periodically and maintains control over the inventory of receipt books.
- 10) Checks are turned over to the Business Office for deposit and someone independent of the record keeping function verifies the funds were, in fact, deposited into the bank. Generally, the person who makes the initial cash receipt list should be the person who checks their list to actual deposits.
- 11) The individual collecting the money should reconcile the cash received with the register tape or log of tickets sold. The reconciliation should be reviewed and approved by a Supervisor.

(Continued)

**SUBJECT: REVENUE AND CASH MANAGEMENT (Cont'd.)**

- 12) Someone independent of the Business Office should periodically verify the reasonableness and completeness of all deposits.
- 13) The District has a procedure whereby the bank will only wire funds after it receives confirmation to do so from a second person which the District has authorized to approve the transfer.
- 14) All wire transfer notices are retained to support the transaction.
- 15) All checks should be restrictively endorsed upon receipt.
- 16) All cash and checks are kept in a secure location, turned over to the Treasurer, and deposited in the bank on a timely basis.
- 17) Cash balances on the bank statements are reconciled to the cash balances on the accounting records on a monthly basis.
- 18) The bank account reconciler should obtain bank statements directly from the bank (via mail, pick-up, or other means).
- 19) The individual responsible for the bank account reconciliations should not have any duties related to cash receipts and disbursements.
- 20) The bank account reconciler obtains the "book balance" directly from the general ledger, not through an intermediary person or from some other document.
- 21) The bank account reconciler compares bank statement deposit dates and amounts with cash receipts book entries.
- 22) The bank account reconciler compares, on a test basis, the date, payee, and amount on cancelled checks with cash disbursements book/warrant entries.
- 23) The bank account reconciler, on a sample or risk basis, evaluates endorsements on checks for reasonableness.
- 24) Once the reconciliations are completed, someone independent of the process should review them for completeness and to ensure they do not include outdated reconciling items.
- 25) There is adequate separation of duties for bank reconciliations, access to cash, and record keeping.

(Continued)

**SUBJECT: REVENUE AND CASH MANAGEMENT (Cont'd.)**

- 26) The District has procedures in place to ensure it receives the revenue it is entitled to.
- 27) The District uses monthly billings, overdue notices, an accounts receivable aging report, and the contacting of delinquent debtors as part of its accounts receivable process.
- 28) The individual responsible for the accounts receivable billings is prohibited from completing cash receipt and disbursements duties.
- 29) A Supervisor periodically reviews the account receivables billings and reconciles the total to the general ledger amount.

**Cash Management and Investments**

- 1) The District has a procedure to determine if excess cash is available for investment and such amounts are transferred to interest bearing accounts to maximize revenue.
- 2) A summary record of key information is maintained for all investments to properly monitor and account for investments.
- 3) The District invests in only those types of investments permitted by General Municipal Law Sections 10(3) and 11(2).
- 4) The Treasurer or other District Official is aware of collateral requirements and periodically verifies that the market value of pledged securities is sufficient to cover deposits in excess of the \$100,000 FDIC limits.

**Petty Cash**

- 1) All petty cash funds are authorized by the Board and do not exceed \$100 each.
- 2) The responsibility for each petty cash fund is vested in one person who does not have any other duties related to cash receipts.
- 3) All petty cash disbursements are limited to a maximum amount(s), require Supervisory approval, and are supported by adequate documentation.
- 4) Supporting documentation is maintained for each transaction, including the original receipts or invoices marked cancelled when paid.
- 5) Someone independent of the petty cash function periodically audits each petty cash fund to ensure the correct amount of cash and receipts are on hand and the funds are being used in accordance with the District's policies and procedures.

**SUBJECT: OPERATION AND MAINTENANCE OF FACILITIES****Statement**

- 1) Job requests to be completed by District maintenance personnel will be expedited through the office of the superintendent of buildings and grounds. Upon receipt of an approved requisition, a job card will be issued to the appropriate personnel.
- 2) Maintenance and/or repair jobs requiring outside contractors/vendors/firms on a bid/consignment/contract basis will be expedited through the business office. Upon receipt of an approved requisition, signed by the superintendent of buildings and grounds or the school business official, a bid/purchase order will be issued to the appropriate contractor/vendor/firm.
- 3) Job assignments normally defined as duties of building custodians will be assigned as the need arises by the superintendent of buildings and grounds.

**Guidelines**

- 1) In order to obtain maintenance/repairs within the District, a requisition must be submitted and approved by the superintendent of buildings and grounds.
- 2) To issue a bid/consignment/contract to contractors/vendors/firms for maintenance or repairs requiring a purchase order, a requisition may be submitted and approved by:
  - a. Superintendent of buildings and grounds.All requisitions must then be approved by the Superintendent of Schools or his/her designee.
- 3) Copies of the requisition, job confirmation, and job assignment sheets will be sent as follows:
  - a. One copy retained by the superintendent of buildings and grounds as a permanent record; and a second copy returned to the individual/building requesting maintenance/repairs.
  - b. Job Assignment Sheet - maintained on a weekly basis; reviews all requested job assignments.
  - c. Job Confirmation Form - A copy of the requisition form, explaining action taken regarding the request, will be forwarded to the person initiating the request. A copy of all these confirmations will be kept by the superintendent of buildings and grounds.

(Continued)

**SUBJECT: OPERATION AND MAINTENANCE OF FACILITIES (Cont'd.)**

- d. Custodial Personnel Assignment Sheet - the superintendent of buildings and grounds will submit a monthly report to the Superintendent of Schools. This report may include and not be limited to the status of maintenance and custodial personnel within the District; allocation of job assignments; other facts pertinent to sound maintenance and care of buildings, grounds and sites.

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
CUSTODIAL REPAIR WORK REQUEST**

Please complete so that custodians can schedule needed repairs as requested. Return to Main Office.

ROOM OR AREA \_\_\_\_\_

PERSON MAKING REPORT \_\_\_\_\_

ITEM IN NEED OF REPAIR: (check below)

- |                 |                          |                  |                          |
|-----------------|--------------------------|------------------|--------------------------|
| blackboard      | <input type="checkbox"/> | light switch     | <input type="checkbox"/> |
| blinds          | <input type="checkbox"/> | lights           | <input type="checkbox"/> |
| bulletin boards | <input type="checkbox"/> | lock             | <input type="checkbox"/> |
| cabinet         | <input type="checkbox"/> | maps             | <input type="checkbox"/> |
| ceiling         | <input type="checkbox"/> | movie screens    | <input type="checkbox"/> |
| chair           | <input type="checkbox"/> | outlets          | <input type="checkbox"/> |
| clock           | <input type="checkbox"/> | pencil sharpener | <input type="checkbox"/> |
| closet          | <input type="checkbox"/> | phone            | <input type="checkbox"/> |
| desks           | <input type="checkbox"/> | shelf            | <input type="checkbox"/> |
| door            | <input type="checkbox"/> | sink             | <input type="checkbox"/> |
| expansion joint | <input type="checkbox"/> | speaker          | <input type="checkbox"/> |
| faucet          | <input type="checkbox"/> | thermostat       | <input type="checkbox"/> |
| flag            | <input type="checkbox"/> | vent             | <input type="checkbox"/> |
| floor           | <input type="checkbox"/> | window           | <input type="checkbox"/> |
| Other           | <input type="checkbox"/> |                  |                          |

Please state: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE OF REQUEST \_\_\_\_\_

SIGNATURE \_\_\_\_\_

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

If Work Order Required: \_\_\_\_\_

Issued: \_\_\_\_\_

Number: \_\_\_\_\_

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

Work Completed by: \_\_\_\_\_

Chief Custodian: \_\_\_\_\_  
(Signature) (Date)

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
FACILITY DAMAGE/LOSS REPORT**

[ ] Damage Report

[ ] Loss Report

Date of Incident \_\_\_\_\_

Date Discovered \_\_\_\_\_

Building \_\_\_\_\_ Date Reported to Buildings and Grounds \_\_\_\_\_

Authorized Signature \_\_\_\_\_

List Damage or Loss \_\_\_\_\_ Cost to Repair \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe Incident \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Form Completed by \_\_\_\_\_ Date \_\_\_\_\_

Complete the report immediately. If this request resulted due to damage, have Buildings and Grounds supply labor costs.

Forward copies to: Superintendent's Office; Buildings and Grounds Department;  
Insurance Company; Business Office; Your Copy

\*\*\*\*\*

**(FOR BUSINESS OFFICE USE)**

Total Cost of Labor to Repair \_\_\_\_\_

Fringe Benefits \_\_\_\_\_

TOTAL COST OF DAMAGE OR LOSS \_\_\_\_\_

Sent to Insurance Company \_\_\_\_\_ Money Received \_\_\_\_\_

P.O. Copies Sent \_\_\_\_\_

**SUBJECT: HAZARD COMMUNICATION PROGRAM**

The Hazard Communication Program is written to inform employees that the hazards of all chemicals and/or chemical products present, entering and used in the Alfred-Almond Central School District have been evaluated and that information concerning the hazards has been transmitted to employees who may be exposed to such chemicals.

This program is written to fulfill the requirements of the Occupational Safety and Health Administration, 29 CFR 1910.1200, and to fulfill the requirements of the New York State Official Compilations of Codes, Part 820 of Title 12.

All work units of the Alfred-Almond Central School District are included within this program. The written program will be available in the Office of the Risk Management Coordinator for review by any interested employee.

**Container Labeling**

The Risk Management Coordinator will verify that all containers received for use will:

- 1) Be clearly labeled as to the contents;
- 2) Note the appropriate hazard warning;
- 3) List the name and address of the manufacturer.

All secondary containers will be labeled with either an extra copy of the original manufacturer's label or with the generic labels which have a block for identity and blocks for the hazard warning. If written alternatives to labeling of temporary containers are used, a description of the system used will be added. The Risk Management Coordinator will periodically review the District labeling system and update as required.

**Material Safety Data Sheets (MSDS)**

The Risk Management Coordinator will be responsible for obtaining and maintaining the data sheet system for the Alfred-Almond Central School District. Such person will review incoming data sheets for new and significant health/safety information. He/she will see that any new information is passed on to the affected employees. (If alternatives to actual data sheets are used, a description of the system will be provided.) Copies of MSDS's for all hazardous chemicals to which employees of this District may be exposed will be kept in the Office of the Risk Management Coordinator. MSDS's will be available to all employees in their work area for review during each work shift. If MSDS's are not available or new chemicals in use do not have MSDS's, the Risk Management Coordinator should be immediately contacted.

(Continued)

**SUBJECT: HAZARD COMMUNICATION PROGRAM (Cont'd.)****Employee Training and Information**

The Risk Management Coordinator is responsible for the employee training program. He/she will ensure that all elements specified below are carried out. Prior to starting work, each new employee will attend a health and safety orientation and will receive information and training.

After such training, each employee will sign a form to verify that he/she attended the training, received our written materials, and understood the District's regulations on Hazard Communication. Prior to a new chemical hazard being introduced into any section of the District, each employee of that section will be given the necessary information.

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.

**List of Hazardous Chemicals**

The hazards associated with chemicals used by Alfred-Almond Central School District will be identified from the Material Safety Data Sheets obtained from the chemical supplier. Information on each noted chemical can be obtained by reviewing the Material Safety Data Sheets located in the Office of the Risk Management Coordinator.

**Hazardous Non-Routine Tasks**

Periodically, employees are required to perform hazardous non-routine tasks. Prior to starting work on such projects, each affected employee will be given information by their immediate supervisor about hazardous chemicals to which he/she may be exposed during such activity.

**Informing Contractors**

It is the responsibility of the Risk Management Coordinator to provide contractors performing work in the District the following information:

- 1) Hazardous chemicals to which they may be exposed while on the job site;
- 2) Precautions the employees may take to lessen the possibility of exposure by usage of appropriate protective measures.

The Risk Management Coordinator will be responsible for contacting each contractor before work is started in the District to gather and disseminate any information concerning chemical hazards that the contractor is bringing into the District.

**SUBJECT: FREE AND REDUCED PRICE MEAL PROGRAM**

In fulfilling its responsibilities under the National School Lunch and Breakfast Programs, the Alfred-Almond Central School District agrees to:

- 1) Serve meals free to any student who has submitted an approved application and is a member of a family which has an annual income below the applicable family size income level adopted by the School District, as prescribed by the New York State Education Department.
- 2) Prohibit the physical segregation of, or any other discrimination against, any student because of his/her inability to pay the full price of meals.
- 3) Follow the hearing procedure outlined in District regulations for the appeal of decisions regarding eligibility.

The Alfred-Almond Central School District assures the New York State Education Department Child Nutrition Program Administration that the School District will uniformly implement the following regulation with respect to determining the eligibility of students for free meals in all National School Lunch and Breakfast Program participating schools under its jurisdiction.

**Designated Officials**

The District will designate a Reviewing Official, Hearing Official and Verification Official for the Child Nutrition Program as specified in the Certification of Acceptance submitted to the New York State Education Department. The Reviewing Official will be the School Lunch Director who will determine which students are eligible for free/reduced meals or milk. The Hearing Officer may not be the same person as the Reviewing and/or Verification Officer.

**Criteria for Determining Eligibility**

The Alfred-Almond Central School District will use the Federal Income Eligibility Guidelines for determining eligibility for free and/or reduced price meals. The only specific criteria to be used will be gross family income and the number of individuals in the family, and will be uniformly applied by all National School Lunch and Breakfast Program participating schools under the jurisdiction of the School District. The scale based on the above criteria may be changed from year to year by the New York State Education Department in accordance with the annual United States Secretary of Agriculture's guidelines. Any change in the scales will be submitted to each School District by the New York State Education Department for their adoption. Districts may request changes in the prototype letter prior to printing through their regional office, if necessary.

Once approved for free/reduced price benefits, a household will remain eligible through September 30 of the next school year or when a new eligibility determination is made in the new school year, whichever comes first.

(Continued)

**SUBJECT: FREE AND REDUCED PRICE MEAL PROGRAM (Cont'd.)****Public Announcement**Letter to Parents/Guardians

The Alfred-Almond Central School District will announce this policy on or about the beginning of each school year, and during the school year if there is a change in the policy, by transmitting the reduced price income scale, parent letter, and application to all parents/guardians. Any parent/guardian enrolling a student in a school for the first time at any time during the school year shall be supplied with such documents.

Public Release

On or about the beginning of each school year, and during the school year if there is a change in the policy, a public release containing the same information supplied to parents/guardians as well as the free eligibility criteria will be made available to the local news media, the local unemployment office, and any major employers contemplating large layoffs in the areas from which the school draws its attendance. Documentation must be kept with the policy booklet for three years plus the current year identifying where the public release was sent. Copies of this policy may be obtained by any interested party at the District Office.

**Application Procedure**

- 1) At the beginning of each school year the Alfred-Almond Central School District will send a letter to the parents/guardians of each student, together with a Family Income Scale and a form on which to make application for consideration of eligibility of their children for free/reduced price meals.
- 2) Parents/guardians will be required to complete the application and return the form for review. Such applications and records of action taken will be maintained by the School District. Upon approval or disapproval, notification will be given to the parent/guardian or student.
- 3) In certain circumstances where households obviously at an economic disadvantage have failed to apply for free/reduced price meals for their students, the District will use the administrative prerogative to complete the application for the student. This judgmental option acknowledges that families may fail to apply due to lack of understanding, fear of authority, alien status, substance abuse, etc. The application will be completed based upon the best information available regarding family size and income and will be excluded from the verification process. However, exhaustive prior efforts to obtain a completed application from the parent/guardian must be made and documented.

(Continued)

**SUBJECT: FREE AND REDUCED PRICE MEAL PROGRAM (Cont'd.)**

This option will be used judiciously on an individual basis and not to provide eligibility determinations for large numbers of students. Refer to questions and answers on Administrative Prerogative in the NYS Education Department Free and Reduced Price Income Eligibility and Policy Information Booklet.

- 4) For homeless children for whom an application is not filed nor anticipated to be filed:
  - a. The director of the homeless shelter at which the child resides can complete and submit the application;
  - b. The District's homeless liaison may complete the application and approve the child for free meals based solely on his/her knowledge that the child is homeless; or
  - c. If large numbers of homeless children make it impractical to complete individual applications, the District may establish a list of eligible students based upon knowledge of the family's residence (shelter, car, etc.) with at minimum the following information:
    - (1) Child's name;
    - (2) Effective date of eligibility determination;
    - (3) Name of shelter, etc. where child resides;
    - (4) Signature of determining official; and
    - (5) Date of withdrawal from the shelter, school or program.

**SUBJECT: NON-DISCRIMINATION AND HEARING PROCEDURE ASSURANCES**

- 1) The Alfred-Almond Central School District and its designated officials will take action necessary to ensure that the names of students eligible to receive free/reduced price meals shall not be published, posted, or announced in any manner and that there shall be no overt identification of any such students by use of special tokens or tickets, or by any other means. Further assurance is given that students eligible for free/reduced price meals shall not be required to:
  - a. Work for their meals.
  - b. Use a separate lunch room.
  - c. Go through a separate serving line.
  - d. Enter the lunch room through a separate entrance.
  - e. Eat meals at a different time.
  - f. Eat a different meal from the meal sold to students paying the full price of such a meal.
- 2) The Alfred-Almond Central School District will use a fair hearing procedure in cases of appeal by parents/guardians of the school's decision on applications. If a challenge to correctness of information contained in an application or to the continued eligibility of any student for a free/reduced price meal is made on the part of the School District, the students shall be provided a free/reduced price meal until a final determination is made.

**Collection Procedure**

In making collections from students who pay for their meals, and in accounting for the number of free/reduced price meals served, the methods used will be such that no other student in the school will be made aware, by the procedure, of the identity of the students receiving free or reduced price meals.

**Provisions for Transfer**

If a student transfers from one school building to another within the Alfred-Almond Central School District, his/her eligibility for a free/reduced price meal will be transferred to and honored by the receiving school.

(Continued)

**SUBJECT: NON-DISCRIMINATION AND HEARING PROCEDURE ASSURANCES  
(Cont'd.)**

**Records**

The District will maintain a file of the following records for three years plus the current year after the end of the fiscal year to which they pertain:

- 1) All applications and Direct Certification letters returned and documentation of action taken.
- 2) Records of all appeals and challenges and their disposition.
- 3) All notifications of eligibility determinations, including benefit rejection letters.
- 4) Records of all verification efforts and resulting eligibility changes.

**SUBJECT: FREE AND REDUCED PRICE MEAL PROGRAM**

<u>Responsibility</u>	<u>Action</u>
Board of Education	1) a. Authorizes participation in National School Lunch and Breakfast Programs. b. Designates Program Officer.
Program Officer	2) a. Prepares and distributes to all parents/guardians in the District communication of the reduced price eligibility scale and application. b. Makes a public release containing the same information supplied to parents/guardians as well as the free eligibility criteria.
Parent/Guardian	3) Completes an application and returns to the building principal or his/her designee for review.
Program Officer	4) a. Determines eligibility and notifies parents/guardians within ten (10) school days. b. Files a copy of application in the office of the building principal/designee. c. Attaches letter of denial to applications not approved.
Parent/Guardian or Program Officer	5) May request a conference to discuss the situation, present information, and/or obtain an explanation of the data submitted in the application or the decisions rendered.
Parent/Guardian	6) If not satisfied with the determination made in regards to eligibility, asks for a hearing.
Hearing Official	7) a. Holds a hearing and reviews the material submitted at that time. b. Makes a determination and advises the Program Officer and a parent/guardian of the findings.

**SUBJECT: RECORDS MANAGEMENT****Initial Designation of Records Management Officer**

- 1) The School District shall designate one (1) local officer to be Records Management Officer, subject to the approval of and appointment by the Board of Education.
- 2) Within one (1) month of such designation, the Board of Education shall notify the Commissioner of Education of the Records Management Officer's name, title or position in the School District and contact information.

**Vacancy in the Position of Records Management Officer**

- 1) Whenever a vacancy shall occur in the position of Records Management Officer, a replacement shall be designated within sixty (60) days.
- 2) Within one (1) month of such designation, the Board of Education shall notify the Commissioner of Education of the Records Management Officer's name, title or position in the School District, and contact information.

**Records Management Officer**

The Records Management Officer's job is varied and often complex. Commissioner's Regulations state that part of the duties of the Records Management Officer is to "initiate, coordinate and promote the systematic management of the local government's (i.e., the School District's) records in consultation and cooperation with other local officers."

**Special Approvals for Disposition of Records Not Included in Schedule**

Records not listed on a records retention and disposition schedule shall not be disposed of without the Commissioner of Education's approval. The Commissioner will determine the minimum length of time the record needs to be retained and, if necessary, amend the schedule to include this item for future reference.

Records that have been damaged by natural or manmade disaster and constitute a human health or safety risk also require the Commissioner's prior approval before disposition.

**Replacing Original Records with Microforms or Electronic Images**

Digital images of public records may be stored on electronic media, and such electronic records may replace paper originals or micrographic copies of these records. To ensure accessibility and intelligibility for the life of these records, the School District shall follow the procedures prescribed by the Commissioner of Education.

(Continued)

**SUBJECT: RECORDS MANAGEMENT (Cont'd.)****Retention and Preservation of Electronic Records**

- 1) The District shall ensure that records retention requirements are incorporated into any plan and process for design, redesign, or substantial enhancement of an information system that stores electronic records.
- 2) The District shall ensure that electronic records are not rendered unusable because of changing technology before their retention and preservation requirements are met. In the case of archival electronic records, the District, in consultation with the State Archives, must determine that the records will remain usable and accessible by ensuring that the records are retained in currently available file formats and by creating adequate documentation of the records and their systems as defined in subdivision (3) of this section.
- 3) The District shall develop and maintain up-to-date documentation about all permanent or archival electronic records sufficient to:
  - a. Specify all technical characteristics necessary for reading and processing the records;
  - b. Identify all defined inputs and outputs from the system;
  - c. Define the contents of the files and records;
  - d. Determine restrictions on access and use;
  - d. Understand the purposes and functions of the system;
  - e. Describe update cycles and/or conditions and rules for adding information to the system, changing information in the system, or deleting information; and
  - f. Ensure the ongoing retention of records by the District.
- 4) The District shall prepare and store in a secure off-site facility copies of archival electronic records in order to safeguard against loss.
- 5) For electronic media that contain permanent or archival electronic records, the District shall institute maintenance procedures to:
  - a. Verify that the media are free of permanent potentially damaging errors;
  - b. Rewind under constant tension all tapes at least every two (2) years;

(Continued)

**SUBJECT: RECORDS MANAGEMENT (Cont'd.)**

- c. Annually test a three percent (3%) statistical sample of all units of media to identify any loss of data and to discover and correct the causes of data loss;
- d. Copy immediately onto new media any permanent or archival electronic records stored on media containing a significant number of errors or showing signs of physical degradation;
- e. Copy all permanent or archival electronic records onto new media before the media are expected to fail and always before the media are ten (10) years old; and
- f. Prepare external labels to identify each media unit, the name of the organizational unit responsible for the records, and the records title.

**SUBJECT: DISPOSAL OF CONSUMER REPORT INFORMATION AND RECORDS**

Pursuant to Board of Education Policy and the Federal Trade Commission's (FTC) "Disposal Rule" (16 Code of Federal Regulations Part 682) and in an effort to protect the privacy of consumer information, reduce the risk of fraud and identity theft, and guard against unauthorized access to or use of the information, the School District will take appropriate measures to properly dispose of sensitive information (i.e., personal identifiers) contained in or derived from consumer reports and records. Any employer who uses or possesses consumer information for a business purpose is subject to the Disposal Rule. According to the FTC, the standard for proper disposal of information derived from a consumer report is flexible, and allows the District to determine what measures are reasonable based on the sensitivity of the information, the costs and benefits of different disposal methods, and changes in technology.

**Definitions** (in accordance with the FTC's Disposal Rule and the Fair Credit Reporting Act, 15 United States Code Section 1681 et seq.)

- 1) The term "*person*" means any individual, partnership, corporation, trust, estate, cooperative, association, government or governmental subdivision or agency, or other entity.
- 2) The term "*consumer*" means an individual.
- 3) The term "*consumer report*" means any written, oral, or other communication of any information by a consumer reporting agency bearing on a consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living which is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing a consumer's eligibility for credit, employment, or insurance, among other purposes. Examples of consumer reports include credit reports, credit scores, reports businesses or individuals receive with information relating to employment background, check writing history, insurance claims, residential or tenant history, or medical history.
- 4) The term "*employment purposes*" when used in connection with a consumer report means a report used for the purpose of evaluating a consumer for employment, promotion, reassignment or retention as an employee.
- 5) The term "*consumer information*" means any record about an individual, whether in paper, electronic, or other form, that is a consumer report or is derived from a consumer report. Consumer information also means a compilation of such records. Consumer information does not include information that does not identify individuals, such as aggregate information or blind data.

(Continued)

**SUBJECT: DISPOSAL OF CONSUMER REPORT INFORMATION AND RECORDS  
(Cont'd.)**

- 6) The terms "*dispose*," "*disposing*," or "*disposal*" mean:
  - a. The discarding or abandonment of consumer information, or
  - b. The sale, donation, or transfer of any medium, including computer equipment, upon which consumer information is stored.
  
- 7) The term "*personal identifiers*," per the FTC, goes beyond simply a person's name. The FTC believes that there are a variety of personal identifiers that would bring information within the scope of the Disposal Rule, including, but not limited to, a social security number, driver's license number, phone number, physical address, and e-mail address. The FTC has not included a rigid definition within the Disposal Rule since, depending upon the circumstances, data elements that are not inherently identifying can, in combination, identify particular individuals.

**Proper Disposal of Consumer Information/Reasonable Measures**

The District will utilize disposal practices that are reasonable and appropriate to prevent the unauthorized access to - or use of - information contained in or derived from consumer reports and records. What is considered "reasonable" will vary according to the particular entity's nature and size, the costs and benefits of available disposal methods, and the sensitivity of the information involved. The FTC's Disposal Rule does not mandate specific disposal measures.

Reasonable measures to protect against unauthorized access to or use of consumer information in connection with District disposal include the following examples. These examples are not exclusive or exhaustive methods for complying with the Disposal Rule.

- 1) Burning, pulverizing, or shredding of papers containing consumer information so that the information cannot practicably be read or reconstructed.
- 2) Destroying or erasing electronic media containing consumer information so that the information cannot practicably be read or reconstructed. Examples would include:
  - a. Breaking or destroying computer disks;
  - b. Overwriting or "wiping" electronic records prior to disposal;

(Continued)

**SUBJECT: DISPOSAL OF CONSUMER REPORT INFORMATION AND RECORDS  
(Cont'd.)**

- c. Prior to the sale, donation or transfer of any medium, including computer equipment, upon which consumer information is stored, disposing of such electronic media by overwriting or "wiping" the data prior to disposal or making certain that the hard drive is permanently deleted.
- 3) After due diligence, entering into and monitoring compliance with a contract with another party engaged in the business of record destruction to dispose of material, specifically identified as consumer information, in a manner consistent with the Disposal Rule. In this context, due diligence could include:
  - a. Reviewing an independent audit of the disposal company's operations and/or its compliance with the Disposal Rule;
  - b. Obtaining information about the disposal company from several references or other reliable sources;
  - c. Requiring that the disposal company be certified by a recognized trade association or similar third party;
  - d. Reviewing and evaluating the disposal company's information security policies or procedures; or
  - e. Taking other appropriate measures to determine the competency and integrity of the potential disposal company.
- 4) Identifying consumer information when providing it to service providers or affiliates to ensure that the information will be disposed of properly in accordance with the Disposal Rule.
- 5) For persons or entities who maintain or otherwise possess consumer information through their provision of services directly to a person subject to the Disposal Rule, monitoring compliance with policies and procedures that protect against unauthorized or unintentional disposal of consumer information, and disposing of such information in accordance with examples 1) and 2) above.

(Continued)

**SUBJECT: DISPOSAL OF CONSUMER REPORT INFORMATION AND RECORDS  
(Cont'd.)**

The service providers, along with the record owner, bear responsibility for the proper disposal of consumer information that they maintain or otherwise possess. In evaluating a service provider's compliance with the FTC Disposal Rule, however, a record owner's failure to provide notice or contract for disposal in accordance with requirements of the Disposal rule will be strongly considered by the FTC.

- 6) The District will provide employee training on proper disposal of consumer information, and mechanisms to update its information security program on a periodic basis.

**Failure to Comply**

Willful and/or negligent failure to comply with the FTC Disposal Rule could subject the District to civil liability and monetary damages, as well State action for violations.

**Relation to Other Laws and Regulations**

The FTC Disposal Rule shall not be interpreted:

- 1) To require the District to maintain or destroy any record pertaining to a consumer that is not imposed under other law; or
- 2) To alter or affect any requirement imposed under any other provision of law to maintain or destroy such a record.

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
REPORTING FORM  
"BREACH OF THE SECURITY OF THE SYSTEM"  
PURSUANT TO THE INFORMATION SECURITY BREACH AND NOTIFICATION ACT  
(STATE TECHNOLOGY LAW SECTION 208)**

Name of School District: \_\_\_\_\_

Date of Discovery of Breach: \_\_\_\_\_

Estimated Number of Affected Individuals: \_\_\_\_\_

Date of Notification to Affected Individuals: \_\_\_\_\_

Manner of Notification:  written notice  
 electronic notice (e-mail)  
 telephone notice

Are you requesting substitute notice?  Yes  No (If yes, attach justification)

Content of Notification to Affected Individuals: (Describe what happened in general terms and what kind of information was involved. Please attach copy of Notice.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of School District: \_\_\_\_\_

Contact Person/Title: \_\_\_\_\_

Telephone number: \_\_\_\_\_

E-mail: \_\_\_\_\_

Dated: \_\_\_\_\_

Submitted by: \_\_\_\_\_

Title: \_\_\_\_\_

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

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

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

(Continued)

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
REPORTING FORM  
"BREACH OF THE SECURITY OF THE SYSTEM"  
PURSUANT TO THE INFORMATION SECURITY BREACH AND NOTIFICATION ACT  
(STATE TECHNOLOGY LAW SECTION 208) (Cont'd.)**

**PLEASE SUBMIT THIS FORM TO ALL THREE (3) STATE AGENCIES as follows:**

**Fax** this form to:

**Consumer Protection Board**  
Security Breach Notification  
Fax: 518-474-2474

**Fax and Mail** this form to:

**NYS Office of Cyber Security and Critical Infrastructure Coordination**  
30 South Pearl Street  
Floor P2  
Albany, NY 12207  
Fax: 518-474-9090

**Attorney General**  
Assistant Attorney General in Charge  
Bureau of Consumer Frauds  
120 Broadway – 3rd Floor  
New York, NY 10271  
Fax: 212-416-6003

**SUBJECT: REGULATIONS AND REGULATORY AGENCIES THAT AFFECT SCHOOL DISTRICT FACILITIES AND EMPLOYEES**

The agencies listed below are primarily concerned with environmental and occupational health and safety regulations.

- 1) The New York State Department of Environmental Conservation (DEC).
- 2) New York State Department of Labor (DOL).
- 3) New York State Department of Health (DOH).
- 4) New York State Emergency Management Office (SEMO).
- 5) New York State Education Department (SED).
- 6) Federal Occupational Safety and Health Administration (OSHA).
- 7) Federal Environmental Protection Agency (EPA).

If an inspector from any of these regulatory agencies comes to inspect a District building, the Safety Coordinator will be contacted to assist in making the inspection flow more smoothly.

**Requirements for Compliance**New York State Right-to-Know Law/OSHA Hazard Communication Standard

- 1) Inventory of all materials used in the workplace.
- 2) Collect MSDS's and keep on file for all materials on inventory.
- 3) Conduct initial and annual RTK/Hazard Communication training for all employees.
- 4) Keep attendance records on file, with social security number.
- 5) Post signs which conspicuously state that employees have a right to training, and who their District contact person is when requesting information.
- 6) Develop written Hazard Communication Program that states procedures and who is responsible in the District for carrying out procedures (labeling, inventory, etc.).
- 7) Maintain records of all employees exposed to 29 CFR 1910 Subpart Z chemicals.

(Continued)

**SUBJECT: REGULATIONS AND REGULATORY AGENCIES THAT AFFECT SCHOOL DISTRICT FACILITIES AND EMPLOYEES (Cont'd.)**Asbestos Hazard Emergency Response Act (AHERA) and Code Rule 56

- 1) Initial Inspection and Management Plan development for each building.
- 2) Annual notification of availability of plan.
- 3) Every six (6) months conduct surveillance of confirmed and assumed ACBM. Document and update Management Plan.
- 4) Conduct Initial Two (2) Hour Asbestos Awareness Training for custodial and maintenance staff. Train new employees. Keep attendance records on file.
- 5) Conduct Triennial Asbestos Inspections. Send reports to SED.
- 6) Train: LEA Designees  
Asbestos Inspectors  
Management Planners  
Handlers  
(initial and refresher)
- 7) Keep documents of removal projects and waste manifests.

OSHA's Laboratory Safety Standard

- 1) Develop a written Chemical Hygiene Plan.
- 2) Provide training for Science Teachers. Keep attendance records on file.

OSHA's Occupational Exposure to Blood Borne Pathogens Standard

- 1) Develop a written Exposure Control Program.
- 2) Identify employees at substantial risk of exposure to blood or other body fluids which may contain blood.
- 3) Provide Initial and Annual Training for all employees who are categorized as having occupational exposure to bloodborne pathogens. Keep attendance records.

(Continued)

**SUBJECT: REGULATIONS AND REGULATORY AGENCIES THAT AFFECT SCHOOL DISTRICT FACILITIES AND EMPLOYEES (Cont'd.)**

- 4) Offer the Hepatitis B Vaccine to all employees who are categorized as having occupational exposure to bloodborne pathogens. Keep copies of accept/decline records.
- 5) Have Sharps Containers and Biohazard Red Bags available in Health Office.

Commissioner of Education - Regulation 155.17 Emergency Planning

- 1) Develop a written District-wide/building-level school safety plan, as applicable.
- 2) Communicate the availability of Plan to staff, students, and parents/guardians annually.
- 3) Conduct Annual Shelter or Evacuation Drill. Keep record of drill.
- 4) Each plan shall be reviewed on at least an annual basis and updated as needed by July 1 of each succeeding year.

OSHA's Lock Out/Tag Out Standard for the Control of Hazardous Energy Sources

- 1) Develop a written Energy Control Lock Out/Tag Out Program/Procedures.
- 2) Train all employees who will work on equipment or machinery. Train all other affected employees. Keep attendance records.
- 3) Purchase locks and tags.

New York State Clean Indoor Air Act

- 1) Adopt written rules regarding smoking.
- 2) Post "No Smoking" signs.

Underground and Above Ground Petroleum Bulk Storage Tanks

- 1) Register affected tanks with New York State DEC.
- 2) Test tanks for leaks according to State and Federal Guidelines.
- 3) Provide Insurance Coverage for tanks.

(Continued)

**SUBJECT: REGULATIONS AND REGULATORY AGENCIES THAT AFFECT SCHOOL DISTRICT FACILITIES AND EMPLOYEES (Cont'd.)**Pesticide/Herbicide Applicators (DEC Laws)

- 1) Anyone applying pesticides or herbicides to public property (other than their own home) must be a Certified Commercial Applicator (or work under the certification of another Commercial Applicator).
- 2) Train employees doing applications.
- 3) Keep records of all applications on DEC Forms.
- 4) Fill out and submit Annual Report to DEC.
- 5) Register District as a business/agency with DEC.
- 6) Provide pollution coverage liability insurance.

Hazardous Waste and Medical Waste Removal

- 1) Conduct inventory.
- 2) Submit annual SARA Title III report to county energy planning coordinator and local fire department.
- 3) Contract with DEC Licensed Waste Haulers.
- 4) Keep manifests on file. Send copies to state.
- 5) Proper disposal of mercury - added consumer products, after 9/4/04 no use/purchase of elemental mercury.

Lead Contamination Control Act of 1988 and Safe Drinking Water Act of 1974 (not mandated unless you are a public water supplier) - SED and DOH recommend

- 1) Conduct Plumbing Profile.
- 2) Sample water for lead content.
- 3) Remove water coolers on the EPA list. Conduct a Lead Hazard Screen Risk Assessment or full Risk Assessment performed by a certified Risk Assessor to determine the potential for lead hazards in all occupied buildings.

(Continued)

**SUBJECT: REGULATIONS AND REGULATORY AGENCIES THAT AFFECT SCHOOL DISTRICT FACILITIES AND EMPLOYEES (Cont'd.)**

- 4) Institute remediation for areas where samples show higher than maximum contaminant levels for lead.
- 5) Required to make Public Notice of Lead Sampling and availability of results. Keep record of notice.

Safety Committees (not mandated by law) - Insurance Companies Request

Conduct Safety Committee Meetings. Keep minutes on file.

Radon Testing (not mandated by law) - EPA recommends - SED has guidelines

Must:

- 1) Follow SED guidelines.
- 2) Notify employees of results if testing is performed.

DOSH 900 Accident, Injury, Illness Log (12 NYCRR Part 801)

- 1) Complete form for each building.
- 2) Post conspicuously in each building by February 1 for entire month.
- 3) Keep log for five (5) years.

Swimming Pool Safety - Regulated by DOH

- 1) Develop written Safety Plan.
- 2) Lifeguards certified in First Aid/CPR - Water Safety Instruction.
- 3) Balance pool PH and chlorine level according to DOH guidelines. Keep record of tests.
- 4) Store chemicals according to DOH regulations.
- 5) Maintain Clarity - depth markings - ladders.
- 6) GFI tests.

(Continued)

**SUBJECT: REGULATIONS AND REGULATORY AGENCIES THAT AFFECT SCHOOL DISTRICT FACILITIES AND EMPLOYEES (Cont'd.)**Fire Inspections

- 1) Perform annual school fire safety inspection.
- 2) Use a certified Codes Enforcement Official.
- 3) Complete report and submit to SED.
- 4) Notify fire department of inspection.
- 5) Inform the Board of Education of all non-conformities.
- 6) Keep a copy of the report.

Structural Inspections

- 1) Perform annual school structural safety inspection.
- 2) Use a certified Codes Enforcement Official.
- 3) Notify SED only if structural deficiencies are recorded.

Other Miscellaneous Issues DOL is Citing Districts For

- 1) Lack of continuous flow eye wash station in Biology and Chemistry Departments. (They must be able to flush each eye continuously for at least fifteen (15) minutes).
- 2) Not monitoring art teachers' exposure to air borne lead from kiln operation using lead glazes.
  - a. Not giving art teachers and custodians who clean art rooms copies of the air borne lead exposure appendix.
  - b. Not keeping surfaces clean of accumulation of lead dust.
- 3) Not monitoring employees in Biology Department for exposure to formaldehyde.

**SUBJECT: BUILDING SECURITY**

In order to provide uniform procedures for administering and maintaining a security system on a District-wide basis, and in order to help avoid incidents of breaking and entering, theft and vandalism, the following regulations shall govern all buildings and facilities.

**Guidelines**

- 1) No change shall be made on or to any locks/locking devices in any building without the expressed authorization of the Superintendent of Buildings and Grounds.
- 2) No faculty/staff member shall possess at any time an exterior entrance master key, with the exception of:
  - a. The District administrator(s),
  - b. The building custodian(s), and
  - c. Such other persons who possess express written authority from the Superintendent of Schools.
- 3) No faculty/staff member shall possess at any time an area key to facilities which are not within the scope of his/her primary assignment unless approved by the immediate supervisor.
- 4) No student shall possess or be given a key for temporary use. Non-District employed persons shall possess or be given a key for temporary use only with written permission of the superintendent of schools.
- 5) All classroom keys provided for faculty/staff members' use shall be issued annually in September, and returned the following June as part of the final year-end audit.
- 6) All unoccupied areas, including classrooms, laboratories, custodial closets, storage rooms etc. shall be locked at all times.
- 7) Although the building administrator is held responsible for the operation of his/her facility, after school hours the Superintendent of Buildings and Grounds shall have primary responsibility for District security and building security during the absence of the building administrator.
- 8) Staff members are to direct all visitors to the Main Office where visitors are identify themselves and their purpose in visiting the school. Visitors will be required to sign the visitor's book upon entering the school and each visitor will be issued an identification badge. Visitors are to notify the Main Office of their departure and sign out upon leaving the building, returning their identification badges to an office staff member.

(Continued)

**SUBJECT: BUILDING SECURITY (Cont'd.)**

- 9) If a staff member notices that a visitor does not report to the Main Office upon entering the building, he/she should report that occurrence to the Building Principal/designee.
- 10) Staff members are to report any malfunctioning outside doors to the Main Office.
- 11) Teachers are to lock their classroom doors whenever they take students out of the building.
- 12) Signs will be posted throughout the school building directing visitors to report to the Main Office.

After the start of the school day, all outside doors, with the exception of those identified by the Board of Education, shall be locked.

**SUBJECT: HAZARD COMMUNICATION PROGRAM**

The Hazard Communication Program is written to inform employees that the hazards of all chemicals and/or chemical products present, entering and used in the Alfred-Almond Central School District have been evaluated and that information concerning the hazards has been transmitted to employees who may be exposed to such chemicals.

This program is written to fulfill the requirements of the Occupational Safety and Health Administration, 29 CFR 1910.1200 and to fulfill the requirements of the New York State Official Compilations of Codes, Part 820 of Title 12.

All work units of the Alfred-Almond Central School District are included within this program. The written program will be available in the Office of the Risk Management Coordinator for review by any interested employee.

**Container Labeling**

The Risk Management Coordinator will verify that all containers received for use will:

- 1) Be clearly labeled as to the contents;
- 2) Note the appropriate hazard warning;
- 3) List the name and address of the manufacturer.

All secondary containers will be labeled with either an extra copy of the original manufacturer's label or with the generic labels which have a block for identity and blocks for the hazard warning. If written alternatives to labeling of temporary containers are used, a description of the system used will be added. The Risk Management Coordinator will periodically review the District labeling system and update as required.

**Material Safety Data Sheets (MSDS)**

The Risk Management Coordinator will be responsible for obtaining and maintaining the data sheet system for the Alfred-Almond Central School District. Such person will review incoming data sheets for new and significant health/safety information. He/she will see that any new information is passed on to the affected employees. (If alternatives to actual data sheets are used, a description of the system will be provided.) Copies of MSDS's for all hazardous chemicals to which employees of this District may be exposed will be kept in the Office of the Risk Management Coordinator. MSDS's will be available to all employees in their work area for review during each work shift. If MSDS's are not available or new chemicals in use do not have MSDS's, the Risk Management Coordinator should be immediately contacted.

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**SUBJECT: HAZARD COMMUNICATION PROGRAM (Cont'd.)****Employee Training and Information**

The Risk Management Coordinator is responsible for the employee training program. He/she will ensure that all elements specified below are carried out. Prior to starting work, each new employee will attend a health and safety orientation and will receive information and training.

After such training, each employee will sign a form to verify that he/she attended the training, received our written materials, and understood the District's regulations on Hazard Communication. Prior to a new chemical hazard being introduced into any section of the District, each employee of that section will be given the necessary information.

**List of Hazardous Chemicals**

The hazards associated with chemicals used by Alfred-Almond Central School District will be identified from the Material Safety Data Sheets obtained from the chemical supplier. Information on each noted chemical can be obtained by reviewing the Material Safety Data Sheets located in the Office of the Risk Management Coordinator.

**Hazardous Non-Routine Tasks**

Periodically, employees are required to perform hazardous non-routine tasks. Prior to starting work on such projects, each effected employee will be given information by their immediate supervisor about hazardous chemicals to which he/she may be exposed during such activity.

**Informing Contractors**

It is the responsibility of the Risk Management Coordinator to provide contractors performing work in the District the following information:

- 1) Hazardous chemicals to which they may be exposed while on the job site;
- 2) Precautions the employees may take to lessen the possibility of exposure by usage of appropriate protective measures.

The Risk Management Coordinator will be responsible for contacting each contractor before work is started in the District to gather and disseminate any information concerning chemical hazards that the contractor is bringing into the District.

**SUBJECT: HAZARDOUS MATERIALS****Purchase of Hazardous Materials**

All materials (plants, animals, chemicals, solvents, solutions, and cleansers) should be presumed hazardous until they are declared not hazardous.

A material declared not hazardous will be approved for purchase without restriction.

A material declared hazardous will be approved for purchase with appropriate restrictions or will be prohibited.

A qualified science teacher, a qualified art teacher, and a qualified person from buildings and grounds will be appointed to screen materials. They will either prohibit the purchase of specified materials or approve such purchase stating the restrictions which apply.

Information about hazardous materials will be available to all employees through the District's Hazard Communication Plan (HazCom). State and Federal lists of prohibited, restricted and approved materials will be available to all appropriate employees.

Those employees will certify on all purchase orders that the materials ordered are approved for the conditions under which they are ordered. If the materials to be ordered are not on a list, the department head shall submit the materials to one of the persons designated for approval. The individual initiating the purchase must request the Materials Safety Data Sheet, (OSHA-20 form). The information on this form must be disseminated to all who use the material and the form must be kept on file within the department.

The appropriate employee will state who may use the material (cleaner, teacher, student) and the maximum quantity permitted for purchase.

**Storage of Hazardous Materials**

Chemicals or hazardous materials should be kept in a central location as per individual department or organization. This will ensure that the proper facilities and requirements for their storage (i.e., ventilation or flammability) will be available in a secure facility.

These materials should be grouped according to chemical compatibility and stored on proper shelving or in approved cabinets.

Quantities of a hazardous material or of any chemical should be limited to an as-needed basis or to be used up within one (1) year. This will prevent excess accumulation and ensure that fresh material is available.

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**SUBJECT: HAZARDOUS MATERIALS (Cont'd.)****Use of Hazardous Materials**

Each department or organization must establish specific guidelines for dispensing, use and disposal of hazardous materials. These guidelines must be posted or otherwise available to people using the materials.

All employees using hazardous materials must be made aware of the hazards of the material, the proper use of these materials, and first aid measures to be taken in the event of accidents and emergencies. This information should be provided by the employee's supervisor as obtained from the "Material Data Safety Sheet."

All hazardous materials which are used will be approved for use subject to the conditions specified concerning:

- 1) The people who handle the materials.
- 2) The location and conditions where these materials are used.
- 3) The quantity to be used.
- 4) The quantity available from the dispenser.
- 5) The maximum allowed concentration of solutions.
- 6) The method of disposal to be used.
- 7) Other restrictions such as aprons, glasses, masks, ventilation, etc.

**Disposal of Hazardous Materials**

In order to be responsible in the use of hazardous substances, we must also be concerned with the safe disposal of dangerous, unwanted, or unlabeled materials.

While some materials may be disposed of easily through ordinary means, others require foresight, planning, and a safe method. Each department or organization will maintain a list of proper disposal methods for any hazardous materials it uses.

The disposal of any material denoted as hazardous must be planned before its use and/or purchase. The Superintendent of Buildings and Grounds is to be contacted for removal of these substances for which there is no ordinary means of disposal.

**SUBJECT: SCHOOL SAFETY PLANS**

The Alfred-Almond Central School District has developed, and will update by July 1 of each succeeding year, a District-wide school safety plan and building-level school safety plans, as enumerated in Education Law and Commissioner's Regulations, regarding prevention and intervention strategies, emergency response and management.

**District-Wide School Safety Plan (Comprehensive, Multi-Hazard School Safety Plan)**

District-wide school safety plan means a comprehensive, multi-hazard school safety plan that covers all school buildings of the Alfred-Almond Central School District, that addresses prevention and intervention strategies, emergency response and management at the District level and has the contents as prescribed in law and regulation. The comprehensive, multi-hazard school safety plan shall be developed by the District-wide school safety team appointed by the Board of Education. The District-wide team shall include, but not be limited to, representatives of the School Board, student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

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

- 1) The identification of sites of potential emergency;
- 2) A description of plans for taking the following actions in response to an emergency where appropriate:
  - a. School cancellation;
  - b. Early dismissal;
  - c. Evacuation;
  - d. Sheltering;
- 3) Procedures for responding to implied or direct threats of violence by students, teachers, other school personnel and visitors to the school;
- 4) Procedures for responding to acts of violence by students, teachers, other school personnel and visitors to school, including consideration of zero-tolerance policies for school violence;
- 5) Appropriate prevention and intervention strategies, such as:
  - a. 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;

(Continued)

**SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)**

- b. Non-violent conflict resolution training program;
  - c. Peer mediation programs and youth courts; and
  - d. Extended day and other school safety programs;
- 6) Procedures for contacting appropriate law enforcement officials in the event of a violent incident;
  - 7) A description of the arrangements for obtaining assistance during emergencies from emergency services organizations and local governmental agencies;
  - 8) The procedures for obtaining advice and assistance from local government officials, including the county or city officials responsible for implementation of Article 2-B of the Executive Law (Disaster Preparedness);
  - 9) The identification of District resources which may be available for use during an emergency;
  - 10) A description of procedures to coordinate the use of School 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;
  - 11) Procedures for contacting parents, guardians or persons in parental relation to the students of the District in the event of a violent incident or early dismissal;
  - 12) Procedures relating to school building security, including, where appropriate, the use of school safety officers and/or security devices or procedures;
  - 13) 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, parents and other persons in parental relation to students of the School District or Board, students and other persons deemed appropriate to receive such information;
  - 14) Procedures for annual multi-hazard school safety training for staff and students;
  - 15) Procedures for review and the 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;
  - 16) The identification of appropriate responses to emergencies, including protocols for responding to bomb threats, hostage-takings, intrusions and kidnappings;

(Continued)

**SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)**

- 17) Strategies for improving communication among students and between students and staff and reporting of potentially violent incidents, such as the establishment of youth-run programs, peer mediation, conflict resolution, creating a forum or designating a mentor for students concerned with bullying or violence and establishing anonymous reporting mechanisms for school violence;
- 18) A description of the duties of hall monitors and any other school safety personnel, the training required of all personnel acting in a school security capacity, and the hiring and screening process for all personnel acting in a school security capacity;
- 19) A system for informing all educational agencies within the Alfred-Almond Central School District of a disaster;
- 20) Certain information about each educational agency located in the School District, including information on school population, number of staff, transportation needs and the business and home telephone numbers of key officials of each such agency.

**Building-Level School Safety Plans (Building-Specific School Emergency Response Plans)**

The building-level school safety plan means a building-specific school emergency response plan that addresses prevention and intervention strategies, emergency response and management at the building level and has the contents as prescribed in law and regulation. The building-level plan shall be developed by the building-level school safety team (i.e., a building-specific team) appointed by the building principal, in accordance with regulations or guidelines prescribed by the Board of Education. The building-level team shall include, but not be limited to, representatives of teacher, administrator, and parent organizations, school safety personnel, other school personnel, community members, local law enforcement officials, local ambulance or other emergency response agencies, and any other representatives the School Board deems appropriate.

The building-level school safety plan (i.e., school emergency response plan) shall include the following elements:

- 1) Procedures for the safe evacuation of students, teachers, other school personnel and visitors to the school in the event of a serious violent incident or other emergency which may occur before, during or after school hours, which shall include evacuation routes and shelters sites and procedures for addressing medical needs, transportation and emergency notification to persons in parental relation to a student. A "*serious violent incident*" means

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**SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)**

an incident of violent criminal conduct that is, or appears to be, life threatening and warrants the evacuation of students and/or staff because of an imminent threat to their safety or health, including, but not limited to: riot, hostage-taking, kidnapping and/or the use or threatened use of a firearm, explosive, bomb, incendiary device, chemical or biological weapon, knife or other dangerous instrument capable of causing death or serious injury;

- 2) Designation of an emergency response team, other appropriate incident response teams, and a post-incident response team:
  - a. An "*emergency response team*" means a building-specific team designated by the building-level school safety team that includes appropriate school personnel, local law enforcement officials, and representatives from local, regional and/or state emergency response agencies and assists the school community in responding to a serious violent incident or emergency.
  - b. A "*post-incident response team*" means a building-specific team designated by the building-level school safety team that includes appropriate school personnel, medical personnel, mental health counselors and others who can assist the school community in coping with the aftermath of a serious violent incident or emergency;
- 3) Procedures for assuring that crisis response, fire and law enforcement officials have access to floor plans, blueprints, schematics or other maps of the school interior, school grounds and road maps of the immediate surrounding area;
- 4) Establishment of internal and external communications systems in emergencies;
- 5) Definition of the chain of command in a manner consistent with the National Interagency Incident Management System (NIMS)/Incident Command System (ICS);
- 6) Coordination of the school safety plan with the state-wide plan for disaster mental health services to assure that the school has access to federal, state and local mental health resources in the event of a violent incident;
- 7) Procedures for an annual review and the 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; and
- 8) Procedures for securing and restricting access to the crime scene in order to preserve evidence in cases of violent crimes on school property.

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**SUBJECT: SCHOOL SAFETY PLANS (Cont'd.)****Review of School Safety Plans**

The District-wide and building-level school safety plans have been adopted by the School Board only after at least one (1) public hearing that provided for the participation of school personnel, parents, students, and any other interested parties. Each plan shall be reviewed by the appropriate school safety team on at least an annual basis, updated as needed by July 1 and recommended to the Board of Education for approval.

**Filing/Disclosure Requirements**

The District shall file a copy of its comprehensive District-wide school safety plan and any amendments thereto with the Commissioner of Education no later than thirty (30) days after their adoption. A copy of each building-level school safety plan and any amendments thereto shall be filed with the appropriate local law enforcement agency and with the state police within thirty (30) days of its adoption. Building-level emergency response plans shall be confidential and shall *not* be subject to disclosure under the Freedom of Information Law.

**Reporting Requirements**

The Superintendent shall notify the Commissioner of Education as soon as possible whenever the District-wide school safety plan or building-level school safety plan is activated and results in the closing of a school building in the District, and shall provide such information as the Commissioner may require. School districts within a supervisory district shall provide this notification through the district superintendent, who shall be responsible for notifying the Commissioner. Such information need not be provided for routine snow emergency days.

**For additional information, please refer to the applicable school safety plan(s).**

**SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN  
PUBLIC SCHOOL FACILITIES**

The School District is required to provide and maintain on-site in each instructional school facility, at school-sponsored or school-approved curricular or extracurricular events or activities, and at school-sponsored athletic contests and competitive athletic events, at least one functional cardiac automated external defibrillator (AED) for use during emergencies. Public school facilities and staff who will operate the AED equipment pursuant to Education Law Section 917 are deemed "a public access defibrillation (PAD) provider" as defined in Public Health Law Section 3000-b and subject to its provisions.

**Definitions**

- 1) "Automated external defibrillator" means a device as defined in Public Health Law Section 3000-b(1)(a).
- 2) "Instructional school facilities" means a building or other facility maintained by the School District where instruction is provided to students pursuant to its curriculum.
- 3) "School-sponsored or school-approved curricular or extracurricular events or activities" means events or activities of the School District that are, respectively, associated with its instructional curriculum or otherwise offered to its students.
- 4) "School-sponsored athletic contest" means an extraclass intramural athletic activity of instruction, practice and competition for students in grades 4 through 12 consistent with Commissioner's Regulations Section 135.4.
- 5) "School-sponsored competitive athletic event" means an extraclass interscholastic athletic activity of instruction, practice and competition for students in grades 7 through 12 consistent with Commissioner's Regulations Section 135.4.

**On-Site Cardiac Automated External Defibrillators**

The School District shall provide and maintain on-site in each instructional school facility sufficient functional cardiac automated external defibrillator equipment to ensure ready and appropriate access for use during emergencies. In determining the quantity and placement of automated external defibrillators, consideration shall be given to:

- 1) The number of students, staff and other individuals that are customarily or reasonably anticipated to be within such facility; and

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**SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN  
PUBLIC SCHOOL FACILITIES (Cont'd.)**

- 2) The physical layout of the facility, including but not limited to:
  - a. Locations of stairways and elevators;
  - b. Number of floors in the facility;
  - c. Location of classrooms and other areas of the facility where large congregations of individuals may occur; and
  - d. Any other unique design features of the facility.
- 3) Whenever an *instructional School District facility* is used for a school-sponsored or school-approved curricular or extracurricular event or activity and whenever a *school-sponsored athletic contest* is held at any location, the public school officials and administrators responsible for such school facility or athletic contest shall ensure that AED equipment is provided on-site and that there is present during such event, activity or contest at least one staff person who is trained in accordance with Public Health Law in the operation and use of an AED. (Activities such as Board meetings, PTA meetings, and activities sponsored by outside groups such as 4-H or Girl/Boy Scouts are excluded from the AED mandate and the school does not need to provide AED coverage at these events.)
- 4) Where a *school-sponsored competitive athletic event* is held at a site other than a School District facility, School District officials shall assure that AED equipment is provided on-site by the sponsoring or host district and that at least one staff person who is trained, in accordance with Public Health Law, in the operation and use of the AED is present during such athletic event.

Each AED device shall be approved by the Food and Drug Administration for adult use and/or for pediatric use, as appropriate for the population reasonably anticipated to be served by such device, and shall be used according to the manufacturer's instructions with due attention provided to operating procedures, maintenance and expiration date.

**Limitation on Liability**

The School 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.

(Continued)

**SUBJECT: CARDIAC AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) IN  
PUBLIC SCHOOL FACILITIES (Cont'd.)**

**Key Elements of a School-Based PAD Program\***

\*excerpted from *Public Access Defibrillation (PAD) in Schools (2000)*, NYS Education Department

The following elements have been identified as essential in the planning and support of the District's public access defibrillation (PAD) program:

- 1) A core emergency response team of trained personnel, including the school registered professional nurse, and a method to activate this team.
- 2) A well-defined emergency plan that clearly states all policies and procedures relative to the use of an AED.
- 3) Strategic placement and availability of the AED unit(s).
- 4) A rapid and effective communication system, especially with regard to events held at remote locations.
- 5) Staff that has successfully completed an initial program provided by a nationally recognized training organization (American Red Cross, American Heart Association, National Safety Council) certifying them to operate an AED and perform CPR on adult and, when necessary, pediatric patients.
- 6) A systematic program for recertifying trained providers in a program provided by a nationally recognized training organization.
- 7) Refresher training of all certified AED/CPR providers at intervals deemed appropriate by the medical director responsible for the School District PAD program. This is a skills enhancement program and is not part of a certification program.
- 8) Regular maintenance of the AED unit(s) according to the manufacturer's specifications.
- 9) Periodic testing and repair/replacement of non-functioning AED units.
- 10) Reporting the use of an AED to the collaborating emergency health care provider, who in turn is required to report to the Regional Emergency Medical Services Council.
- 11) Physician oversight.

**SUBJECT: BOMB THREAT RESPONSE GUIDELINES****Introduction**

Recent bomb threats and other acts of violence in schools have increased awareness concerning the importance of response actions and coordination among school officials, law enforcement officials, and local emergency management officials. This guideline provides clarification regarding the roles of educators, staff, and law enforcement officials related to bomb threats in schools. This document should be used as a guide in the development of the section of the building-level school safety plan which addresses bomb threats.

Proper planning and prudent actions are necessary to protect the safety of students and staff. Therefore, it is critically important that school officials have a consistent, unified plan of action to deal with the threat of bombs and explosive materials in schools. Section 155.17 of the Commissioner's Regulations requires schools to maintain school safety plans to ensure the safety and health of children and staff and to ensure the integration and coordination with similar emergency planning at the municipal, county, and State levels. Each plan shall be reviewed by the appropriate school safety team on at least an annual basis, and updated as needed by July 1 in accordance with Commissioner's Regulations. Planning for a bomb threat is clearly an emergency, which must be included within the building-level school safety plan(s).

**School Bomb Threats**

A bomb threat, even if later determined to be a hoax, is a criminal action. No bomb threat should be treated as a hoax when it is first received. The school has an obligation and responsibility to ensure the safety and protection of the students and other occupants upon the receipt of any bomb threat. This obligation must take 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. If the bomb threat is targeted at the school parking lot or the front of the school, building evacuation may not be an appropriate response. If the bomb threat indicates that a bomb is in the school, then building evacuation is necessary unless the building has been previously inspected and secured as described in these guidelines (see subheading - "Sheltering in Sanitized and Cleared Areas").

The decision to evacuate a building or to take shelter is dependent upon information about where the bomb is placed and how much time you have to reach a place of safety. Prudent action dictates that students and other occupants be moved from a place of danger to a place of safety. Routes of egress and evacuation or sheltering areas must be thoroughly searched for suspicious objects before ordering an evacuation. Failure to properly search evacuation routes before an evacuation takes place can expose students and staff to more danger than remaining in place until the search has taken place. Assistance is available from local police agencies and the New York State Police to train staff to check evacuation routes.

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**SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)****Police Notification and Investigation**

A bomb threat to a school is a criminal act, which is within the domain and responsibility of law enforcement officials. Appropriate State, county, and/or local law enforcement agencies must be notified of any bomb threat as soon as possible after the receipt of the threat. Law enforcement officials will contact, as the situation requires, fire and/or county emergency coordinators according to the county emergency plan.

Police agencies, provided they have the proper resources available, may conduct building searches with the permission of the school official responsible for the building. It is not unusual during a bomb threat for police officers, when present, to request volunteer assistance from school employees. People who can be the most helpful in looking for suspicious objects are the school employees themselves. This is due to the fact that employees may be able to quickly recognize objects which do and do not belong in the building. A stranger to the building does not have the advantage of the employee in conducting this type of building search.

It should be noted that the search for something unusual does not involve touching or handling the suspect object. Only specified and highly trained law enforcement officials are authorized to handle the suspect object when located. School officials and/or employees are not trained or authorized to touch, handle, or move any suspected explosive device. Law enforcement officers, upon finding suspicious objects, will call for appropriate bomb technicians.

School officials should be aware that law enforcement agencies generally do not initially send out bomb sniffing dogs and/or trained bomb technicians until a suspect device is located. It should also be noted that bomb-sniffing dogs have a limited time of efficiency so that their use is carefully considered.

**Receiving Threatening Information**

Anyone receiving information about a bomb threat - by way of telephone, written note, or through observing a suspicious object, must immediately notify the school building administrator or his/her designee, as described in the applicable building-level school safety plan(s). School personnel should not try to determine if a telephoned bomb threat or suspicious package or letter is a hoax. School personnel must proceed as if the threat is real. Bombs can be constructed to look like almost anything. Most bombs are homemade and the probability of finding a bomb that looks like a stereotypical bomb is almost nonexistent. Therefore, the administrator or designee is to notify local law enforcement officials and initiate the planned actions to move all occupants out of harm's way. Bomb threat information is **not** to be treated as a hoax and an official search must be conducted.

(Continued)

**SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)**Written Bomb Threats

If a written bomb threat is received, the handling of the note and its envelope should be kept to an absolute minimum since it will be used as evidence in the criminal investigation. Fingerprints will be taken from the note to help determine its source. If the note is contaminated with the fingerprints of the recipients, the value of this evidence will be significantly compromised.

Mail Bombs/Suspicious Packages

Mail bombs have been contained in letters, books, and parcels of varying sizes, shapes, and colors. The New York State Police and the Federal Bureau of Alcohol, Tobacco, and Firearms have provided the following characteristics and instructions regarding mail bombs.

- 1) Letter bombs may feel rigid, appear uneven or lopsided, or are bulkier than normal.
- 2) The container is irregularly shaped, asymmetrical, and has soft spots and bulges.
- 3) There may be oil stains on the wrapper. The wrapper may emit a peculiar odor.
- 4) The package may be unprofessionally wrapped and be endorsed with phrases such as "Fragile -- Handle with Care", "Rush -- Do Not Delay", "To Be Opened in the Privacy of \_\_\_\_\_", "Prize Enclosed", or "Your Lucky Day is Here."
- 5) There may be cut and paste lettering on the address label.
- 6) The package may have no postage or non-cancelled postage.
- 7) The package may exhibit protruding wires, foil, string, or tape.
- 8) The package may emit a buzzing or ticking noise.
- 9) A suspect letter or package may arrive immediately before or after a telephone call from an unknown person asking if the item was received.

If you suspect a letter or package of being a bomb:

- 1) **Do not open or squeeze** the envelope or package.
- 2) **Do not pull** or release any wire, string, or hook.
- 3) **Do not** turn or shake the letter or package.
- 4) **Do not** put the letter or package in water or near heat.
- 5) **Do not** touch the letter or package, thereby compromising fingerprint evidence.
- 6) **Do** move people away from the suspected envelope or package.
- 7) **Do** notify the State and/or local police, depending on which law enforcement agency covers your geographic area.
- 8) **Do activate your building-level school safety plan(s) for dealing with bombs.**

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**SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)**Telephone Bomb Threats

Handling a telephone bomb threat requires training and preparation for the person answering the call. The bomb threat caller is the best source of information about the bomb. Therefore, it is important to remain calm and try to get as much information as possible about the bomb from the person on the telephone. If possible, the person answering the call should signal co-workers of the threatening call while the call is still in progress. It is also desirable that more than one person listen in on the call.

Persons receiving threatening calls in a school should have a list of emergency agency telephone numbers available, as well as the telephone numbers of school officials to be immediately contacted. Individuals who are likely to be the first to respond to a threatening telephone call should receive training offered by the New York State Police or local law enforcement agencies. The local BOCES Health and Safety Office may be contacted for assistance in coordinating this training.

The New York State Police recommend that, if possible, the telephone threat be taped. Caller identification or other types of tracing devices should also be considered. The *New York State Police Bomb Threat Instruction Card* should be placed next to telephones that are most likely to receive such calls. Information to be asked of the caller includes:

- 1) Where is the bomb located?
- 2) When will the bomb go off?
- 3) What does the bomb look like?
- 4) What kind of explosive is involved?
- 5) Why was the bomb placed?
- 6) What is your name? (Sometimes the caller may be caught off guard and will give you his/her name.)

Other information which should be noted includes: the time of the call; language used by the caller; gender and approximate age of the caller (child or adult); speech characteristics (slow, fast, loud, soft, disguised, intoxicated, accented, etc.); and any noticeable background noises such as music, motors running or street traffic.

**Bomb Threat Response Actions**

The following three (3) actions may be used by school administrators when coping with a bomb threat in a school building. These actions require planning, preparation, and training.

- 1) Evacuation of the building after searching exit routes and evacuation areas;

(Continued)

**SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)**

- 2) Sheltering students in an area which has been "sanitized and cleared"; and
- 3) Preclearance of the building and maintenance of security to ensure no suspicious objects have been brought into the building by students, visitors, or staff.

**1) Building Evacuation**

When school officials receive information that a bomb threat has been received and the building has not been precleared and kept secure, the school bomb threat procedures are to be immediately activated. This may or may not warrant immediate building evacuation. If the bomb threat indicates that an explosive has been placed outside the building, sheltering may be the most appropriate course of action. (See page 9, "Sheltering in the School -- Potential Explosive Device Outside the Building.") If the threat indicates that the device is in the building or is non-descript in nature, building evacuation procedures are to be immediately activated.

The building-level school safety plan(s) for bomb threats should establish a process for determining who will be responsible for performing an initial search of the stairwells, lobby, entrances, exits, and evacuation areas for suspicious objects. The immediate checking of these areas prior to evacuation is necessary so that a safe and expeditious evacuation may proceed. Simultaneously, all school employees should take a quick look around their work areas for any suspicious items. Such school safety plans should make it clear that any suspicious items found must be left alone and must be immediately reported to the school administrator. Under no circumstances are school personnel to touch or move any suspect items.

Based upon information known or not known about a bomb threat, and after it has been determined that reasonably safe passage of students and other occupants can be made to exit the building, an immediate evacuation signal must be given. The building-level school safety plan(s) should identify the type of signal(s) used to denote a building evacuation in case of a bomb threat. Staff, teachers, and students are to be familiar with such signals so they can respond without hesitation or confusion. Local law enforcement officials should be consulted as to options for signals during a bomb threat.

- a. Persons evacuating the building should remain calm and orderly in order to prevent panic and confusion, which may result in an increased evacuation time, endangering lives, and increasing the chances of injuries occurring.
- b. The building-level school safety plan(s) shall identify volunteer floor wardens and alternate volunteer floor wardens to ensure an orderly process for clearing each floor, including restrooms. When floor wardens have cleared their areas of responsibility, they should report to the command area in the evacuation assembly area.

(Continued)

**SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)**

- c. Elevators are not to be used for evacuation purposes.
- d. Occupants are to proceed to the designated safe evacuation assembly area. After accounting for all students and staff, the Principal will determine next steps, as the situation requires. Designated evacuation areas should not be located near areas of incoming emergency responders. Open play fields, removed from the activity, are suitable evacuation assembly areas.
- e. The Superintendent/Principal should designate an easily accessible location and known position as a command post for coordination with emergency responders and receiving information and communications related to the incident.

Evacuation of Students, Staff and Teachers with Disabilities

School safety plans must provide evacuation procedures for all persons with disabilities. Assigned responsibilities and procedures to assist those individuals with disabilities should be identified in the school safety plan(s). Local emergency responders must be familiar with the school's plan for persons with disabilities and the school safety plans as a whole.

Evacuation Areas

Evacuation areas must be identified in the school safety plans. School safety plans should address procedures for informing parents and/or guardians of actions to protect and provide safety for their children. Teachers and staff should know the location of evacuation areas where students will be taken, if necessary, during emergencies until dismissal time and/or parental/guardian pick-up. Students and parents should only be notified of that location, as needed, due to security considerations and confidentiality.

Weather Conditions and Evacuation

The possibility always exists that students, faculty and staff may have to evacuate a school during inclement weather conditions. School safety plans should address procedures for prolonged outdoor exposure. Students must not be permitted to access their lockers to obtain their coats. Therefore, administrators at each school must determine how best to provide temporary shelter should the time outside be prolonged.

(Continued)

**SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)**Reoccupancy of a School Building

After a bomb search has been concluded, by or with law enforcement, the school administrator is the person responsible for making the decision to reenter the school building. Unlike fire chiefs during a fire, police officials have no legal authority to declare the building safe for reoccupancy. They will not be able to conclusively state that there is no bomb, only that the search did not reveal any.

Based upon information received from the building search, one of three (3) decisions may be considered by the school administrator:

- a. Reoccupy the building and resume classes,
- b. Relocate the building occupants to another facility (sheltering); or
- c. Activate the plan for early dismissal.

**2) Sheltering in Sanitized and Cleared Areas**

School administrators have the option of "sanitizing and clearing" an area in the school building, such as a gymnasium, to subsequently shelter students, faculty and staff while a full building search is conducted. This option is most appropriate in the following circumstances:

- a. An assembly space, such as a gymnasium, is thoroughly searched by volunteer school personnel and law enforcement personnel for suspect objects. This includes searching areas such as bleachers, locker rooms (including lavatory facilities), equipment storage areas, etc.
- b. Inclement weather conditions are such that a full-scale building evacuation may endanger students, faculty, and staff. Severe cold weather is an example of such a condition.

It is strongly recommended that school officials carefully coordinate this option in cooperation with local law enforcement officials.

**3) PreClearance and Security Screening in Lieu of Evacuation**

This option may only be implemented prior to the receipt of an actual bomb threat. This option is appropriate when a school reasonably anticipates the receipt of a bomb threat or if there is a particular concern over the possibility of a bomb threat. An example of this may be during the administration of Regents examinations or during other school-wide events, such as dances, homecoming events, etc.

(Continued)

**SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)**

This option may not be reasonable during other times. If the school administrator chooses to enact the prudent procedures outlined below, and there is reasonable accountability for ensuring the safety of students and other building occupants, then evacuation is not required. This approach may also be particularly helpful in the event of multiple bomb threats or bomb threats directed at all schools in a county, BOCES, or School District.

School administrators who choose this option must ensure that all steps for ensuring the security of the building are followed completely. Local law enforcement officials and the New York State Police are available for consultation in preparing such a plan and for training school staff on screening techniques.

- a. Staff must be assigned to do a "walk-through" of the buildings and grounds prior to the arrival of students in the morning to assure that there are no suspicious objects in the building.
- b. Staff who complete the "walk-through" must report findings to the school Principal. Monitors must also be assigned to walk around the outside of the building if State examinations are being administered.
- c. A single point of entry to each building for students and staff must be established, and monitored by a school official.
- d. School staff must monitor all exits.
- e. In the case of State examinations, students must not be admitted to the building for a State examination more than thirty (30) minutes before the start of that examination.
- f. Students may only be admitted to the building after passing through a checkpoint to ensure that they are bringing with them only lunch/snacks and other preapproved items. This includes items such as inhalers (for medical purposes), pens, pencils, and specific materials appropriate to the exam, such as a calculator or a compass. Student book-bags and knapsacks must be inspected. It may be appropriate to send a notice home prior to the event to clearly state that book-bags will not be permitted for that particular event.
- g. During State examinations, exam locations are to be clearly marked. Except in those schools where regular interaction is occurring during the exam period, students must be allowed only in the specific areas of the building where the exams are being administered.
- h. All lockers, including unassigned lockers, must have locks.

(Continued)

**SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)**

- i. A reporting procedure must be in effect for sighting any unusual object or behavior.
- j. Parking adjacent to buildings is not permitted.
- k. In the event it is necessary to evacuate the building, the steps outlined in the preceding sections must be followed.

In summary, evacuation is not required provided the building and grounds have been "cleared" at the start of the day and continually monitored throughout the day. Please note that if the procedures are not completely and correctly put into effect, then the building must be evacuated to a "sanitized and cleared" area or completely evacuated upon the receipt of a bomb threat.

**State Examinations**

If it is necessary to evacuate the building during State examinations, the students must not be allowed to talk to each other and they must be given extra time when they return to the examination to compensate for the time lost during the evacuation process. School personnel are advised to refer to page 16, item 7 - Emergency Evacuation of a School Building, in the booklet entitled, "Regents Examinations, Regents Competency Tests, and Proficiency Examinations, School Administrator's Manual (Spring 1996 edition)."

**Sheltering in the School -- Potential Explosive Device Outside the Building**

A bomb threat which indicates that an explosive device is in a car, in the school parking lot, or somewhere else outside of the building, requires that building occupants remain inside the building. Building occupants should be moved to areas within the school which are free of glass, such as gymnasiums and auditoriums. Persons outside the building in parking lots, playgrounds, etc. should be moved further away or to a location that takes students out of harm's way. The New York State Police advise that there be at least one thousand (1,000) feet between individuals and the suspected area of a bomb.

**Preventive Measures Checklist**

Depending upon the needs of a School District, policies, procedures, and informational materials should be developed to discourage the reporting of any incident designed to threaten life and property, such as a bomb threat. Preventive measures may include the following:

- 1) Install a Caller ID System on school telephone lines and/or tape record incoming calls. Arrange to have the local telephone company provide for the immediate tap and trace of a telephoned bomb threat. (Cell phones are traceable.)

(Continued)

**SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)**

- 2) Install a video camera in places where public telephones are located.
- 3) Make all employees responsible for scanning their areas of work for suspicious objects.
- 4) Establish an immediate reporting system for students and staff to report the presence of "strangers" in the building and/or unusual or suspicious objects.
- 5) Establish a policy whereby all "lost time" due to disruptive hoaxes will be made up.
- 6) To ensure testing integrity, develop contingency plans for bomb scares during times of academic examinations.
- 7) Train all persons in a school who would generally be the first recipient of a telephone bomb threat. Training should include the procedures established by the New York State Police. Law enforcement agencies are a good training source.
- 8) Conduct assembly programs on school safety plan procedures.
- 9) Invite law enforcement personnel to discuss the legal implications of calling in false alarms and bomb threats with students and staff.
- 10) Use trash receptacles of the wire basket type with clear plastic bags as liners.
- 11) Lock unassigned lockers with school locks turned backwards to identify those not occupied by students.
- 12) Lock custodial closets and rooms that are not occupied in order to limit access.
- 13) Keep lobby areas free of trash receptacles (other than wire mesh) and furniture that would allow for placing objects out of view.
- 14) Replace telephone booths with wall telephones.
- 15) Reconfigure display cases so as to prevent easy placement of explosive devices above or beneath them.
- 16) Place fire extinguishers in recessed areas with extinguishers in glass containers that require breakage to be used.

(Continued)

**SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)**

- 17) Eliminate parking areas immediately adjacent to the building, except for official school vehicles.
- 18) Have school health and safety committees discuss with the State Police or the local law enforcement agency other measures to ensure the building security.

**School Employee Involvement**

To prepare for school emergencies such as a bomb threat, schools may form teams of volunteers from administration, faculty and staff to assist in looking or sweeping a building or grounds for suspect objects. Volunteer school teams familiar with the building would shorten the time needed to look for suspect items. Prior to an emergency incident, school officials should make certain volunteer personnel are trained and aware of their responsibilities and are willing to carry out such activities. School employees who volunteer or by job duty are assigned to assist should have access to building keys, floor plans, and information about shut-off valves for heat, electricity, and water.

**Reporting Bomb Threats**

School officials must inform parents and guardians as soon as possible of an incident that results in the activation of the applicable school safety plan(s), along with actions taken to protect the safety and well-being of students, staff, and property.

Section 155.17(h) of the Commissioner's Regulations requires that Superintendents not in a Supervisory District are to notify the State Education Department as soon as possible whenever the District-wide school safety plan or building-level school safety plan is activated and results in the closure of a school building in the District. A Superintendent of a school within a Supervisory District is to notify the BOCES District Superintendent as soon as possible whenever such school safety plans are activated and result in the closure of a school building. The BOCES District Superintendent is to notify the State Education Department of all school building closures not related to routine snow emergencies.

**Regulatory Basis for School Bomb Threat Actions**

Section 155.17 of the Commissioner's Regulations requires BOCES and School District Boards of Education to prepare and annually update the school safety plans as enumerated in law and Commissioner's Regulations to ensure the safety and health of children and staff, and to ensure integration and coordination with local, county, and State emergency plans. This Plan further requires annual instruction and drills to ensure its effectiveness. In updating the school safety plans, conducting drills and training, and providing education and notification, the following issues should be considered:

(Continued)

**SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)**

- 1) Formulating guidelines specifying how students and employees are to leave the school premises during an emergency.
- 2) Formulating guidelines regarding how to provide security for school premises during an emergency (i.e., public access, emergency responders, etc.).
- 3) Media intervention guidelines.
- 4) Communication procedures and access of details.

School emergencies have an impact on many people and other community operations. School administrators must cooperate and coordinate plans with their local and county emergency coordinators to ensure that the school safety plans are congruent with local and county plans and procedures. Issues of mutual concern might include:

- 1) Traffic routing for emergency vehicles;
- 2) Emergency area perimeter security;
- 3) Parents or guardians rushing to school; and
- 4) Telephone and communication overload.

Case law under liability and negligence has established that a Board of Education has the duty to exercise due care toward its students, as would a reasonable, prudent parent under comparable circumstance [Mirand vs. City of New York, 84 NY2d 44 (1994)]. Based upon Duty of Reasonable Care, a District's responsibility begins when a child is picked up and ends when a child is dropped off.

Section 807 of the Education Law 1 imposes a duty on the "Principal or other person in charge of the school" to instruct and train the students by means of drills so that they may, in a sudden emergency, be able to leave the school building in the shortest time possible without confusion or panic. An Attorney General's opinion declares a bomb threat as a potential emergency.

(Continued)

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<sup>1</sup> Section 807 is headed "Fire Drills" but the section itself speaks to emergencies, not fires. A section heading does not restrict broader language contained in the body of the section. [People v. Long Island R.R. Co., 194 NY 130 (1909)]

**SUBJECT: BOMB THREAT RESPONSE GUIDELINES (Cont'd.)****Criminal Penalties: False Reporting of Emergencies**

Schools need to educate the entire school community about the seriousness and penalties of reporting a false bomb threat. Information should be disseminated informing students and employees that the mere reporting of a false bomb threat is a crime that may result in imprisonment and/or civil penalties being imposed against the individual. When a person reports a false bomb threat on school grounds, they commit a crime that is punishable by up to seven (7) years imprisonment and a fine of up to five thousand dollars (\$5,000). (Falsely Reporting an Incident in the First Degree: Section 240.60 subsection 5 of the New York State Penal Law: Class "D" Violent Felony).

Recently, laws dealing with this issue have been expanded to include instances where someone places a device fashioned to resemble or contain a bomb on school grounds, when in fact it is an inoperative facsimile or imitation. In these circumstances, a person would also be guilty of a crime punishable by up to seven (7) years imprisonment and a fine of up to five thousand dollars (\$5,000). (Placing a False Bomb in the First Degree: Section 240.62 of the New York State Penal Law: Class "D" Violent Felony).

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
BOMB THREAT CALL CHECKLIST**

**FILL OUT COMPLETELY, IMMEDIATELY AFTER BOMB THREAT**

**QUESTIONS TO ASK:**

1. When is the bomb going to explode? \_\_\_\_\_
2. Where is it right now? \_\_\_\_\_
3. What does it look like? \_\_\_\_\_
4. What kind of bomb is it? \_\_\_\_\_
5. What will cause it to explode? \_\_\_\_\_
6. Did you place the bomb? \_\_\_\_\_
7. Why? \_\_\_\_\_
8. What is your address? \_\_\_\_\_
9. What is your name? \_\_\_\_\_

**EXACT WORDING OF THE THREAT:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Sex of Caller: \_\_\_\_\_ Race: \_\_\_\_\_ Age: \_\_\_\_\_ Length of Call: \_\_\_\_\_  
 Number at which call is received: \_\_\_\_\_ Time: \_\_\_\_\_ Date: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

**CALLERS VOICE:**

_____ Calm	_____ Loud	_____ Nasal	_____ Clearing Throat
_____ Angry	_____ Laughing	_____ Stutter	_____ Deep Breathing
_____ Excited	_____ Crying	_____ Lisp	_____ Cracking Voice
_____ Slow	_____ Normal	_____ Raspy	_____ Disguised
_____ Rapid	_____ Distinct	_____ Deep	_____ Accent
_____ Soft	_____ Slurred	_____ Ragged	_____ Familiar

If voice is familiar, who did it sound like? \_\_\_\_\_

**BACKGROUND SOUNDS:**

_____ Street Noises	_____ Music	_____ Factory Machinery	_____ Local
_____ Crockery	_____ House Noises	_____ Animal Noises	_____ Long Distance
_____ Voices	_____ Motor	_____ Clear	_____ Booth
_____ PA System	_____ Office Machinery	_____ Static	Other _____

**THREAT LANGUAGE:**

_____ Well Spoken (educated)	_____ Foul _____ Irrational	_____ Incoherent _____ Taped	_____ Message Read by Threat Maker
---------------------------------	--------------------------------	---------------------------------	---------------------------------------

**REMARKS:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Report call immediately to: \_\_\_\_\_  
 Principal/Building Incident Coordinator Phone Number

Date: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ Name: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Position: \_\_\_\_\_

Office for Elementary, Middle, Secondary and Continuing Education

## New York State School Bomb Threat and Serious Incident Reporting Form

Name of School District:	Building:
<b>Incident Type:</b> (please circle all that apply to this event)	
Arson      Bioterrorism      Bomb      Bomb Threat      Knife/Blade      Gun      Other	
<b>Incident Delivery Method:</b> (please circle all that apply to this event)	
Telephone      E-Mail      FAX      Verbal      Written      Other	
Date of Incident:	Time of Incident:
School District Contact Person:	Contact Person Telephone #:
Description of Incident:	
Name of Law Enforcement Agency Notified of Incident:	Law Enforcement Contact Person and Telephone Number:
Actual Class Time Lost as a Result of this Incident:	
Actions Taken by the School District in Response to Incident:	
<b>Attach Additional Sheets as Needed</b>	

**Return Completed Report To:**

Laura Sahr  
 NYS Education Department  
 Office of Facilities Planning  
 Room 1060 Education Building Annex  
 Albany, New York 12234  
 or FAX to: 518-486-5918

**SUBJECT: ANTHRAX AND OTHER BIOLOGICAL TERRORISM: PREVENTION  
PROTOCOLS/PROTOCOLS FOR MAIL HANDLING**

Building administrators and/or designated staff shall periodically assess and review their protocols for handling mail. Further, all staff, in particular those responsible for handling District mail, should receive instructions/training on how to recognize a suspicious package or envelope and the appropriate steps to take to protect themselves and others.

**General Guidelines**

- 1) Examine unopened envelopes for foreign bodies or powder.
- 2) Do not open letters with your hands; use a letter opener.
- 3) Open letters and packages with a minimum of movement to avoid spilling any contents.
- 4) The administration should assess whether it is a possible target for criminal acts. Based on this assessment, additional precautions will be taken as necessary such as making available protective gloves and restricting the opening of mail to a limited number of trained individuals.

**Identifying Suspicious Packages and Envelopes**

Some characteristics of suspicious packages and envelopes include the following:

- 1) Inappropriate or unusual labeling:
  - a. Excessive postage, no postage or non-cancelled postage;
  - b. No return address;
  - c. Improper spelling of common names, places or titles;
  - d. Unexpected envelopes from foreign countries;
  - e. Any letter or package that has suspicious or threatening messages written on it;
  - f. Postmarked from a city or state that does not match the return address.

(Continued)

**SUBJECT: ANTHRAX AND OTHER BIOLOGICAL TERRORISM: PREVENTION  
PROTOCOLS/PROTOCOLS FOR MAIL HANDLING (Cont'd.)**

- 2) Appearance:
  - a. Powdery substance felt through or appearing on the package or envelope;
  - b. Oily stains, discolorations or odor;
  - c. Envelopes that are lopsided, rigid or bulky;
  - d. Excessive packaging material such as masking tape, string, etc.

**Handling of Suspicious Packages or Envelopes**

*If a package or envelope appears suspicious, DO NOT OPEN IT.*

- 1) Do not shake or empty the contents of any suspicious package or envelope.
- 2) Do not carry the package or envelope, show it to others or allow others to examine it other than qualified emergency personnel as enumerated below.
- 3) Put the package or envelope down on a stable surface; do not sniff, touch, taste, or look closely at it or at any contents which may have spilled.
- 4) LEAVE THE AREA, close any doors and windows, and TAKE ACTIONS TO PREVENT OTHERS FROM ENTERING THE AREA.
- 5) NOTIFY your immediate supervisor and/or building principal/designee. He/she shall dial 911 or the local law enforcement authorities, if appropriate; and shall notify the Superintendent/designee of the situation.
- 6) WASH hands with soap and water to prevent spreading potentially infectious material to face or skin. Seek additional instructions for exposed or potentially exposed persons.
- 7) If possible and deemed necessary, the building's heating/air conditioning/ventilation system should be shut off.

(Continued)

**SUBJECT: ANTHRAX AND OTHER BIOLOGICAL TERRORISM: PREVENTION  
PROTOCOLS/PROTOCOLS FOR MAIL HANDLING (Cont'd.)**

- 8) The building administrator/designee shall make a list of all persons who were in the room or area when this suspicious letter or package was recognized and a list of persons who also may have handled this package or letter. These individuals shall remain available until such time as a threat assessment has been completed. The building administrator/designee shall provide this list(s) to both the local public health authorities and law enforcement officials.

**For Packages or Envelopes that are Opened and which Contain Suspicious Material**Do Not Panic

Anthrax organisms can cause skin infection, gastrointestinal infection or pulmonary infection. To do so, the organism must be rubbed into abraded skin, swallowed or inhaled as a fine, aerosolized mist. It does not leap into one's body. All forms of disease are generally treatable with antibiotics.

Anthrax cannot be easily aerosolized out of an envelope or package containing powder. *The same facts and conditions are generally true for other bacteria likely to be considered as biological weapons.*

Contain The Exposure

- 1) Close the package or envelope to limit additional exposure. Do not clean powder up; **KEEP OTHERS AWAY.**
- 2) **CLOSE OFF THE ROOM** (doors and windows), do not allow anyone other than qualified emergency personnel to enter.
- 3) Do not touch your eyes, nose, mouth, or any other part of your body.
- 4) If possible, wash your hands thoroughly with soap and water.
- 5) If clothing is heavily contaminated, do not brush vigorously.
- 6) If possible, the building's heating/air conditioning/ventilation system should be shut off.
- 7) The building administrator/designee shall make a list of all persons who have been identified as having actual contact with the powder or other suspicious element, such as anthrax, for investigating authorities.

(Continued)

**SUBJECT: ANTHRAX AND OTHER BIOLOGICAL TERRORISM: PREVENTION  
PROTOCOLS/PROTOCOLS FOR MAIL HANDLING (Cont'd.)**

**\*Notify Appropriate Authorities**

The building administrator/designee shall immediately contact:

- 1) The Superintendent/designee;
- 2) 911 and/or local law enforcement agencies;
- 3) The local FBI field office; and
- 4) The local Health Department.

\*The District shall also refer to the procedures outlined in its School Safety Plan(s).

**SUBJECT: EXPOSURE CONTROL PROGRAM: RESPONSIBILITIES OF THE SCHOOL ADMINISTRATOR****Administrative Guidelines**

It is the responsibility of the Superintendent to:

- 1) Have a written Exposure Control Program based on New York State Department of Health (DOH), New York State Education Department (SED), and Occupational Safety and Health Administration (OSHA) or New York State Public Employee Safety and Health (PESH) Program guidelines;
- 2) Determine which employees regularly perform tasks with the potential for occupational exposure as a requirement of employment. (See Federal Guidelines);
- 3) Have written Standard Operating Procedures (SOP's) for all employee job descriptions, giving specific attention to those tasks that require protective equipment to be worn (see Exposure Categories);
- 4) Provide all materials and protective equipment necessary to implement job descriptions, giving specific attention to those tasks that require protective equipment to be worn (see Exposure Categories);
- 5) Designate a qualified person to coordinate, implement and provide education and training for all employees. In many situations that person would be the school's registered professional nurse;
- 6) Support on-going continuing education for the designated individual that is responsible for employee education/training;
- 7) Provide education/training for all school staff and for new employees before potential exposure to blood/body fluids:
  - a. Training must include all necessary elements as described in the Federal Register.
  - b. Each employee must receive annual training updates.
- 8) Have a written procedure of accountability for compliance to the Exposure Control Program;
- 9) Review the program, training, implementation, etc. on an annual basis;

(Continued)

**SUBJECT: EXPOSURE CONTROL PROGRAM: RESPONSIBILITIES OF THE SCHOOL ADMINISTRATOR (Cont'd.)**

- 10) Maintain employee education/training records that include date of training, summary of content, names and social security number of all persons in attendance. Maintain for three (3) years;
- 11) Provide copies of SOP's to all employees; specifically to employees with the potential for occupational exposure;
- 12) Post SOP's pertinent to each department in visible area;
- 13) Store, package, label and transport regulated medical waste according to regulations;
- 14) Provide medical counseling information to anyone involved in a blood/body fluid exposure incident;
- 15) Document each incident of mucous membrane or parenteral (other than through the digestive tract) exposure to blood/body fluids with follow-up measures taken. Maintain for duration of employment plus thirty (30) years.
- 16) If an exposure takes place, and if the source consents to blood screening, results may only be disclosed if consent has been given on official State Health Department Authorization forms.
- 17) Make available free, voluntary HBV vaccination to those employees whose job descriptions require them to perform tasks with the potential for occupational exposure.

**SUBJECT: STAFF EDUCATION/TRAINING REGARDING BLOODBORNE  
PATHOGENS**

All school districts are required to provide training for all staff who are categorized as having occupational exposure to bloodborne pathogens. Annual updates for these staff members are also required. Such training programs should strive to help individuals recognize the importance of routine use of appropriate exposure control practices and protective equipment/materials in protecting the health of all. No staff member should engage in any task requiring occupational exposure before receiving training in standard operating procedures, work practices and protective equipment required for the task. Furthermore, it is recommended that all staff receive training in exposure control to assure their continued good health.

The training must include:

- 1) An explanation of the exposure control plan covering general and universal precautions to prevent transmission of all infectious diseases.
- 2) An overview of potentially infectious diseases.
- 3) An explanation of bloodborne diseases, specifically HBV/HIV, their modes of transmission and signs/symptoms.
- 4) A hands-on explanation of protective measures, equipment and materials, and how to use them. Staff should also know where equipment and materials will be stored and how to clean or dispose of contaminated materials.
- 5) A review of standard operating procedures that will ensure that all staff are prepared to take corrective action when the potential for exposure to bloodborne pathogens or other infectious agents exist.
- 6) Information about the Hepatitis B vaccine to ensure that staff are aware of its efficiency and safety as well as its benefits when applicable.
- 7) Information about exposure incidents, the appropriate reporting procedures and the medical monitoring recommended in cases of suspected parenteral exposure.
- 8) Available resources and services.



**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
BLOOD AND BODY FLUIDS INCIDENT FORM**

Employee Name \_\_\_\_\_ S.S. # \_\_\_\_\_

Home Address \_\_\_\_\_ Home Phone \_\_\_\_\_

School \_\_\_\_\_ School Code \_\_\_\_\_

Position \_\_\_\_\_ Supervisor/School Registered Professional Nurse \_\_\_\_\_

**DESCRIPTION OF INCIDENT**

1) Briefly describe what happened \_\_\_\_\_

Date of Incident \_\_\_\_\_ (use back if necessary)

2) Complete the following section:

a. Wounds

(1) Did the incident involve a wound  yes  no

(2) Did the wound result in visible bleeding  yes  no

(3) Was the wound caused by:  needle  human bite  other sharp instrument  
(specify) \_\_\_\_\_

other (specify) \_\_\_\_\_

(4) Was the object causing the wound covered with blood/body fluids?  yes  no

b. Blood/Body fluid exposure to mucous membranes

(1) Did the individual's blood/body fluids come in contact with your body?  yes  no

(2) What was the substance to which you were exposed?

N/A; I was not exposed  blood  feces  emesis (vomit)  sputum  sexual fluids

(3) If the substance was anything other than blood, was there any blood visible in the fluid?

N/A  yes  no  unknown

(4) What part of your body was exposed to the substance? (check all that apply)

mouth  eyes  nose  ears  skin (specify location)  none

other (specify) \_\_\_\_\_

3) How long was your body part in contact with substance?

a. If the exposure was to your skin, was your skin bruised in any way?  yes  no

b. What was the nature of your skin abrasion?  acne  dermatitis  cracks due to dry skin

unhealed cuts or scratches  no skin abrasion

other (specify) \_\_\_\_\_

4) Which of the following procedures were being used at the time of the incident? (check all that apply)

cuts/open wounds covered with bandages  mask (vinyl/latex)  gloves

pocket ventilator/ambu bag  goggles/glasses

other (specify) \_\_\_\_\_

(Continued)

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
BLOOD AND BODY FLUIDS INCIDENT FORM (Cont'd.)**

- 5) First line intervention - after exposure, what did you do?  washed hands/exposed area  
 changed clothes  flushed eyes/rinsed mouth  showered  
 other (specify) \_\_\_\_\_
- 6) The supervisor/school registered professional nurse was notified as follows:  
Date \_\_\_\_\_ Time \_\_\_\_\_
- 7) Medical Intervention - in the event of contact with blood and/or body fluid it is suggested that you discuss with school registered professional nurse:
- a. HBV antibody or previous vaccination status for HBV.
  - b. The need for HBV/HIV antibody testing.
  - c. Notifying your physician or health care provider of the exposure to blood and body fluids immediately.
- 8) Return this completed form to supervisor/school registered professional nurse.
- 9) In case of incident or injury to the school registered professional nurse or health professional:
- a. Report incident to supervisor.
  - b. Complete form.

---

Signature of Employee

---

Date

---

Time

**SUBJECT: COMMUNICABLE DISEASES****Definitions**

- 1) Communicable Disease - A disease caused by an infectious agent (bacterial, viral, parasitic, other) which can be spread from one individual to others.
- 2) Agent - Pathogenic bacteria, viruses, parasites or toxins which cause disease.
- 3) Host - Individual either infected with pathogenic agent or susceptible to infection.
- 4) Environment - All factors external to the agent and host which must be present to facilitate spread of agent.
- 5) School Health Service Personnel - School Physician, School Nurse Practitioner, School Registered Professional Nurse and other professional persons employed to render health care and services.

**Delegation of Authority**

The Superintendent of Schools is authorized to implement this regulation in accordance with the New York State Education Law, Public Health Law, and Sanitary Code.

Primary responsibility for implementation of this regulation lies with the Building Principal and School Registered Professional Nurse, with advice from the School Nurse Practitioner and/or School Physician as necessary. All School Health Service Personnel are charged with the responsibility to inform and advise Administration about current scientific knowledge concerning communicable disease control.

**Basic Assumptions**

The spread of communicable disease is halted by any one of the following:

- 1) Decreasing the pathogenicity of the agent;
- 2) Decreasing the susceptibility of the host;
- 3) Changing the environment which makes the spread of disease possible.

The focus of communicable disease control is prevention through:

- 1) Immunization;
- 2) Cleanliness and Sanitation;
- 3) Health Education;
- 4) Case finding by School Personnel;

(Continued)

**SUBJECT: COMMUNICABLE DISEASES (Cont'd.)**

- 5) Isolation, as appropriate, of person with communicable disease from others in the school setting;
- 6) Encouragement of appropriate medical management.

**Isolation of Person With Communicable Disease**Students

Any student who shows symptoms of any communicable or infectious disease which is reportable under the Public Health Law and the State Sanitary Code that imposes a significant risk of infection of others in the school shall be immediately excluded from school until one of the following requirements for readmittance is fulfilled:

- 1) Submission of a certificate from the student's physician attesting to recovery;
- 2) Submission of a permit for readmittance to school, issued by the local health officer;
- 3) Submission of authorization for readmission issued by the Alfred-Almond Central School District director of school health services.

If it is determined by the School Health Service Personnel that a student's physical condition endangers the health or safety of the individual or others, that individual may be suspended from school under the authority of, and in accordance with procedures established by Education Law Sections 906 and 3214. This determination will be in accordance with informed medical opinion as to the infectiousness of the agent, the mode of transmission, the seriousness of the disease, and the treatment regimen. The goal is to prevent the spread of communicable disease and to facilitate the ill individual's return to health.

The director of school health services shall immediately notify the local public health agency of any disease reportable under the Public Health Law.

If a student with a communicable disease is not required to be excluded from school, an individual care plan will be developed by the School Health Service Personnel, in conjunction with other appropriate building personnel, to include methods to prevent the spread of infection to others and to reduce the risk of exacerbation of the student's disease.

Decisions regarding the type of educational program and care setting for a student with a communicable disease shall be based on:

- 1) The age, behavior, neurological development, and physical condition of the child;
- 2) The expected interaction of the child with others in the school setting;

(Continued)

**SUBJECT: COMMUNICABLE DISEASES (Cont'd.)**

- 3) The risks and benefits to both the ill student and to others in that setting; and
- 4) Other relevant criteria.

If the student is excluded from school as a result of the communicable disease, the school administration shall provide said student with an adequate alternative education.

If a student with a communicable disease is suspected to be a child with a disability, such as to require special education by reason of his/her health impairment, the student shall be referred to the School District Committee on Special Education ("CSE"). The CSE shall conduct an evaluation and determine if the student is a child with a disability.

Employees

When the Superintendent has reasonable cause to believe that an employee has a communicable disease, the Superintendent shall:

- 1) Report the full name and address of the employee to the local health officer;
- 2) Request the Board of Education to require the employee to submit to an examination by the School Physician/Nurse Practitioner; and
- 3) Require the employee to grant written authorization for the release of medical reports, and for his/her personal physician to discuss the matter with the School Physician/Nurse Practitioner.

If it is determined that the employee has a disease which is designated as communicable by the State Sanitary Code, the Superintendent of Schools shall refer the matter to the School Physician/Nurse Practitioner who shall isolate the employee pending official action by the local health officer.

If the disease is highly communicable, but not designated as such by the State Sanitary Code, or if the School Physician/Nurse Practitioner determines that the individual is endangering himself or herself by continuing to work, the employee is encouraged and may be required to remain at home and seek appropriate medical management.

An employee with a communicable disease shall be granted paid sick leave in accordance with the applicable collective bargaining agreement.

If an employee with a communicable disease is able to be in school and there is little risk to others (as determined by the School Physician/Nurse Practitioner), the administration will attempt to

(Continued)

**SUBJECT: COMMUNICABLE DISEASES (Cont'd.)**

accommodate the work environment to assist the individual. A plan will be developed as necessary to protect the ill individual and to prevent the spread of infection to others in the school setting. Said plan may include reassignment of the employee to a position where he/she works in isolation or limited contact with others.

If the School Physician/Nurse Practitioner determines that 1) the employee has a currently contagious disease or infection and 2) the presence of the employee on the job is and will continue to constitute a direct threat to the health, safety or welfare of that employee or other individuals by reason of his/her currently communicable disease or that the employee is unable to perform the duties of the job by reason of his/her currently communicable disease, such employee shall be removed from the regular workplace and his/her employment may be terminated or suspended in accordance with applicable statutes and regulations. Any employee, contagious or not, who is unable to perform his/her customary duties or those of any alternative assignment, shall be terminated or placed on disability retirement. The Superintendent of Schools shall see that procedural protections are complied with in any decision to terminate or retire an employee.

**Encouragement of Appropriate Medication Management**

In addition to the above procedures, any individual with a suspected communicable disease will be referred to his/her family. As appropriate, School Health Service Personnel will:

- 1) Advise the seeking of professional care or advice from the physician, pharmacist, clinic or other;
- 2) Aid the individual in complying with the treatment regimen in cooperation with the primary health care provided;
- 3) Encourage follow-up; and
- 4) Act as a resource to the family to facilitate the individual's return to optimum health. School attendance will be either encouraged or discouraged in the best interest of the ill individual.

**Employee Obligation**

No susceptible employee shall be required to work with or to have personal contact with an individual with a communicable disease unless safeguards have been made to avoid the spread of the disease within the school setting.

In the event that alternate instruction is planned which requires personal contact with an infected student, a school employee may decline such assignment without penalty.

(Continued)

**SUBJECT: COMMUNICABLE DISEASES (Cont'd.)****Confidentiality**

The individual's privacy shall be protected by school personnel. Except as otherwise required by law, the identity of any individual with a communicable disease shall not be revealed. All records shall be confidential.

Except if otherwise authorized by the infected employee, student or person in parental relation, the only persons who will be informed of an infected individual's condition are those who:

- 1) Require such knowledge to assure proper care of the ill individual; or
- 2) Should be informed to detect situations where the potential for transmission may increase;  
or
- 3) Are individuals who, in the judgment of the family and School Health Service Personnel, should have such knowledge.

**Cleanliness and Sanitation**

Pursuant to the Public Health Law, Regulations of the Commissioner of Education, and Recommendation of the CDC (Center for Disease Control), the School Administration shall establish, and all school personnel shall comply with, routine procedures for handling body fluids and wastes and storing, handling, and disposing of hypodermic syringes and needles. Procedures will be developed by the Superintendent of Schools.

Handwashing is fundamental in the prevention of the spread of infection. All personnel and students are required to thoroughly wash their hands with soap and water before handling food, after toileting, and after handling body fluids and discharges.

Under the authority of the Food Service Director, all Food Service Personnel are required to comply with the New York State Sanitary Code to best avoid the spread of food borne infection.

Under the authority of the Superintendent, all school buildings will be cleaned and maintained so as to best prevent the spread of infection.

**Health Education**

School Health Service Personnel shall keep informed of current scientific information to enable them to better prevent the spread of communicable disease and will share this knowledge with other school personnel as appropriate.

(Continued)

**SUBJECT: COMMUNICABLE DISEASES (Cont'd.)**

School Health Service Personnel shall give information to parents/guardians as appropriate to aid in the prevention, treatment, or interruption of the spread of communicable disease.

Students from grades K through 12 will receive instruction about the causes, prevention, and treatment of communicable diseases to enable them to remain as free from illness as possible.

**SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES:  
EMPLOYEES**

**Confidentiality**

Definitions (Public Health Law, Section 2780)

- 1) **"Confidential HIV related information"** means any information, obtained from individuals who provide health or social services or through a written authorization for disclosure of such information, concerning whether an individual has been the subject of an HIV related test, or has HIV infection, HIV related illness or AIDS, or information which identifies or **reasonably could identify** an individual as having one (1) or more of such conditions.
- 2) **"Capacity to consent"** means an individual's ability, determined without regard to such individual's age, to understand and appreciate the nature and consequences of a proposed health care service treatment or procedure, and to make an informed decision concerning such service, treatment or procedure. It is the responsibility of the HIV counselor to determine an individual's capacity to consent to medical care.
- 3) **"Release of confidential HIV related information"** means a written authorization for disclosure of confidential HIV related information which is signed by an individual who is the subject of an HIV related test or who has been diagnosed as having HIV infection, AIDS or an HIV related illness or a person authorized by law to consent to health care for that individual. Disclosure must be on a form approved by the New York State Department of Health.

Release of Information

Pursuant to New York State law, school officials and employees are required to keep HIV-related information confidential. The information cannot be disclosed to any person except under the following circumstances:

- 1) The protected individual or a person with the capacity to consent has completed and signed the New York State Department of Health "HIPAA Compliant Authorization for Release of Medical Information and Confidential HIV Related Information" form;
- 2) A court order has been issued; or
- 3) The person to whom the information has been furnished is authorized under the state law to receive the information without a release form (e.g., physicians providing care to the individual, agencies monitoring care, insurance companies for reimbursement purposes).

(Continued)

**SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES:  
EMPLOYEES (Cont'd.)**

**Employment**

No disciplinary action or other adverse personnel action shall be taken against an employee solely because he/she has AIDS or HIV infection. Action may be taken against an employee only if he/she is disabled and the disability interferes with his/her ability to perform in a reasonable manner the activities involved in the job or occupation.

The District shall make such reasonable accommodations to enable the employee to perform employment duties as may be required by federal or state law.

**Testing**

No HIV-related testing of any employee shall be conducted without the receipt of a written "informed consent" document signed by the subject of the test (if he/she has the capacity to consent) or a person authorized pursuant to law to consent to health care for the individual, unless otherwise authorized or required by a state or federal law.

NOTE: For New York State Department of Health HIPAA Compliant Authorization for Release of Medical Information and Confidential HIV Related Information" form, see website: <http://www.health.state.ny.us/forms/doh-2557.pdf>

**SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES:  
STUDENTS****Admission and Enrollment**

Every effort shall be made not to exclude HIV infected students, or place such students in a restricted environment. On occasion, where the unique circumstances of the student's condition, apart from the mere existence of HIV infection or AIDS virus, warrant programmatic modifications for the benefit of the student, a referral will be made to the Committee on Special Education (CSE) for evaluation and recommendation. The CSE will then determine whether the student should be classified pursuant to the Commissioner's Regulations on students with disabilities and, if determined to be "educationally disabled," will recommend an appropriate educational placement.

If the parent/guardian disagrees with the CSE recommendation, he/she is entitled to due process under appeal procedures set forth in state and federal law. If a hearing is requested by the parent/guardian, the student will remain in his/her current placement pending all proceedings unless a court order is obtained.

**Confidentiality**Definitions (Public Health Law, Section 2780)

- 1) **"Confidential HIV related information"** means any information, obtained from individuals who provide health or social services or through a written authorization for disclosure of such information, concerning whether an individual has been the subject of an HIV related test, or has HIV infection, HIV related illness or AIDS, or information which identifies or **reasonably could identify** an individual as having one (1) or more of such conditions.
- 2) **"Capacity to consent"** means an individual's ability, determined without regard to such individual's age, to understand and appreciate the nature and consequences of a proposed health care service treatment or procedure, and to make an informed decision concerning such service, treatment or procedure. It is the responsibility of the HIV counselor to determine an individual's capacity for consent to medical care.
- 3) **"Release of confidential HIV related information"** means a written authorization for disclosure of confidential HIV related information which is signed by a student who has been determined as having the capacity to consent who is the subject of an HIV related test or who has been diagnosed as having HIV infection, AIDS or an HIV related illness or a person authorized by law to consent to health care for that individual. Disclosure must be on a form approved by the New York State Department of Health.

(Continued)

**SUBJECT: HUMAN IMMUNODEFICIENCY VIRUS (HIV) RELATED ILLNESSES:  
STUDENTS (Cont'd.)****Release of Information**

Under New York State Law, except for certain people, school officials and employees are required by law to maintain strict confidentiality of HIV related information concerning a student in the District and such information may not be disclosed to anyone unless the protected student, or the parent or guardian if student lacks capacity to consent, completes and signs a written authorization form. The form must be dated and specify to whom disclosure is authorized, the purpose for such disclosure and the time period during which the release is to be effective.

The New York State Department of Health has provided an authorization form for the release of medical information including HIV-related information. Medical and HIV-related information may be protected from disclosure or re-disclosure by federal privacy law and state law. Release of medical of HIV-related information may be granted to the School District using the "HIPAA Compliant Authorization for Release of Medical Information and Confidential HIV Related Information" form. This form is available on the New York State Department of Health website at <http://www.health.state.ny.us/forms/doh-2557.pdf>

**Testing**

No HIV related testing will be performed without first receiving the written informed consent of the student who has the capacity to consent or of a person authorized pursuant to law to consent to health care for such student.

**Penalties**

Any school official or employee who discloses confidential HIV related information to unauthorized persons may be subject to a civil penalty up to five thousand dollars (\$5000) and a criminal misdemeanor charge.

NEW YORK STATE DEPARTMENT OF HEALTH  
AIDS Institute

## **AUTHORIZATION FOR RELEASE OF CONFIDENTIAL HIV\* RELATED INFORMATION**

Confidential HIV Related Information is any information indicating that a person had an HIV related test, or has HIV infection, HIV related illness or AIDS, or any information which could indicate that a person has been potentially exposed to HIV.

Under New York State Law, except for certain people, confidential HIV related information can only be given to persons you allow to have it by signing a release. You can ask for a list of people who can be given confidential HIV related information without a release form.

If you sign this form, HIV related information can be given to the people listed on the form, and for the reason(s) listed on the form. You do not have to sign the form, and you can change your mind at any time.

If you experience discrimination because of release of HIV related information, you may contact the New York State Division of Human Rights at (212) 961-8624 or the New York City Commission of Human Rights at (212) 306-7500. These agencies are responsible for protecting your rights.

Name and Address of facility/provider obtaining release:
Name of person whose HIV related information will be released:
Name and address of person signing this form (if other than above):
Relationship to person whose HIV information will be released:
Name and address of person who will be given HIV related information:
Reason for release of HIV related information:
Time during which release is authorized: <div style="display: flex; justify-content: space-between; width: 80%; margin: 0 auto;"> <span>From:</span> <span>To:</span> </div>

My questions about this form have been answered. I know that I do not have to allow release of HIV related information, and that I can change my mind at any time.

\_\_\_\_\_

Date

\_\_\_\_\_

Signature

\*Human Immunodeficiency Virus that causes AIDS.

The University of the State  
Of New York Education Department

**Authorization for Release of Confidential HIV\*  
Related Information to the Superintendent of  
Schools and the Board of Education**

Approved by:  
New York State Department of Health  
OC - 1 (6/89)

Confidential HIV Related Information means any information indicating that a person had an HIV related test, or has HIV infection, HIV related illness or AIDS, or any information which could indicate that a person has been potentially exposed to HIV.

Under New York State Law, except for certain people, confidential HIV related information can only be given to persons you allow to have it by signing this form. You may ask for a list of people who can be given confidential HIV related information even without this form.

If you sign this form, HIV related information can be given to the people listed on the form, and for the reason(s) listed on the form. You do not have to sign the form, and you can change your mind at any time.

If you experience discrimination because of the release of HIV related information, you may contact the New York State Division of Human Rights at (212) 870-9624 or the New York City Commission of Human Rights at (212) 566-5493. These agencies are responsible for protecting your rights.

NAME OF PERSON WHOSE HIV RELATED INFORMATION WILL BE RELEASED			
NAME AND ADDRESS OF PERSON SIGNING THIS FORM (IF OTHER THAN ABOVE)			
STREET	CITY	STATE	ZIP CODE
RELATIONSHIP TO PERSON WHOSE HIV INFORMATION WILL BE RELEASED			

NAME OF SCHOOL DISTRICT
-------------------------

Names and addresses of the superintendent of schools and individual members of the Board of Education (Board of Trustees) of the above named school district who will be given HIV related information:

SUPERINTENDENTS NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE

\*Human Immunodeficiency Virus that causes AIDS.

(Continued)

NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE
NAME			
STREET	CITY	STATE	ZIP CODE

Reason for release of HIV related information:

To approve the recommendation of the \_\_\_\_\_ CSE as required by law.  
(Name of District)

Other (explain in full, use additional sheet(s) if necessary) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Time during which release is authorized:

FROM: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ TO: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Month Day Year Month Day Year

My questions about this form have been answered. I know that I do not have to allow release of HIV related information, and that I can change my mind at any time.

\_\_\_\_\_  
Signature Date

**SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS**

The Board of Education 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. In accordance with Education Law and Commissioner's Regulations, the District will minimize, to the extent practicable, the idling of all school buses and other vehicles owned or leased by the District while such bus or vehicle is parked or standing on school grounds or in the front of any school. This administrative regulation also applies to contractor owned and operated school buses under contract with the District.

The District shall ensure that each driver of a school bus or other vehicle owned, leased or contracted for by the District turn off the engine of the bus or vehicle while waiting for passengers to load or off load on school grounds, or while such vehicle is parked or standing on school grounds or in front of or adjacent to any school.

Further, administration seeks to establish a practice requiring prompt loading and unloading of individual school buses rather than waiting for all buses to arrive.

**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:

- 1) For mechanical work; or
- 2) To maintain an appropriate temperature for passenger comfort; or
- 3) In emergency evacuations where necessary to operate wheelchair lifts.

**Requirements of School Bus Drivers**

- 1) Instruct students on the necessity to board the school bus promptly in the afternoon in order to reduce loading time;
- 2) Whenever possible, park the school bus diagonally in school loading areas to minimize the exhaust from adjacent buses that may enter the school bus and school buildings; and
- 3) Turn off the bus engine during sporting or other events.

**SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS (Cont'd.)****Additional School District Responsibilities**Notice

The District shall annually provide their school personnel, no later than five (5) school days after the start of school, with notice of the provisions of Education Law Section 3637 and Commissioner's Regulations Section 156.3(h). The format and materials for the notice will be supplied by the Commissioner of Education.

Monitoring and Reports

- 1) The District shall periodically, but at least semi-annually, monitor compliance of school bus drivers and drivers of vehicles owned, leased or contracted for by the District with the requirements of Commissioner's Regulations.
- 2) The District shall prepare a written report describing the actions taken to review compliance and the degree of adherence found.
- 3) Copies of the report shall be retained in the School District's files for a period of six (6) years and made available to the State Education Department (SED) upon request.

Private Vendor Transportation Contracts

All contracts for pupil transportation services between the School District and a private vendor that are entered into on or after August 21, 2008, shall include a provision requiring such vendor's compliance with the provisions of reducing idling in accordance with Commissioner's Regulations Section 156.3(h).

**New York State Education Department (SED) Compliance/Training Material**

To assist school districts with compliance, SED has prepared materials for the annual notice to school personnel and for training school bus drivers. These materials have been posted on SED's Web site at:

[www.emsc.nysed.gov/schoolbus/anti-idling/home.html](http://www.emsc.nysed.gov/schoolbus/anti-idling/home.html)

The District may meet the notice requirement by providing employees with a copy of Education Law Section 3637 and Commissioner's Regulations Section 156.3(h). As an alternative, the District may notify employees that the materials have been posted on all employee bulletin boards and the District Web site.

2009

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3 of 3

Non-Instructional/Business  
Operations

**SUBJECT: IDLING SCHOOL BUSES ON SCHOOL GROUNDS (Cont'd.)**

To assist with training school bus drivers, SED has updated a PowerPoint presentation that was part of their 2004 Professional Development Seminar and school bus driver refresher training. Other materials such as driver handouts, pledge cards and a reducing idling campaign logo are part of the 2004 School Bus Driver Refresher materials.

## Personnel

**Alfred-Almond Central School District****NUMBER****PERSONNEL**

1.2.1	Sexual Harassment	
	Regulation.....	6121R
	Form: Sexual Harassment Complaint Form .....	6121F
	Form: Sexual Harassment Complaint Form: Appeal Form .....	6121F.1
1.2.2	Complaints and Grievances by Employees	
	Regulation: Employee Discrimination Grievance Guidelines.....	6122R
1.3	School District Best Practices for Employees with Caregiving Responsibilities	
	Regulation:.....	6123R
1.4	Employee Medical Examinations	
	Regulation.....	6141R
1.5	Alcohol, Drugs and Other Substances (School Personnel)	
	Regulation.....	6150R
1.5.1	Drug-Free Workplace	
	Regulation.....	6151R
	Form: Notice to Employees and Volunteers Engaged in Work on Federal Grants.....	6151F
	Form: Certification Regarding Drug-Free Workplace Requirements .....	6151F.1
1.6.1	Conference/Travel Expense Reimbursement	
	Regulation: Professional Development and Conference Attendance/ Expense Reimbursement.....	6161R
	Regulation: Reimbursement of Board Member Expenses.....	6161R.1
	Form: Conference Request Form.....	6161F
	Form: Claim Form for Conference Expenses .....	6161F.1
1.7	Safety of Students (Fingerprinting Clearance of New Hires)	
	Regulation.....	6170R
1.7.1	Employment/Other Situations Where Fingerprinting is Required	
	Regulation.....	6170R.1
1.8	Staff-Student Relations (Fraternization)	
	Regulation.....	6180R

**CERTIFIED PERSONNEL**

2.1.1	Recruitment	
	Regulation: Personnel Guidelines for Recruiting of Teaching Staff: General Procedures .....	6211R
	Regulation: Recruitment: Civil Service Personnel .....	6211R.1
2.1.8	Professional Certification: 175 Hours of Professional Development Requirement	
	Regulation.....	6218R
2.2	Temporary Personnel	
	Regulation: Substitute Teachers .....	6220R
	Regulation: Student Teachers .....	6220R.1
2.3	Determination of Employment Status: Employee or Independent Contractors	
	Regulation.....	6311R

2007 6000

Personnel

**NUMBER**

**ACTIVITIES**

4.2	Employee Personnel Records and Release of Information	
	Regulation: Personnel Records and Files .....	6420R
	Procedure: Personnel Records .....	6420P
4.7	Staff Use of Computerized Information Resources	
	Regulation .....	6470R
	Form: Agreement for Staff Use of Computerized Information Resources .....	6470F

**COMPENSATION AND RELATED BENEFITS**

5.5.1	Family and Medical Leave Act	
	Regulation .....	6551R
	Regulation: Your Rights Under the Family and Medical Leave Act .....	6551R.1
	Form: Family Leave/Medical Leave Application .....	6551F
	Regulation: Professional Services Providers .....	6561R

## Personnel

**SUBJECT: SEXUAL HARASSMENT**

The Alfred-Almond Central School District is committed to creating and maintaining a working and learning environment which is free of discrimination and intimidation. Based upon the principle that every employee and student is entitled to be treated with dignity and respect, and a recognition that sexual harassment is a violation of law and District policy, the District strictly prohibits conduct which constitutes sexual harassment in any form.

Anyone who is in violation of District policy and/or regulation will be subject to sanctions and/or disciplinary action as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with District policy and regulation, the Code of Conduct, and applicable laws and/or regulations. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated District policy and/or accompanying regulations will be subject to appropriate sanctions as warranted and in compliance with law.

**Prohibition of Retaliatory Behavior**

Retaliation against any individual for filing a sexual harassment charge or making a sexual harassment complaint is illegal and prohibited. Similarly, retaliation against any person who participates in an investigation or proceeding and/or hearing of a sexual harassment complaint is also prohibited. Any employee or student who retaliates against another shall be subject to disciplinary action, as warranted, in accordance with legal guidelines and applicable contractual mandates.

The District strictly prohibits all forms of sexual harassment on school grounds and at all school-sponsored programs, activities and events including those which take place off school premises and in another state.

**Definitions/Examples of Prohibited Conduct**

Sexual harassment consists of *unwanted and unwelcome* sexual or gender-based behavior which has the purpose or effect of:

- 1) Substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity;
- 2) Creating an intimidating, hostile or offensive learning environment;
- 3) Effectively barring the student's access to an educational opportunity or benefit; and/or

(Continued)

## Personnel

**SUBJECT: SEXUAL HARASSMENT (Cont'd.)**

- 4) Substantially or unreasonably interfering with an employee's ability to work, professional performance, productivity, physical security, career opportunities, services or other benefits of employment.

Sexual harassment includes, but is not limited to, overt or implicit bribes, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature or that is based on sexual/gender stereotypes. Sexual harassment does not depend on the "voluntary" nature of the behavior or activity, but instead focuses on whether the alleged advances or behavior were unwelcome.

Sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from students, supervisors, co-workers or third parties such as visitors and school volunteers. Sexual harassment may occur from student-to-student, from staff-to-student, from student-to-staff, as well as staff-to-staff. Prohibited conduct can be verbal, non-verbal, or physical (the latter may qualify as criminal sexual assault). Examples of such conduct include, but are not limited to, the following:

- 1) Verbal abuse or ridicule, including innuendoes, stories and jokes, which are of a sexual nature and/or gender-related. This might include inappropriate sex-oriented comments on appearance, including dress or physical features.
- 2) Direct or indirect threats or bribes for unwanted sexual activity.
- 3) Asking or commenting about a person's sexual activities.
- 4) Unwelcome and unwanted physical contact of a sexual nature including, but not limited to, physical acts such as assault, impeding or blocking movement, offensive touching, or any physical interference with normal work or movement.
- 5) Displaying or distributing pornographic or other sexually explicit materials such as magazines, pictures, internet material, cartoons, etc.
- 6) The use of profanity and/or other obscenities that are sexually suggestive or degrading in nature.
- 7) Demanding sexual favors of a student, insinuating that refusal to acquiesce in such favors will adversely affect a student's grades, references, academic/scholastic placement, and/or participation in extracurricular activities.
- 8) Unwelcome staring, leering, or gesturing which is sexually suggestive in nature.

(Continued)

## Personnel

**SUBJECT: SEXUAL HARASSMENT (Cont'd.)**

- 9) Unwelcome and/or offensive public displays of sexual/physical affection.
- 10) Clothing that reflects sexually obscene and/or sexually explicit messages, slogans, or pictures.
- 11) Any other unwelcome and unwanted sexually oriented and/or gender-based behavior which is sexually demeaning, belittling, intimidating, or perpetrates sexual stereotypes and attitudes.

Behavior shall be considered unwelcome and unwanted if the student or employee did not initiate, request or invite such conduct or communication and/or regarded such conduct or communication as undesirable or offensive.

**Authority and Responsibility**

It is the responsibility of all School District employees and students to ensure that their behavior and environment are maintained free of sexual harassment. Furthermore, each administrator and supervisor has the responsibility to maintain a non-threatening environment which includes discussing the District's policy and regulation pertaining to sexual harassment with all employees and students, and assuring students and staff that they are not required to endure insulting, degrading or exploitative sexual treatment.

All complaints of sexual harassment, whether written or verbal, formal or informal, will be thoroughly investigated to determine whether the totality of the alleged behavior and circumstances may constitute sexual harassment. It is recommended that any employee and/or student who believes he/she has been subjected to sexual harassment, or has reason to know of and/or witnesses any incident of sexual harassment, submit a *written* complaint; however, complaints may be filed verbally and the absence of a written complaint does not negate the District's responsibility to investigate such allegations as thoroughly as possible. School officials are required to provide a written report of investigation findings and any action taken to resolve the complaint within time frames as established by the District.

Any student or employee who believes he/she has been subjected to sexual harassment in the school environment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, shall promptly report such occurrence. The report is to be directed to or forwarded to the District's designated Complaint Officer(s) or as otherwise indicated in this regulation. The District will designate, at a minimum, two (2) Complaint Officers, one of each gender. If the individual is in doubt as to the "seriousness" of the incident and/or whether such behavior constitutes sexual harassment, he/she is still encouraged to immediately report such conduct for resolution. If the Complaint Officer is the alleged offender, the report shall be directed to the next level of supervisory authority as indicated below. Allegations of sexual harassment

(Continued)

## Personnel

**SUBJECT: SEXUAL HARASSMENT (Cont'd.)**

may be reported through informal and/or formal complaint procedures. Utilization of the District's grievance guidelines does not preclude a student or employee from pursuing other avenues of legal recourse including the right to register complaints with the U.S. Department of Education's Office for Civil Rights, the federal Equal Employment Opportunity Commission or the New York State Department of Human Rights. These regulations are further not to be construed as to limit the right of any individual to file a lawsuit in either federal or state court.

If there is some reason why a student or employee cannot make a report to the designated Complaint Officer, he/she may report the matter to the next level of supervisory authority or building administrator as appropriate. If a **student** reports such occurrence to any other school employee, the student shall be informed of the employee's obligation to report the complaint to administration. The administrator or supervisor who is made aware of the occurrence of possible sexual harassment, whether or not a complaint has been filed, is required to promptly report the incident(s) to the Superintendent and/or designated Complaint Officer.

Complaints of sexual harassment will be investigated thoroughly, promptly and impartially in accordance with applicable law and regulations as well as any applicable collective bargaining agreement(s).

The Superintendent is to be informed as soon as possible regarding all complaints and/or reports regarding sexual harassment, and the status of any investigations.

**Reporting of Complaints: General Guidelines**

Any student or employee who believes that he/she has been subjected to sexual harassment or who is made aware of and/or witnesses any possible occurrence of sexual harassment shall report such complaint as soon as possible after the alleged incident occurs in order to help the District effectively and promptly investigate and resolve the complaint. In order to assist in the investigation, victims and/or witnesses should document the harassment as soon as it occurs, providing as much detail as possible including, but not limited to, the following:

- 1) The name, address and telephone number of the complainant.
- 2) The name and/or description of the alleged offender or offenders.
- 3) The specific nature of the alleged harassment including the complainant's explanation of why he/she believes it to be harassment.
- 4) A thorough and detailed account of the actions and/or dialogue which occurred between the alleged harasser and the complainant. This account should include the frequency of the

(Continued)

## Personnel

**SUBJECT: SEXUAL HARASSMENT (Cont'd.)**

conduct, the date, time, location of the incident, and the complainant's actions and responses during the incident(s).

- 5) The names of witnesses or of persons who have knowledge of the incident, including the names of persons with whom the complainant discussed the incident, and the time and date of this discussion.
- 6) Written material, documents, or other evidence related to the incident.

In investigating the complaint, the designated Superintendent will meet separately with the complainant and the alleged harasser, and will follow applicable law and regulations as well as any applicable collective bargaining agreement(s).

All parties will be assured that complaints and discussions will remain as confidential as possible, and will be disclosed only on a "need to know" basis in order to effectively investigate the complaint and/or as mandated by law or court order. However, a written record of the investigation and any action taken will be established. The complainant, the alleged harasser and any witnesses will be directed to refrain from talking about the investigation while it is pending.

Parents of students subjected to possible sexual harassment and/or students filing a sexual harassment complaint, as well as parents of accused students, may be notified by the appropriate administrator of such occurrence and/or allegations as warranted and in accordance with legal guidelines. If the accused student has been identified as having a disability (or is suspected of having a disability) pursuant to Section 504/Individuals with Disabilities Education Act, a student referral shall be made to the Section 504 Team/Committee on Special Education for evaluation/assessment and/or a manifestation determination, as may be applicable in accordance with state and federal law and regulations, to determine whether the student's conduct is caused or affected by his/her disability.

The Superintendent will begin investigating the allegations of sexual harassment no later than three (3) working days following receipt of the complaint; and will report the findings of the investigation to the Board of Education no later than twenty (20) working days following receipt of the complaint. If necessary, the Complaint Officer is authorized to enlist the aid of additional investigators. In the case of extenuating circumstances, the Complaint Officer will file a status report with the Board of Education if it becomes necessary to extend the timeline for completion of the investigation.

During the course of the investigation and thereafter, the Complaint Officer will instruct the alleged harasser to have no contact or communication regarding the complaint with the victim and/or any witnesses; and that retaliation, whether direct or indirect, against the victim and/or witnesses is prohibited and may be subject to disciplinary action. Similarly, the Complaint Officer will instruct the

(Continued)

Personnel

**SUBJECT: SEXUAL HARASSMENT (Cont'd.)**

victim and/or witnesses to refrain from contacting or communicating with the alleged harasser regarding the complaint. The Complaint Officer will ask the victim what specific action the victim wants taken by the District in order to satisfactorily resolve the complaint.

If the complainant attempts to withdraw a complaint, the Complaint Officer will determine that the withdrawal is not caused by retaliation and then document the complainant's reasons and ask the complainant to sign the documentation. A copy of all written material pertaining to the case/investigation will be retained in a separate confidential file. Such records will be maintained for the period of time required by law.

**Step 1 – Informal Complaints**

A complainant who believes that he/she has been subjected to sexual harassment or anyone who is aware of or who has knowledge of or witnesses an occurrence of sexual harassment may file an informal complaint, whether verbal or written, by requesting a meeting between himself/herself and the Superintendent (or by reporting such occurrence as otherwise indicated in this regulation) in order to discuss the allegations and further appropriate actions, if any. The Superintendent will next discuss the complaint with the alleged offender. If the alleged offender is a District employee, the investigation will be in accordance with any applicable collective bargaining agreement. All complaints, whether formal or informal, concerning allegations of sexual harassment are to be reported immediately to the Building Principal for his/her information; and the Superintendent will keep the Building Principal informed throughout all stages of the investigation. The Principal will be kept informed of the complainant's and/or accused's response and recommended course of action, if any.

If the initial investigation results in a finding that sexual harassment did occur, the Superintendent will notify the Building Principal of his/her recommendations. The Superintendent will then take prompt disciplinary action in accordance with the terms of District policy and regulations, federal and state law and regulations, and/or the applicable collective bargaining agreement. The Superintendent will notify the complainant and the accused, in person and in writing, as to the finding and/or course of action within twenty (20) working days following receipt of the complaint.

If the complainant is satisfied with the report of the Complaint Officer, the complainant will so indicate in writing. If not satisfied with the Complaint Officer's report, the complainant and/or the accused may proceed to file a formal complaint.

Informal complaint procedures will generally take place at the building level and involve resolution steps short of a comprehensive investigation and/or formal hearing. For example, in attempting to resolve a complaint informally, the Complaint Officer may interview the alleged harasser, inform the alleged harasser of the complaint, question the harasser about the alleged

(Continued)

## Personnel

**SUBJECT: SEXUAL HARASSMENT (Cont'd.)**

incidents, and review the District's policy and regulations regarding sexual harassment. The Complaint Officer will inform the alleged harasser that he/she must immediately stop any offensive conduct or face appropriate disciplinary action. The Complaint Officer will follow the provisions of any applicable collective bargaining agreement(s) throughout the course of such investigation(s).

Some types of informal actions which may be instituted if agreeable to the victim include the following:

- 1) Conducting a workshop on the recognition and prevention of sexual harassment for the building or department.
- 2) Speaking to the alleged offender.
- 3) Separating the parties, if possible and appropriate.

**Mediation**

Where appropriate, the Superintendent may suggest mediation as an alternative means of resolving the complaint. The use of mediation is not intended to replace but, rather, is a supplement to utilization of the District's informal/formal complaint procedures. If mediation is requested and agreed to by the victim and the accused, the District will use qualified mediators as provided by an outside agency to help resolve the complaint.

**Step 2 – Formal Complaint**

A complainant may file a formal complaint of sexual harassment as an initial step or as a result of an unsatisfactory resolution of an informal complaint. The formal complaint should include all applicable information as indicated in this regulation as well as any other pertinent information which may be helpful in the course of the investigation.

As noted above, the complainant, the alleged harasser and any witnesses will be directed to refrain from talking about the investigation while it is pending. Disclosure of information will be on a "need to know" basis.

The formal complaint will be filed with the Superintendent who will submit a copy of the complaint to the Building Principal. The Superintendent will, in accordance with federal or state laws and regulations and any applicable collective bargaining agreement(s), conduct a prompt and thorough investigation no later than three (3) working days following receipt of the complaint.

(Continued)

**SUBJECT: SEXUAL HARASSMENT (Cont'd.)**

If the formal investigation results in a finding that sexual harassment did occur, the Superintendent will notify the Building Principal of his/her recommendations. The Superintendent will then take prompt disciplinary action in accordance with the terms of District policy and regulations, federal and state law and regulations, and/or the applicable collective bargaining agreement. The complainant officer will notify the complainant and the accused, in person and in writing, as to the finding and/or course of action within twenty (20) working days following receipt of the formal complaint.

If the complainant is satisfied with the report of the Complaint Officer, the complainant will so indicate in writing. If not satisfied with the Complaint Officer's report, the complainant and/or the accused may appeal the determination to the Board of Education. The appeal should be in writing and submitted no later than ten (10) working days following receipt of the Complaint Officer's decision.

**Step 3 – Appeal to the Board of Education**

In the event that a complainant and/or accused files an appeal with the Board of Education following an investigation by the Superintendent of Schools, such appeal must be submitted in writing within ten (10) working days of receipt of the Superintendent's report. The Board of Education will conduct a hearing and issue a written response to the complainant and the accused following completion of the hearing within thirty (30) days of receipt of the complaint. If additional time is needed, a written status report shall be submitted to all parties, indicating the need for additional time.

**Prohibition of Retaliation**

Regardless of the stage of the investigation, the victim will be instructed by the Complaint Officer to report immediately if the offensive behavior occurs again and/or if the alleged harasser retaliates against him/her. Any witnesses who cooperated in the investigation of the complaint will be similarly instructed to report to the Complaint Officer immediately as to any retaliatory action(s). Additionally, the designated Complaint Officer will make follow-up inquiries to ensure that harassment has not resumed and 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.

**Discipline/Penalties for Non-District Employees**

Vendors/contractors and other individuals who do business with the District, who have been found to violate the terms of the sexual harassment policy and/or regulation by engaging in prohibited conduct, will be subject to appropriate sanctions up to and including loss of District business. School volunteers who are found to have violated District policy and regulation may face loss of volunteer status. The application of such disciplinary measures by the District does not preclude the appropriate filing of civil and/or criminal charges as may be warranted.

(Continued)

**SUBJECT: SEXUAL HARASSMENT (Cont'd.)****Finding That Sexual Harassment Did Not Occur**

At any level/stage of investigation of alleged sexual harassment, if a determination is made that sexual harassment did not occur, the Complaint Officer will so notify the complainant, the alleged offender and the Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or regulation and/or pursuing other legal avenues of recourse.

However, even if a determination is made that sexual harassment did not occur, the Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the school community is not conducive to fostering sexual harassment in the workplace.

In all cases, the Superintendent will inform the Board of Education of the results of each investigation involving a finding that sexual harassment did not occur.

**Knowingly Makes False Accusations**

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of sexual harassment may also face appropriate disciplinary action.

**Privacy Rights**

As part of the investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of students and staff, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

**District Responsibility/Training**

Regardless of whether a complaint has been filed, if the District knows of the occurrence or the possible occurrence of any sexual harassment, the District will require a prompt and thorough investigation by appropriate personnel. Even if an anonymous complaint has been filed, the District will respond to the greatest extent possible.

Principals in each school building and/or program supervisors will be responsible for informing students and staff on a yearly basis of District policy and regulations regarding the prohibition of sexual harassment, including the procedures established for the investigation and resolution of sexual harassment complaints, the general legal issues pertaining to sexual harassment, and the rights and responsibilities of employees and students.

(Continued)

**SUBJECT: SEXUAL HARASSMENT (Cont'd.)**

Those administrators and/or supervisors who have specific responsibilities for the investigation and resolution of sexual harassment complaints will receive specialized training on conducting such investigations and application to applicable laws and collective bargaining agreements.

The District also has a responsibility to remedy any lingering effects the misconduct may have had on a student, including providing information about available support services.

**Dissemination of District Policy/Regulation and Evaluation**

A copy of District policy and regulations pertaining to prohibition of sexual harassment will be available upon request. A copy of District policy and regulations may be posted in various locations throughout each school building. Additionally, the District's policy and regulations will be published in appropriate school publications such as teacher/employee handbooks, student handbooks, and/or school calendars.

The Superintendent of Schools, or his/her designee(s), has a responsibility to review District policy and regulations to ensure continued effectiveness and compliance with applicable law. The Superintendent will recommend revisions as may be warranted to the Board of Education.

NOTE: Refer also to Regulations #3420R -- Anti-Harassment in the School District  
#6410R -- Staff Use of Computerized Information Resources  
#7315R -- Student Use of Computerized Information Resources

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
SEXUAL HARASSMENT COMPLAINT FORM**

Name and Position of Complainant \_\_\_\_\_

Date Complaint Filed \_\_\_\_\_

Name and/or Description of Alleged Harasser \_\_\_\_\_

Description of Alleged Harassment \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date and Place of Violation(s) \_\_\_\_\_

Names of Witnesses (if applicable) \_\_\_\_\_

\_\_\_\_\_

Has the Incident Been Previously Reported? \_\_\_\_\_

(If Yes, When and to Whom?) \_\_\_\_\_

Describe the Outcome and/or Resolution \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Use additional sheets to provide additional information if necessary.)

Remedy Sought by Complainant \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Continued)

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
SEXUAL HARASSMENT COMPLAINT FORM (Cont'd.)**

(To be completed by various District Personnel)

Decision of Complaint Officer and Action Taken \_\_\_\_\_

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Action Taken by Superintendent (if applicable) \_\_\_\_\_

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Action by the Board (if applicable) \_\_\_\_\_

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Other Comments \_\_\_\_\_

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\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Complaint Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Superintendent

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
SEXUAL HARASSMENT COMPLAINT FORM: APPEAL FORM**

Name and Position of Complainant

\_\_\_\_\_

Date Appeal Filed \_\_\_\_\_

Date Original Complaint Filed \_\_\_\_\_

Have There Been Any Prior Appeals Filed Related to this Complaint? \_\_\_\_\_

\_\_\_\_\_

If Yes, When and to Whom? \_\_\_\_\_

Describe the Decision Being Appealed and Why \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Complainant

**SUBJECT: EMPLOYEE DISCRIMINATION GRIEVANCE GUIDELINES****General Statement**

The Base School District does not discriminate on the basis of sex, sexual orientation, age, military status, veteran status, marital status, political affiliation, race, creed or religion, color, national origin, domestic violence victim status, use of a recognized guide dog, hearing dog or service dog, or disability in the employment and educational opportunities it offers, including vocational educational opportunities as required by Title IX of the 1972 Educational Amendments, Section 504 of the Rehabilitation Act of 1973 and Section 296 et seq. of the Executive Law of New York State.

**Guidelines**

Employees of the Base School District are protected from discrimination in the following areas:

- 1) Access to employment:
  - a. Recruitment policies and practices
  - b. Advertising
  - c. Application procedures
  - d. Testing and interviewing practices
- 2) Hiring and promotion:
  - a. Selection practices
  - b. Application of nepotism policies
  - c. Demotion, lay off, termination
  - d. Tenure
- 3) Compensation:
  - a. Wages and salaries
  - b. Extra compensations
- 4) Job assignments:
  - a. Classification and position descriptions
  - b. Lines of progression
  - c. Seniority lists
  - d. Assignment and placement

(Continued)

## Personnel

**SUBJECT: EMPLOYEE DISCRIMINATION GRIEVANCE GUIDELINES (Cont'd.)**

- 5) Leaves of absence:
  - a. Leaves in accordance with the Family and Medical Leave Act (FMLA) (i.e., birth, adoption, or placement for foster care of a child; to care for an employee's spouse or parent/guardian suffering from "a serious health condition"; for a "serious health condition" rendering the employee unable to perform his/her job; and military family leave entitlements.
  - b. Other Paid or unpaid leaves (i.e., Emergency Service Volunteer leave; Screening for breast cancer and prostate cancer; Blood donation; Bone Marrow donation; Nursing mothers to express breast milk; and Military leave).
- 6) Fringe benefits, including:
  - a. Insurance plans
  - b. Retirement plans
  - c. Vacation time
  - d. Travel opportunities
  - e. Selection and support for training
  - f. Employer-sponsored programs
- 7) Labor organization contracts or professional agreements.

**Grievance Process**

Any employee suspecting discrimination on the basis of sex, sexual orientation, age, marital status, military status, veteran status, political affiliation, race, creed or religion, color, national origin, disability, use of a recognized guide dog, hearing dog or service dog, or domestic violence victim status may make a claim of discrimination. This claim or grievance is filed with the Superintendent/designee who will assist with the grievance process if necessary. The following information should be included on the grievance:

- 1) The exact nature of the grievance - actions, policies, or practices believed to be discriminatory and any person(s) believed to be responsible.
- 2) The date, time and place of the alleged discriminatory action(s).
- 3) The names of witnesses or persons who have knowledge about the grievance.
- 4) Any available written documentation or evidence that is relevant to the grievance.
- 5) The actions that could be taken to correct the grievance.

(Continued)

**SUBJECT: EMPLOYEE DISCRIMINATION GRIEVANCE GUIDELINES (Cont'd.)**

The Superintendent/designee shall cause a review of the grievance to be conducted (including necessary meetings and interviews) and a written response mailed to the complainant within ten (10) school days after receipt of the complaint.

**Civil Penalties in Employment Discrimination Matters**

Effective July 6, 2009, the New York Human Rights Law was amended to provide for civil fines and penalties, payable to the State, of up to \$50,000 for unlawful acts of employment discrimination, and up to \$100,000 for willful, wanton, or malicious discrimination. With the enactment of the new law, these penalties may now be assessed in all cases of employment discrimination. Under the legislation, an employer with fewer than fifty (50) employees may be allowed to pay the civil fines and penalties in installments.

The new civil fines do not replace or limit other relief under New York Human Rights Law that may be awarded to a prevailing complainant which includes, but is not limited to, affirmative relief from the employer (e.g., an order that the individual be hired, promoted or reinstated by the employer), back pay and other compensatory damages (e.g., emotional distress damages). Punitive damages and attorneys' fees are not currently payable to a prevailing complainant. These remedies, however, may be available to a prevailing plaintiff in a court action.

If it is agreed that discrimination occurred, corrective action will be taken to restore denied rights.

If there is not agreement, a written appeal may be submitted to the Board of Education indicating the reasons for disagreement. The Board of Education shall consider the appeal at its next regularly scheduled meeting following receipt of the appeal.

A complaint of illegal discrimination may also be filed with the Federal Office for Civil Rights, United States Department of Education, or the New York State Division of Human Rights.

**Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

NOTE: Refer also to Regulation #3420R -- Anti-Harassment in the School District

**SUBJECT: SCHOOL DISTRICT BEST PRACTICES FOR EMPLOYEES WITH CAREGIVING RESPONSIBILITIES**

The Equal Employment Opportunity Commission (EEOC) has issued guidance explaining the circumstances under which discrimination against workers with caregiving responsibilities might constitute discrimination based on sex, disability or other characteristics protected by federal employment discrimination laws.

[*Employer Best Practices for Workers with Caregiving Responsibilities (2009)*, available at <http://www.eeoc.gov/policy/docs/caregiver-best-practices.html>]

The guidance document provides suggestions for "best practices" that the School District, as an employer, may implement to reduce the chance of equal employment opportunity (EEO) violations against caregivers, and to remove barriers to equal employment opportunity.

The guidance document does not create a new prohibited basis for discrimination. Rather, the document illustrates circumstances in which stereotyping or other forms of discrimination against workers with caregiving responsibilities may violate federal employment statutes and regulations. Under the federal EEO laws, discrimination must be based on protected characteristics such as sex and/or race. A particular caregiver also may have certain rights under other federal laws, including the Family and Medical Leave Act (FMLA). Also, a state or local law may provide broader protections for caregivers.

Unlawful disparate treatment of the caregiver also can arise under the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendments Act of 2008 where an employer discriminates against a worker based on his or her association with an individual with a disability.

The District, by encouraging and implementing flexible workplace practices that help employees achieve a satisfactory work-life balance, hopes to foster a positive educational environment for its staff and students, enhance employee productivity, and reduce absenteeism.

These workplace practices (best practices) are aimed at removing barriers to equal employment opportunities for employees who have caregiving responsibilities. Best practices are proactive measures that go beyond federal nondiscrimination requirements. Examples include personal or sick leave policies that allow employees to use leave to care for ill family members, flexible work arrangements, and part-time opportunities with proportional compensation and benefits. Responsibilities extend not only to spouses and children, but also to parents and other older family members, or to relatives with disabilities.

**The following are examples of best practices for the School District that go beyond federal nondiscrimination requirements and that are designed to remove barriers to equal employment opportunity.**

(Continued)

Personnel

**SUBJECT: SCHOOL DISTRICT BEST PRACTICES FOR EMPLOYEES WITH CAREGIVING RESPONSIBILITIES (Cont'd.)**

**General**

- 1) **Be aware of, and train administrators about, the legal obligations that may impact decisions about treatment of workers with caregiving responsibilities.** Those include federal employment statutes and regulations including the Americans with Disabilities Act of 1990, as amended; the Pregnancy Discrimination Act; Title VII of the Civil Rights Act of 1964, as amended; and the Family and Medical Leave Act (FMLA).
- 2) **Develop, disseminate and enforce a strong Equal Employment Opportunity policy** that clearly addresses the types of conduct that might constitute unlawful discrimination against caregivers based on characteristics protected by federal antidiscrimination laws.
- 3) **Ensure that administrators at all levels are aware of, and comply with, the District's personnel policies and practices.** In particular, those administrators who regularly interact with employees or who are responsible for assignments, leave approval, schedules, promotions and other employment terms, conditions and benefits should be familiar with the District's personnel policies and practices, as well as applicable collective bargaining agreements.
- 4) **Respond to complaints of caregiver discrimination efficiently and effectively.** Investigate complaints promptly and thoroughly. Take corrective action and implement corrective and preventive measures as necessary to resolve the situation and prevent problems from arising in the future.
- 5) **Protect against Retaliation.** Provide clear and credible assurances that if employees make complaints or provide information related to complaints about unfair treatment of caregivers, the District will protect them from retaliation. Ensure that these anti-retaliation measures are enforced.

**Recruitment, Hiring and Promotion**

- 1) **Focus on the applicant's qualifications** for the job in question. Do not ask questions about the applicant's or employee's children, plans to start a family, pregnancy, or other caregiving-related issues during interviews or performance reviews.
- 2) **Review employment policies and practices** - particularly those related to hiring, promotion, pay, benefits, attendance, and leave - to determine whether they disadvantage workers with caregiving responsibilities.

(Continued)

**SUBJECT: SCHOOL DISTRICT BEST PRACTICES FOR EMPLOYEES WITH CAREGIVING RESPONSIBILITIES (Cont'd.)**

- 3) **Develop specific, job related qualification standards** for each position that reflects the duties, functions, and competencies of the position and minimize the potential for gender stereotyping and other unlawful discrimination against caregivers. Make sure these standards are consistently applied when choosing among candidates.
- 4) **Ensure that job openings, acting positions, and promotions are communicated** to all eligible employees regardless of caregiving responsibilities.
- 5) **Implement recruitment practices that target individuals with caregiving responsibilities** who are looking to enter or return to the workplace.
- 6) **Identify and remove barriers to re-entry** for individuals who have taken leaves of absence from the workforce due to caregiving responsibilities or other personal reasons.
- 7) **Ensure that employment decisions are well-documented and transparent** (to the extent feasible).

**SUBJECT: EMPLOYEE MEDICAL EXAMINATIONS**

**Preemployment Medical Examinations**

In accordance with the Americans with Disabilities Act, as amended, the School District shall not require applicants for positions to undergo a medical examination prior to an offer of employment. Further, the District will shall not make inquiries of a job applicant as to whether the applicant is an individual with a disability or as to the nature or severity of a disability.

However, the District may make preemployment inquiries into the ability of an applicant to perform job-related functions.

**Employment Entrance Examinations**

When an employee medical examination is made by the school physician/nurse practitioner the cost of such examination shall be borne by the District. A staff member, however, may elect to have a medical examination at his/her own expense by a physician of his/her own choice.

The Board reserves the right to request a medical examination at any time during employment, at School District expense, in order to determine whether any employee can perform the essential functions of the position with or without reasonable accommodation.

Annual or more frequent examinations of any employee may be required, when, in the judgment of the school physician/nurse practitioner and the Superintendent, such procedure is deemed necessary.

The final acceptance or rejection of a medical report with reference to the health of an employee lies within the discretion of the Board. The decision of the physician designated by the Board as the determining physician shall take precedence over all other medical advice.

All medical and health related information will be kept in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

**Examinations and Inquiries**

Acceptable

The District may conduct voluntary medical examinations, including voluntary medical histories, which are part of an employee health program available to employees at that work site. The district may make inquiries into the ability of an employee to perform job-related functions.

Prohibited

The District shall not require a medical examination and shall not make inquiries as to whether such employee is an individual with a disability or as to the nature or severity of the disability, unless the examination or inquiry is shown to be job related and consistent with business necessity.

**SUBJECT: EMPLOYEE MEDICAL EXAMINATIONS (Cont'd.)**

**Defenses**

It may be a defense to a charge of discrimination that an alleged application of qualification standards, tests, or selection criteria that screen out or tend to screen out or otherwise deny a job or benefit to an individual with a disability has been shown to be job-related and consistent with business necessity, and such performance cannot be accomplished by reasonable accommodation.

## Personnel

**SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (SCHOOL PERSONNEL)**

The District will use the following principles as guides for the development of its substance use/abuse prevention efforts and for any disciplinary measures related to alcohol and other substances:

- 1) While the District can and must assume a leadership role in alcohol, tobacco, and other substance use/abuse prevention, this goal will be accomplished only through coordinated, collaborative efforts with parents/guardians, students, staff, and the community as a whole.
- 2) Alcohol, tobacco, and other substance use/abuse is preventable and treatable.
- 3) Alcohol and other substance use/abuse inhibits the District from carrying out its central mission of educating students.
- 4) The behavior of the Board of Education, the administration, and all school staff should model the behavior asked of students.

The Board of Education recognizes that the problems of alcohol and other substance use/abuse are not limited to the student society. As such, the Board has established an Employee Assistance Program that provides appropriate, confidential prevention, intervention, assessment, referral, support, and follow-up services for District staff who seek assistance with alcohol and other substance use/abuse related problems, emotional problems, mental illness, and other human problems. District staff will be informed about the services they can receive through the Employee Assistance Program.

The District recognizes that it has no right to intervene unless employees' personal problems adversely affect their job performance. When unsatisfactory performance does occur, the District's supervisory personnel will encourage employees to manage and move toward a resolution of their problems on their own or with help of an Employee Assistance Program if available.

The Board recognizes that if the administrative, instructional, and non-instructional staff are to be responsible for implementing and modeling Board policy and administrative regulations, they must be trained about the components of an effective alcohol and other substance prevention program. Staff training will be an on-going process including the following:

- 1) For all staff:
  - a. Awareness of personal risk factors for alcohol, tobacco, drugs, and other substance use/abuse so that they may identify personal use/abuse problems and seek assistance,
  - b. Their role in implementing Board policy and administrative regulations which includes how to identify students who exhibit high risk behaviors or who are using/abusing alcohol, tobacco, drugs, and other substances, and

(Continued)

## Personnel

**SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (SCHOOL PERSONNEL)  
(Cont'd.)**

- c. Referral of students to the appropriate services established by the District.
- 2) Additionally for teachers:  
  
The knowledge and skills necessary to implement the District's K through 12 alcohol, tobacco, drugs, and other substance prevention curriculum.
- 3) For intervention staff:  
  
Appropriate staff training for those identified to carry out the intervention function to assure that their assessment, individual, group, and family counseling and referral skills support the needs of high risk, using, and abusing youth.

## Personnel

**SUBJECT: DRUG-FREE WORKPLACE**

The Board of Education maintains that it will provide a drug-free workplace by:

- 1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- 2) Establishing a drug-free awareness program to inform employees about:
  - a. The dangers of drug abuse in the workplace;
  - b. The District's policy of maintaining a drug-free workplace;
  - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
  - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- 3) Making it a requirement that each employee engaged in the performance of a federal grant program be given a copy of the statement required by paragraph 1) of this regulation.
- 4) Notifying the employee in the statement required by paragraph 1) of this regulation that, as a condition of employment under the grant, the employee will:
  - a. Abide by the terms of the statement, and
  - b. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
- 5) Notifying the federal granting agency within ten (10) days after receiving notice under subparagraph 4)b of this regulation from an employee or otherwise receiving actual notice of such conviction.
- 6) Taking one of the following actions, within thirty (30) days of receiving notice under subparagraph 4)b of this regulation with respect to any employee who is so convicted:
  - a. Taking appropriate personnel action against such an employee, up to and including termination; or
  - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- 7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of the above paragraphs.

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
NOTICE TO EMPLOYEES AND VOLUNTEERS ENGAGED IN  
WORK ON FEDERAL GRANTS**

YOU ARE HEREBY NOTIFIED that it is a violation of Board of Education policy and administrative regulations of the Alfred-Almond Central School District for any employee or volunteer engaged in work under a federal grant to unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in Schedules I through V of Section 202 of the Controlled Substance Act (21 USC 812) and as further defined by regulation at 21 CFR 1300.11 through 1300.15.

YOU ARE FURTHER NOTIFIED that the Board of Education policy with respect to the use of drugs in the workplace by employees or volunteers engaged in work under federal grants is set forth in Policy #6151 and Administrative Regulation #6151R.

YOU ARE FURTHER NOTIFIED that it is a condition of continued employment or volunteer status that each employee or volunteer engaged in work on any federal grant comply with the above policy and regulation and that any employee or volunteer engaged in such work who is convicted of violating a criminal drug statute for a violation occurring in the workplace shall notify his/her supervisor of the conviction, no later than five (5) calendar days after such conviction.

YOU ARE FURTHER NOTIFIED that any employee or volunteer who violates the terms of the Alfred-Almond Central School District's Drug-Free Workplace Policy or administrative regulation may have his/her employment suspended or terminated, or his/her volunteer status terminated, as the case may be.

ALFRED-ALMOND      CENTRAL      SCHOOL  
DISTRICT

By: \_\_\_\_\_  
Superintendent of Schools

\_\_\_\_\_  
Date

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS**

This certification is required by the Drug-Free Workplace Act and is implemented through additions to the Debarment and Suspension regulations, published in the Federal Register.

An organizational applicant certifies that it will provide a drug-free workplace by:

- 1) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- 2) Establishing a drug-free awareness program to inform employee about:
  - a. The dangers of drug abuse in the workplace;
  - b. The grantee's policy of maintaining a drug-free workplace;
  - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
  - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- 3) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1) of this regulation;
- 4) Notifying the employee in the statement required by paragraph 1) of this regulation that, as a condition of employment under the grant, the employee will:
  - a. Abide by the terms of the statement; and
  - b. Notifying the employer of any criminal drug statute conviction for a violation occurring in the workplace not later than five (5) days after such conviction;
- 5) Notifying the agency within ten (10) days after receiving notice under subparagraph 4)b of this regulation from an employee or otherwise receiving actual notice of such conviction;
- 6) Taking one of the following actions, within thirty (30) days of receiving notice under subparagraph 4)b of this regulation, with respect to any employee who is so convicted:
  - a. Taking appropriate personnel action against such an employee, up to and including termination; or
  - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- 7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of the above paragraphs.

(Continued)

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS (Cont'd.)**

Place of Performance: The applicant shall insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: (street address, city, county, state, zip code)

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An applicant who is an individual certifies that, as a condition of the grant, he/she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant.

This assurance is given in connection with any and all financial assistance from any federal agency after the date this form is signed. This includes payments after such date for financial assistance approved before such date. The applicant recognizes and agrees that any such assistance will be extended in reliance on the representations and agreements made in this assurance, and the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and on the authorized official (or individual applicant, as appropriate) whose signature appears below.

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Organization Name

---

Name and Title of Authorized Representative

---

Signature

---

Date

**SUBJECT: PROFESSIONAL DEVELOPMENT AND CONFERENCE ATTENDANCE/  
EXPENSE REIMBURSEMENT****Attendance at Professional Development Programs/Conferences/Workshops**

All District personnel are encouraged to attend professional development programs, conferences, conventions and the like, at District expense and subject to prior administrative approval, for the purpose of professional self-improvement or enhancement of educational services, within budgetary limitations as allocated by the Board of Education. Every effort should be made to submit a request for conference approval at least ten (10) days in advance. Staff should utilize the Conference Request Form (Form #6161F) for this purpose.

Staff members may be allowed to attend professional conferences in certain instances at their own expense if they have prior approval of the Superintendent. Such a request, if approved, must result in no expense to the District, other than the cost of the substitute, and will be at no loss of personal leave time or salary to employees.

After approval of staff attendance at the conference or professional development program, a purchase requisition will be completed by the Business Office in sufficient time prior to the conference so that the expenditure(s) may be encumbered against the proper code.

A brief written report of the conference should be presented to the Building Principal/immediate supervisor and/or the Superintendent of Schools after the conference, whenever requested.

Within budget limitations, the Superintendent or his/her designee may authorize requests for staff reimbursement of expenses for conference attendance and attendance at other professional development programs, as well as reimbursement of other authorized expenses, in accordance with the terms of this Regulation and upon completion of the Claim Form For Conference Expenses (Form #6161F.1), with receipts attached, upon the staff member's return. (See subheading "Expense Reimbursement.")

Travel or conference attendance without prior authorization will be at the participant's own expense.

General guidelines for expenses to be reimbursed by the District are outlined below and should be adhered to closely. Requests for further interpretation should be addressed to the immediate supervisor and/or Business Office.

(Continued)

## Personnel

**SUBJECT: PROFESSIONAL DEVELOPMENT AND CONFERENCE ATTENDANCE/  
EXPENSE REIMBURSEMENT (Cont'd.)**

In accordance with Section 77-b of the New York State General Municipal Law, an advance payment may be requested by those staff members duly authorized to attend the professional program, conference, convention and the like for estimated expenditures, for registration fees, travel, meals, lodging and tuition fees provided itemized vouchers showing actual expenditures are submitted after such attendance. (See subheading "Expense Form/Voucher") To the fullest extent possible, meals, public transportation, lodging expenses, and registration fees will be paid directly by the School District by Purchase Order.

**Rules Relating To All Employee Travel**

- 1) Meal expenses for overnight travel will only be reimbursed based on a per diem rate as outlined below. Expenses for overnight-approved travel will be reimbursed when accompanied by original receipts for lodging and other reimbursable expenses.
  - a. The United States General Services Administration publishes on the following website the per diem meals rates for all major cities in the United States.  
<http://policyworks.gov/org/main/mt/homepage/mtt/perdiem/perd04d.html>

The following table lists the current per diem rate for some of the major New York regions along with an explanation of the breakdown of these per diem rates. For out-of-State travel, please call the Business Office for rates.

These rates will be reviewed on an annual basis, and any appropriate changes will be made.

When completing the Claim Form for Conference Expenses (#6161F.1), contact the Business Office with any questions.

<u>City</u>	<u>Meals and Incidental Expenses (Full Day)</u>
Albany.....	\$47
Buffalo .....	43
Glens Falls .....	39
Ithaca.....	39
New York City Area:	
- Bronx .....	47
- Brooklyn.....	47
- Manhattan.....	51
- Queens .....	47
- Staten Island .....	47

(Continued)

Personnel

**SUBJECT: PROFESSIONAL DEVELOPMENT AND CONFERENCE ATTENDANCE/  
EXPENSE REIMBURSEMENT (Cont'd.)**

<u>City</u>	<u>Meals and Incidental Expenses (Full Day)</u>
Nassau .....	47
Suffolk County.....	43
Westchester County .....	47
Rochester .....	47
Syracuse .....	39
Waterloo.....	35

b. Examples of breakdown of **per diem rates**.

<u>Meal and Incidental Expenses</u>	\$35	\$39	\$43	\$47	\$51
Breakfast	7	8	9	9	10
Lunch	7	8	9	11	12
Dinner	18	20	22	24	26
Incidentals	3	3	3	3	3

- 2) All conference travel must have a completed and approved Conference Request Form (#6161F) on file.
- 3) All reimbursements must be submitted using a Claim Form for Conference Expenses (#6161F.1).
- 4) When traveling by air, District employees shall use the lowest commercial carrier rates available.
- 5) New York State sales taxes for lodging and meals cannot be reimbursed. A Sales Tax-Exempt Form can be obtained from the Treasurer's office prior to travel for hotel accommodations.
- 6) Travel over three hundred (300) miles per round trip must be by public carrier unless it can be demonstrated that automobile travel will be more economical with respect to the following: time involved, the cost of lodging and meals, the existing mileage allowance, and accessibility of the destination by public carrier.

**Guidelines for Conference Request and Claim Forms**

Conference Request Forms are only to be used by District employees. If there are no expenses to be paid by the District, the Conference Request Form requires only the approval of the Principal/designee and does not get sent to the Business Office. The Superintendent/designee approves those travel Conference Requests which have reimbursable employee expense greater than one hundred dollars (\$100).

(Continued)

## Personnel

**SUBJECT: PROFESSIONAL DEVELOPMENT AND CONFERENCE ATTENDANCE/  
EXPENSE REIMBURSEMENT (Cont'd.)**

The Principal or Superintendent may impose restriction to the Conference Request, such as "time only", meaning the employee has personally incurred all costs of the conference.

The procedures for completing a Conference Request are as follows:

- 1) Complete all form information. Include a complete budget code.
- 2) Under District Prepaid or Billed," list only those expenses that will be paid using a District purchase order.
- 3) Under "To Be Reimbursed," list only those expenses that will be paid by the employee.
- 4) For regular local monthly meetings which have a meeting fee (\$50 or less), costs can be claimed on the Mileage Report Reimbursement Request. Specific divisions may have additional requirements.
- 5) Conference Requests that do not require any type of expenditure of District funds may not be required by your Supervisor. Each Supervisor will establish proper protocol in these cases.
- 6) Supervisor's approval is required.

The procedures for completing a Claim Form for Conference Expenses are as follows:

- 1) All appropriate original receipts must be attached. Reimbursements will not be approved if copies of receipts are used. In circumstances where a personal check or credit card is used, a copy of the check front and back or credit card statement will be acceptable.
- 2) Only one employee can submit for reimbursement per receipt.
- 3) Proper types of receipts include:
  - a. Store register tapes showing the store name, description/date need to accompany a brief description justifying purchase.
  - b. Invoices with company letterhead listing the employee as the purchaser and stamped paid in full.
  - c. Copy of front and back of canceled check along with order form or registration form.

(Continued)

## Personnel

**SUBJECT: PROFESSIONAL DEVELOPMENT AND CONFERENCE ATTENDANCE/  
EXPENSE REIMBURSEMENT (Cont'd.)**

- d. Itemized hotel bills are required. A credit card receipt is not sufficient.
  - e. Entertainment costs will not be reimbursed.
  - f. If a meal receipt includes more than one meal that is being reimbursed, a list of the people included and district name/organization is required.
- 4) Only mileage and meal limits, per established rates for employee travel, do not require receipts.
  - 5) The complete budget code must be entered, or the claim form will be returned to the Supervisor, which could delay processing.
  - 6) Other expenses could include, but are not limited to, work related telephone costs and conference materials.
  - 7) Supervisor's approval is required.

**Guidelines for Use of Mileage Report Reimbursement Request**

A Mileage Request is to be used for employees only.

The procedures for completing a Mileage Request are as follows:

- 1) No mileage is allowed between your home and your regularly assigned location.
- 2) Mileage from home to a work assignment for job related activities after normal working hours is reimbursable.
- 3) If you travel directly from home to a location other than your regularly assigned location, you must deduct the miles from your home to your regularly assigned location.
- 4) Original receipts are required when submitting for Parking, Tolls and Other. If you use "EZ-Pass", submit your monthly statement with the appropriate charges highlighted.
- 5) Only appropriate budget codes.
- 6) For regular local monthly meetings which have a meeting fee (\$50 or less), costs can be claimed on this form with the appropriate receipts. A division may have additional requirements.

(Continued)

**SUBJECT: PROFESSIONAL DEVELOPMENT AND CONFERENCE ATTENDANCE/  
EXPENSE REIMBURSEMENT (Cont'd.)**

- 7) Supervisor's approval is required.

Tax Exempt Status

The Alfred-Almond Central School District is exempt from sales and/or use taxes within New York State. Tax exempt forms should be obtained in advance for such items as hotel rooms, meals within the hotel, car rentals, etc. The School District is not exempt from sales or use taxes outside of New York State, so no deduction would be made in such instances.

Personal Expenses

Personal expenses must be borne by the individual and will be non-reimbursable.

Lodging

Costs for hotel and motel accommodations shall be reimbursable, excluding tax. Tax exemption forms are available in the Business Office and must be presented to the vendor. An invoice must accompany the request for reimbursement.

Registration Fees

Registration fees are reimbursable. A receipt must accompany the request for reimbursement.

Expense Form/Voucher

Upon return from the conference, workshop, or meeting the employee shall, within ten (10) days, file a completed Claim Form For Conference Expenses (#6161F.1). Said voucher shall list all reasonable and necessary reimbursable expenses for attendance at the conference, workshop or meeting from which shall be deducted any advanced payment, thereby indicating the net amount due to the individual or the balance to be returned to the Alfred-Almond Central School District. Any balance due shall be reimbursed to the School District in the form of a personal check payable to the Alfred-Almond Central School District.

## Personnel

**SUBJECT: REIMBURSEMENT OF BOARD MEMBER EXPENSES**

Board members who incur expenses in carrying out their authorized duties shall be reimbursed upon submission of a properly completed and approved voucher and such supporting receipts as required by the President of the Board of Education and/or the Superintendent. All reimbursable expenses must be verified in accordance with standard auditing procedures and original receipts must be provided for all expenses including, but not limited to, taxis, car rentals, hotels, tolls, airline tickets, and registration fees, as appropriate. Receipts for reimbursement of the cost of meals must be submitted for payment by the District unless such costs are in accordance with established per diem meal allowances for travel on official District business.

**Travel Expenses**

When official travel by personally owned vehicles is made in fulfilling the Board member's responsibilities, the mileage payment shall be made at the rate currently approved by the Board at its Annual Organizational Meeting. Personal expenses incurred are the responsibility of the individual.

**Advances**

In accordance with Section 77-b of the New York State General Municipal Law, an advance payment may be requested by those Board members duly authorized to attend a conference for estimated expenditures, for registration fees, travel, meals, lodging and tuition fees provided itemized vouchers showing actual expenditures are submitted after such attendance. (See subheading "Expense Form/Voucher.") To the fullest extent possible, meals, public transportation, lodging expenses, and registration fees will be paid directly by the Alfred-Almond Central School District by Purchase Order or District Credit Card, as appropriate.

**Tax Exempt Status**

The Alfred-Almond Central School District is exempt from sales tax within New York State. Tax exempt forms should be obtained in advance for such items as hotel rooms, meals within the hotel, car rentals, etc.

**Expense Form/Voucher**

Upon return from the conference, workshop, or meeting, the Board member shall, within ten (10) days, file a completed Claim Form for Conference Expenses (Form #6161F.1). Said voucher shall list all reasonable and necessary reimbursable expenses for attendance at the conference, workshop, or meeting from which shall be deducted any advanced payment, thereby indicating the net amount due to the individual or the balance to be returned to the School District. Any balance due shall be reimbursed to the School District in the form of a personal check payable to the Alfred-Almond Central School District.

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
CONFERENCE REQUEST FORM**

NAME \_\_\_\_\_ BUILDING \_\_\_\_\_

CHECK ONE: Administrator  Teacher  Classified

Conference Title \_\_\_\_\_

Date(s) \_\_\_\_\_ Estimated Total Cost \_\_\_\_\_

Staff Development Hours \_\_\_\_\_

Substitute Needed? Yes  No  Number of Days \_\_\_\_\_

Role with Conference Participant \_\_\_\_\_ Presenter \_\_\_\_\_ Other \_\_\_\_\_

Others Known to be Requesting Attendance \_\_\_\_\_

Method of Travel \_\_\_\_\_

**Special Instructions**

- 1) All conference requests must have prior approval. Requests must be submitted at least ten (10) days prior to conference dates. Do not make plans to attend a conference until approval is received.
- 2) Those attending the same conference should travel together whenever possible.
- 3) Approved participants should obtain tax exemption forms from the business office so that the employee will not be charged for taxes as the District is not responsible for this expense.
- 4) After attending the conference each individual must submit his/her expenses for reimbursement by completing the Claim Form for Conference Expenses (Form #6161F.1) and submitting receipts. The completed claim form is to be forwarded through the individual's supervisor to the business office for payment.
- 5) After attending any conference, all individuals are to submit a report of the conference to his/her supervisor.

I AM REQUESTING APPROVAL FOR ATTENDANCE AT THE ABOVE DESCRIBED CONFERENCE.

Signature \_\_\_\_\_ Date \_\_\_\_\_

\*\*\*\*\*  
Cost to be Assumed by:  District  Individual  Other \_\_\_\_\_

Recommendation: \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved

\_\_\_\_\_  
Signature of Principal/Supervisor Date

\_\_\_\_\_  
Signature of Superintendent Date

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
CLAIM FORM FOR CONFERENCE EXPENSES**

Please complete this section of form after attending the conference and attach receipts.\*

Name of Claimant \_\_\_\_\_

Dates of Travel \_\_\_\_\_ Destination \_\_\_\_\_

**TRANSPORTATION**

Private Auto    Bus    Plane    Train    Taxi Charge \$\_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_

Total Miles \_\_\_\_\_ @ \_\_\_\_\_ Miles = \$\_\_\_\_\_

Tolls or Parking \_\_\_\_\_

Other Charges (specify) \_\_\_\_\_

**TOTAL TRANSPORTATION** \$\_\_\_\_\_ (1)

**OTHER EXPENSES**

Lodging \_\_\_\_\_ nights \$\_\_\_\_\_

\$\_\_\_\_\_ Breakfast   \$\_\_\_\_\_ Lunch   \$\_\_\_\_\_ Dinner \_\_\_\_\_

Registration Fee \_\_\_\_\_

Other (specify) \_\_\_\_\_

**TOTAL OTHER EXPENSES** \$\_\_\_\_\_ (2)

**TOTAL CLAIM** \$\_\_\_\_\_ (1 + 2)

Advance payment (if applicable) \$ - \_\_\_\_\_

**TOTAL AMOUNT DUE** \$\_\_\_\_\_

I hereby certify that the above account and receipts attached are just, true, and correct, that no part thereof has been reimbursed, and that the total amount is actually due and owing.

\_\_\_\_\_  
Signature Date

Claim Approved By \_\_\_\_\_  
Purchasing Agent

\*School is Tax Exempt

**SUBJECT: SAFETY OF STUDENTS (FINGERPRINTING CLEARANCE OF NEW HIRES)**

**District's Responsibilities under the Fingerprinting Law**

Unless otherwise authorized in accordance with law and regulation, the District shall not employ or utilize the prospective school employee, as defined below, unless such prospective employee has been granted a "full" clearance for employment by the State Education Department (SED). All prospective school employees who are not in the SED criminal history file shall be fingerprinted for purposes of a criminal history record check by authorized personnel of the designated fingerprinting entity. A "criminal history record" shall mean a record of all convictions of crimes and any pending criminal charges maintained on an individual by the Division of Criminal Justice Services (DCJS) and the Federal Bureau of Investigation (FBI).

**TEACH - Fingerprinting Background Check Process**

The State Education Department (SED) has put in place enhanced services to streamline the fingerprint background check process and the process for issuing Clearance for Employment. The District shall utilize SED's Web-based application and database known as TEACH for instantaneous access to important information about certification and fingerprinting. Through TEACH, SED provides the following services:

Individuals shall:

- a) Apply for a fingerprint clearance for certification and/or employment; and
- b) View the status of a fingerprint clearance request.

The School District shall:

- a) Submit an online request for fingerprint clearance for a prospective employee;
- b) Search for all individuals who have a fingerprint clearance request;
- c) View the status of a fingerprint clearance request;
- d) Determine whether an individual is in the Office of School Personnel Review and Accountability (OSPRA) fingerprint database;
- e) Report the termination of an employee; and

(Continued)

## Personnel

**SUBJECT: SAFETY OF STUDENTS (FINGERPRINTING CLEARANCE OF NEW HIRES) (Cont'd.)**

- f) Determine whether a subsequent arrest letter has been issued.

However, it is incumbent on the District to monitor on TEACH its employees who are working under a Conditional Clearance to ensure that any issue resulting in a delay on the receipt for Full Clearance is addressed properly.

Further information regarding fingerprinting of new hires, including relevant laws and regulations, frequently asked questions (FAQs), an up-to-date chart for "Who Must be Fingerprinted", and instructions on the fingerprinting process are found on [www.highered.nysed.gov/tcert/ospra](http://www.highered.nysed.gov/tcert/ospra). To request access to TEACH, e-mail [TEACHHELP@mail.nysed.gov](mailto:TEACHHELP@mail.nysed.gov).

**LIVESCAN - Digital Fingerprinting Services Available**

In addition, the District may utilize SED's digital fingerprinting option known as LIVESCAN which is currently available in approximately thirty-five (35) locations throughout New York State. This service, coupled with SED's other online services (e.g., TEACH) allows both the applicant and the District to submit a fingerprinting application, pay for a fingerprinting application, submit digital fingerprints and obtain fingerprinting results within 24-72 hours. The District may utilize digitizing fingerprinting services through a variety of arrangements, including, for example, purchasing a system, contracting with a BOCES offering this service, or cooperatively with other districts.

Information regarding LIVESCAN and other comprehensive information and assistance to schools, applicants for certification, employers, and teacher programs can be obtained from the Office of School Personnel Review and Accountability (OSPRA) ([www.higher.nysed.gov/tcert/ospra](http://www.higher.nysed.gov/tcert/ospra)).

**Safety of Students**

Consistent with the District policy for the safety of the children who have contact with an employee holding conditional appointment or emergency conditional appointment, internal building and/or program procedures will be followed to ensure student safety in the classroom, while attending off-campus activities under the supervision of the School District and while participating in extracurricular and/or co-curricular activities (including sports and athletic activities).

The immediate supervisor or Building Principal shall, upon the commencement of the staff member's employment, meet with the staff member to review safety considerations and expectations for any contact such staff member will have with students. The Superintendent or designee shall promptly notify the immediate supervisor or Building Principal of any changes in the employee's appointment status, including receipt of clearance for employment.

(Continued)

**SUBJECT: FINGERPRINTING OF PROSPECTIVE SCHOOL EMPLOYEES (Cont'd.)****"Sunset" Provision for Conditional Appointments/Emergency Conditional Appointments**

The provisions in law which permit the conditional appointment and/or emergency conditional appointment of employees pending full clearance from SED shall terminate, in accordance with legislation, on July 1, 2010; and shall be rescinded as Board policy and procedure as of that date (unless subsequent revisions to applicable law provide otherwise).

Personnel

**SUBJECT: EMPLOYMENT/OTHER SITUATIONS WHERE FINGERPRINTING IS REQUIRED**

<p style="text-align: center;"><b>Type of Situation</b></p>	<p><b>Fingerprinting is required for the situations described below if:</b></p> <ul style="list-style-type: none"> <li>- <b>The term of employment is greater than five days,</b></li> <li>- <b>The employment involves direct contact with students under the age of 21, as determined by the employer, and</b></li> <li>- <b>The employee is not otherwise exempt.</b></li> </ul> <p><b>Please refer to 8 NYCRR Section 87.2(k) for a definition of "prospective school employee."</b></p>
<p>Applicant for employment in public school, charter school or BOCES</p>	<p>Yes</p>
<p>Applicant for employment in a private or nonpublic school</p>	<p>If the private or nonpublic school elects to fingerprint new employees, then it must adhere to the situations covered by this chart for all new employees. If the private or nonpublic school elects to not fingerprint new employees, then this chart is not applicable.</p>
<p>Student employee (i.e., lifeguard or tutor) not enrolled in grade level program of same covered school</p>	<p>Yes</p>
<p>Clerical staff in covered school who have direct contact with students</p>	<p>Yes</p>
<p>Janitorial staff who have direct contact with students</p>	<p>Yes</p>
<p>Coaches</p>	<p>Yes</p>
<p>Substitute Teachers</p>	<p>Yes</p>
<p><b>Paid Student Teachers or Student Interns</b></p>	<p>Yes - paid student teachers are treated like employees and, therefore, are subject to fingerprinting.</p>
<p>Hall Monitors</p>	<p>Yes</p>
<p>Cafeteria employees</p>	<p>Yes</p>
<p>Adult Continuing Education Instructors who have direct contact with students</p>	<p>Yes</p>
<p>Home and Hospital Instructors</p>	<p>Yes</p>
<p>Sports Officials</p>	<p>Yes</p>

(Continued)

Personnel

**SUBJECT: EMPLOYMENT/OTHER SITUATIONS WHERE FINGERPRINTING IS REQUIRED (Cont'd.)**

<p style="text-align: center;"><b>Type of Situation (Cont'd)</b></p>	<p><b>Fingerprinting is required for the situations described below if:</b></p> <ul style="list-style-type: none"> <li>- <b>The term of employment is greater than five days,</b></li> <li>- <b>The employment involves direct contact with students under the age of 21, as determined by the employer, and</b></li> <li>- <b>The employee is not otherwise exempt.</b></li> </ul> <p><b>Please refer to 8 NYCRR Section 87.2(k) for a definition of "prospective school employee."</b></p>
<p>Guest Lecturers or Performing Artists in a covered school more than 5 times</p>	<p>Yes</p>
<p>Bus Aides</p>	<p>Yes - unless they have been cleared pursuant to the Vehicle and Traffic Law Section 1229-d.</p>
<p>Secretary at bus garage who occasionally fills in as a bus aide</p>	<p>Yes</p>
<p>Bus Drivers who also serve another role in covered school and have direct contact with students (i.e., janitor)</p>	<p>Yes</p>
<p>Individuals who have been fingerprinted for another purpose (i.e., teachers from another state, former police officers, former daycare workers*)</p>	<p>Yes* (If they were fingerprinted by NYCDOE after July 1, 1990, they may be able to have their fingerprint background information sent to SED - Please refer to the OSPRA 104 form for details).</p>
<p>Worker placed in the covered school under a public assistance employment program pursuant to Title 9-B of Article V of the Social Services Law</p>	<p>Yes</p>
<p>Employees of contract service providers who are placed within the school</p>	<p>Yes</p>
<p>Employees of the Supplemental Education Services providers (SES Providers) pursuant to NCLB</p>	<p>Yes</p>

(Continued)

Personnel

**SUBJECT: EMPLOYMENT/OTHER SITUATIONS WHERE FINGERPRINTING IS REQUIRED (Cont'd.)**

Type of Situation	The situations described below are not covered by the SAVE legislation, therefore the State Education Department is not authorized to process fingerprinting applications for these types of individuals.
Applicant for employment in a private or nonpublic school	If the private or nonpublic school elects not to fingerprint new employees, they cannot fingerprint any employees.
Volunteer	No
Non-Certified Special Education School Employees (certified employees are subject to fingerprinting for certification purposes)	No
Student employee (i.e., lifeguard or tutor) enrolled in grade level program of same covered school	No
Student employee who has no direct contact with students (i.e., summer maintenance helper)	No
<b>Unpaid</b> Student Teachers or Student Interns	No - unpaid student teachers are treated like volunteers and, therefore, are not subject to fingerprinting.
Clerical staff in covered school who have NO direct contact with students	No
Janitorial staff who have NO direct contact with students	No
Adult Continuing Education Instructors who have no direct contact with students	No
Guest Lecturers or Performing Artists who will not be in any particular covered school 5 times or more and they have in-person supervision by a employee of the covered school	No
Bus Drivers who have been cleared for employment pursuant to the Vehicle and Traffic Law Sections 509-cc, 509-d and/or 1229-d	No
Construction workers (i.e., painters, plumbers, architects) who have NO direct contact with students	No

## Personnel

**SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION)**

The School District is committed to providing a safe, productive and positive learning environment within its schools. All District employees are to maintain a professional, ethical relationship with District students that is conducive to creating and maintaining an effective learning environment; and shall serve as role models for students at all times, whether on or off school property and both during and outside of school hours. Staff must establish appropriate personal boundaries with students and not engage in any behavior that could reasonably lead to even the appearance of impropriety.

In order to help prevent the occurrence and/or appearance of inappropriate relationships between staff and students, staff must adhere to the following guidelines as a means to foster the safety and well being of students and to protect staff from unfounded accusations.

**Prohibited Conduct by Staff Members Toward Students/Examples of Inappropriate Behavior**

Staff members are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age and/or regardless of whether the student may have "consented" to such conduct. Further, employees shall not entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists. Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of District policy and regulations, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the District up to and including termination of employment.

Inappropriate employee conduct directed toward students includes, but is not limited to, the following behavior:

- 1) Flirting.
- 2) Making suggestive comments.
- 3) Dating and/or asking students for dates.
- 4) Requests for sexual activity.
- 5) Physical displays of affection including kissing, caressing of face or body, and massages.
- 6) Giving inappropriate personal gifts.

Frequent personal communication with a student (whether by cell phone, regular telephone, e-mail, letters, or notes) unrelated to course work or official school matters.

(Continued)

## Personnel

**SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION) (Cont'd.)**

- 1) Providing alcohol or drugs to students; or permitting students, in the absence of parental/guardian supervision, to drink alcohol or take drugs in the presence of the employee.
- 2) Inviting a student to go somewhere alone with the employee.
- 3) Inappropriate touching.
- 4) Promoting, providing access to and/or sharing pornographic material including, but not limited to, viewing pornographic movies, videos, pictures, magazines, and web sites.
- 5) Engaging in sexual contact and/or sexual relations.

Even if the student participated "willingly" in the activity (regardless of the student's age), inappropriate fraternization of staff with students is against District policy and regulations, and may be in violation of professional standards of conduct and New York State Law. However, inappropriate employee conduct does not need to rise to the level of criminal activity for such conduct to be in violation of District rules and subject to appropriate disciplinary sanctions.

**Inappropriate Behavior Initiated by Students**

If a student initiates inappropriate behavior toward a staff member, that employee shall document the incident and report it to his/her building principal or supervisor. If appropriate, the principal/supervisor will intervene and speak to the student and the student's parents about the inappropriate behavior.

**Supervision of Students**

Staff members shall maintain a reasonable standard of care for the supervision and protection of students commensurate with their assigned duties and responsibilities.

**Reporting of Complaints/General Guidelines**

- 1) Any student who believes that he/she has been subjected to inappropriate staff behavior as outlined in this regulation, as well as students, school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member or either the employee's supervisor, the student's principal or the District's designated complaint officer.

(Continued)

## Personnel

**SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION) (Cont'd.)**

- 2) In all events such reports shall be forwarded to the District's designated complaint officer for further investigation.
- 3) Anonymous complaints of inappropriate fraternization of staff members with students shall also be investigated by the District.
- 4) Investigations of allegations of improper staff-student relations shall follow the procedures utilized for complaints of harassment/sexual harassment within the School District, including the filing of "informal" and/or "formal" complaints and levels of appeal.
- 5) All allegations of inappropriate staff-student relations, whether written or verbal, formal or informal, will be investigated thoroughly, promptly and impartially in accordance with law and/or regulations, the applicable collective bargaining agreement, District policy and administrative regulations.
- 6) To the extent possible, within legal constraints, all allegations of inappropriate staff-student conduct 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, Child Protective Services, and/or the State Education Department as warranted; and any disclosure will be provided on a "need to know" basis.
- 7) Any employee having knowledge of or reasonable suspicion that another employee may have engaged in inappropriate conduct with a student that may constitute child abuse (specifically, child abuse in an educational setting) must also follow the District's reporting procedures for such allegations; and such information will be reported by the designated administrator as required by state law to law enforcement officials, the State Education Department and/or Child Protective Services as may be applicable.
- 8) Administration shall also refer to and use, as appropriate, existing policies and administrative regulations (such as those addressing harassment/sexual harassment in the school setting and child abuse/child abuse in an educational setting) when investigating allegations of improper staff-student fraternization.
- 9) The Superintendent/designee is to be informed as soon as possible regarding all allegations and/or reports regarding inappropriate staff-student relations and the status of any investigations.
- 10) All investigations of allegations of improper fraternization between staff and students, as well as any action taken, shall be appropriately documented in order to create a written record that demonstrates the District's efforts to prevent such conduct and to facilitate the evaluation of the District's efforts.

(Continued)

**SUBJECT: STAFF-STUDENT RELATIONS (FRATERNIZATION) (Cont'd.)**

- 11) Parents of students subjected to possible improper behavior on the part of a staff member and/or students filing a complaint of such inappropriate behavior will be notified by the appropriate administrator of such occurrence and/or allegations as warranted and in accordance with legal guidelines. Applicable due process procedures will be followed depending upon the nature of the investigation and possible disciplinary sanctions.

**Prohibition of Retaliation**

The District prohibits any retaliatory behavior directed against complainants, victims, witnesses and/or any other individuals who participated in the investigation of allegations of inappropriate staff-student relations. Follow-up inquiries and/or appropriate monitoring shall be made to ensure that the alleged conduct has not resumed and that all those involved in the investigation have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the District.

**District Responsibility/Training**

Principals in each school building and/or program supervisors will be responsible for informing students, staff and volunteers on a yearly basis of District policy and regulations regarding the prohibition of inappropriate staff-student relations. At this time, the principal/supervisor shall also review the procedures established for reporting, investigation and resolution of complaints. Further, staff training shall be provided to facilitate staff identification of possible behavior that may constitute inappropriate staff-student fraternization. Students shall be provided such training in an age appropriate manner.

**Disciplinary Sanctions**

Any staff member who engages in inappropriate conduct with a student, as prohibited by the terms of District policy and regulations, shall be subject to appropriate disciplinary measures up to and including termination of employment in accordance with legal guidelines, District policy and regulations, and the applicable collective bargaining agreement. A violation of District policy and regulations may also subject the employee to criminal and/or civil sanctions as well as disciplinary action by the State Education Department.

**Dissemination/Publication of District's Prohibition Against Inappropriate Staff-Student Relations**

The District's policy and regulations (or a summary thereof) prohibiting inappropriate staff-student relations will be published in appropriate school publications such as teacher/employee handbooks, student handbooks and/or school calendars. A copy of the District policy and regulations prohibiting such inappropriate behavior will also be available upon request. Further, this topic shall be addressed in the District Code of Conduct.

## Personnel

**SUBJECT: PERSONNEL GUIDELINES FOR RECRUITING OF TEACHING STAFF:  
GENERAL PROCEDURES**

- 1) Applications are obtained by written request, telephone call, or drop in, or on district website.
- 2) A personal letter, application, appropriate consent forms for fingerprinting and criminal records search and directions are sent upon receipt of a request for an application.
- 3) Candidates complete application and consent forms and return.
- 4) Copy of certification or statement that certification is pending approval must be submitted.
- 5) Requested transcripts arrive.
- 6) Credential folder/references are received.
- 7) Applications are filed alphabetically by subject area for easy review by the Superintendent. Subject area file folders should be noted clearly on exterior for any candidates who have more than one (1) certification.
- 8) Applications are retained in active file for three (3) years. The individual candidate should renew annually.
- 9) Substitute (contract and noncontract) applications are kept on file.
- 10) Vacancy:
  - a. Vacancy notice is posted and advertised if necessary as per contractual provisions.
  - b. Applications are screened and criminal background checks are initiated by the Superintendent and other appropriate administrators.
  - c. The Superintendent or other administrator initiates a telephone reference check. The same individual should do all phone checks on a given candidate.
  - d. Providing the candidate is acceptable, the Superintendent or his/her designee prepares an appointment recommendation to be presented to the Board of Education.
  - e. Upon approval by the Board of Education, the recommended candidate is notified by phone and letter. A personal letter of rejection is sent to each unsuccessful candidate who was interviewed.

(Continued)

## Personnel

**SUBJECT: PERSONNEL GUIDELINES FOR RECRUITING OF TEACHING STAFF:  
GENERAL PROCEDURES (Cont'd.)**

- f. Every effort will be made to interview qualified Alfred-Almond Central School District residents who have applied.
- 11) When an applicant has been offered the position and accepted, they must then be processed.
- a. Professional Appointment Notice signed and returned.
  - b. Withholding Certificate.
  - c. Physical Examination, if required. (If examination is required by our school physician, the doctor's office is advised and the necessary forms sent).
  - d. Teacher data and record card (personnel file).
  - e. Retirement application form.
  - f. Health/Dental Insurance procedure.
  - g. Copy of Teacher Contract (Association).
  - h. Fingerprinted and/or cleared for employment in accordance with Commissioner's Regulations.

## Personnel

**SUBJECT: RECRUITMENT: CIVIL SERVICE PERSONNEL**

- 1) Candidates are not to be discriminated against because of race, creed or religion, age, color, sex, sexual orientation, national origin, political affiliation, marital status, military status, veteran status, or disability.
- 2) Competitive class candidates must be selected from the top three candidates listed on the Civil Service Certification of Eligibles. Candidates hired from the list must serve a twenty-six (26) week probationary period as determined by the Board of Education. If no existing eligibility list exists for a job title, the District may grant a provisional appointment. The candidate is required, however, to take a test and be placed on the eligibility list when such tests are offered.
- 3) All other classes of employees are not subject to a Civil Service examination and the District may employ any candidate the District and the County Civil Service Commission feels meets the minimum qualifications established for the particular job title.
- 4) The District must adhere to all rules and regulations as established by Civil Service Law and the County Civil Service Commission.
- 5) The Civil Service Commission must certify all candidates before they can be employed.
- 6) Candidates must be fingerprinted and/or cleared for employment in accordance with Commissioner's Regulations.

**SUBJECT: PROFESSIONAL CERTIFICATION: 175 HOURS OF PROFESSIONAL DEVELOPMENT REQUIREMENT**

All District employees who hold professional teaching certificates for classroom teaching are required to complete professional development hours to maintain the validity of their certificates. Professional certificate holders must complete 175 hours every five (5) years. The five-year professional development period commences on July 1 after the effective date of the triggering certificate, and each subsequent five-year period thereafter. Each professional development year of the five-year cycle of professional development begins on July 1 and ends the following June 30. The professional development requirement may be completed at any time during the five-year professional development period.

Decisions regarding content, delivery and providers of such professional development are within the purview of the School District and shall be made within the context of the District Professional Development Plan. The Professional Development Plan shall describe how the School District will provide teachers it employs holding a professional certificate with opportunities to maintain such certificates in good standing based upon successfully completing 175 hours of professional development every five (5) years in accordance with Commissioner's Regulations.

If the professional certificate holder wishes to maintain the validity of his/her New York State professional certificate, he/she must satisfy the professional development requirement. If the certificate holder teaches less than ninety (90) days in a given school year for any reason, including an approved leave, the required hours are reduced by ten percent (10%) for each school year during which this is the case.

If the certificate holder is engaged in military service for all or part of the certification period, continuing education requirements shall be reduced proportionately so the individual is not required to complete such requirements while in military service. The New York Patriot Plan allows for the extension of certification for the period of active duty and an additional 12 months.

**District Recordkeeping Responsibilities**

If the School District provides professional development to teachers in its schools, or professional development is provided by other entities on behalf of the District, the District must maintain a record of professional development completed by its teachers who are required to complete this requirement. Such records shall include those items enumerated in Commissioner's Regulations Section 100.2(dd)(5):

- 1) The name of the professional certificate holder;
- 2) His/her teacher certification identification number;
- 3) The title of the program;

(Continued)

**SUBJECT: PROFESSIONAL CERTIFICATION: 175 HOURS OF PROFESSIONAL DEVELOPMENT REQUIREMENT (Cont'd.)**

- 4) The number of hours completed; and
- 5) The date and location of the program.

These records shall be retained by the District for at least seven (7) years from the date of completion of the professional development by the professional certificate holder and shall be available for review by the State Education Department (SED).

**District Reporting Responsibilities**

Annually, the School District must report to the New York State Education Department (SED) Office of Higher Education's Office of Teaching Initiatives (OTI) the number of all approved professional development hours completed by each teacher who is employed by the District and subject to the professional development requirement, regardless of the professional development provider.

All hours of completed professional development reported by Districts will become part of the certificate holder's certification record maintained by OTI. Teachers with professional certificates must complete the required number of hours of professional development every five (5) years for their certificates to remain valid.

The School District is required to report professional development hours for its employees online directly via the Web-based computer system TEACH (Teacher Education and Certification Help) which may be accessed at: <http://www.highered.nysed.gov/tcert/>. The TEACH public school training guide is also available on the Web at: <http://www.highered.nysed.gov/tcert/teach/resourcesd.htm>

**Certificate Holder Responsibilities**

All professional certificate holders must keep records of all of their approved professional development activities/programs/coursework, regardless of the provider, for at least seven (7) years from the date of completion of the program and shall be available for review by SED. Such records shall include those items enumerated in Commissioner's Regulations Section 80-3.6(f):

- 1) The title of the program;
- 2) The number of hours completed;
- 3) The sponsor's name and any identifying number;
- 4) Attendance verification; and

(Continued)

**SUBJECT: PROFESSIONAL CERTIFICATION: 175 HOURS OF PROFESSIONAL DEVELOPMENT REQUIREMENT (Cont'd.)**

- 5) The date and location of the program.

While it is the responsibility of the District to report hours, it is in the interest of every professional certificate holder to verify that their professional development hours are reported and that their individual record is complete. It is recommended that professional certificate holders develop their personal professional development plan in consultation with the District, and obtain District approval before commencing any professional development activities. A suggested (optional) format for planning can be found at Continuing Professional Development District Planning Form (PDF), see website: <http://www.highered.nysed.gov/tcert/pdf/pdplanning.pdf>

Professional certificate holders should check their individual record periodically to verify that the completed hours are being reported by the District at least annually. Questions or discrepancies should be resolved with the District immediately. Certificate holders should not wait until the end of their five-year professional development cycle to resolve any issues. Since the certificate holder is ultimately responsible to maintain his/her certification, he/she will monitor his/her own professional development progress and request, as needed, assistance to fulfill these requirements.

**Professional Development Hour**

Generally, professional development activity may be considered to accrue according to the number of clock hours spent in the activity, e.g., inservice workshop, conference session, etc. However, the employing School District has the discretion to set the research, attendance at professional meetings, etc. In the case of credit-bearing college courses, Commissioner's Regulations Section 80-3.6(e) stipulates that each semester hour of credit is equal to fifteen (15) hours of professional development, and each quarter hour of credit is equal to ten (10) hours of professional development.

**Suggested Professional Development Activities**

Content of courses, workshops, and other professional development experiences should be directly related to:

- 1) Enhancing teacher subject matter knowledge,
- 2) Teacher knowledge, use and application of appropriate teaching techniques,
- 3) Broadening and enhancing teacher abilities to apply more accurate and appropriate assessment methodologies, and

(Continued)

**SUBJECT: PROFESSIONAL CERTIFICATION: 175 HOURS OF PROFESSIONAL DEVELOPMENT REQUIREMENT (Cont'd.)**

- 4) Enhancing teacher skills in effectively managing individual students and classroom in both heterogeneous and homogeneous settings.

The following categories of activities are suggestions for meeting the needs of the District in building teacher capacity:

- 1) Participating in courses and other learning opportunities delivered from many providers, such as institutions of higher education, teacher centers, BOCES, school districts and independent professional development service providers.
- 2) Coursework linked to improvement of instructional technique or content knowledge, which may/or may not be in pursuit of a teaching or advanced teaching degree.
- 3) Completing coursework for more advanced certification or certificates in additional areas or in accordance with teaching assignment requirement for extension to certification.
- 4) Collaborating with other teachers and teaching assistants to examine case studies of student work and development.
- 5) Participating in regional scoring of State assessments, assessing student portfolios.
- 6) Creating and assessing teacher or teaching assistant portfolios.
- 7) Providing Mentoring Service.
- 8) Engaging in research projects (includes online research).
- 9) Participation in study (collegial) circles such as "Critical Friends" activities, structured guided reflection activities focused on student learning.
- 10) Participating in formal programs of peer coaching or participation in peer review.
- 11) Curriculum planning and development.
- 12) Pursuing National Board certification or re-certification (either as candidate or provider of support).
- 13) Sabbaticals (related to content specialty or enhancement of teaching strategies).

(Continued)

**SUBJECT: PROFESSIONAL CERTIFICATION: 175 HOURS OF PROFESSIONAL DEVELOPMENT REQUIREMENT (Cont'd.)**

- 14) Participating in reviews of class performance data over time to make decisions about one's own professional development, based on student outcomes.
- 15) Developing or collaborating on the development of new programs and instructional methods.
- 16) Teacher of the Year activities.
- 17) New York State Teacher Certification Examinations (NYSTCE) "assessor" or test development committee member.
- 18) Delivering professional development (e.g., conducting workshops).
- 19) Development of Statewide curriculum.
- 20) Service as support teacher, helping teacher, or coach.
- 21) Service as a cooperating teacher for a student teacher or field internships; including attendant meetings and processes.
- 22) Service as an elected officer in professional organizations.
- 23) Service as teacher center director.
- 24) Service/designation as Master Teacher.
- 25) Service on the State Professional Standards and Practices Board.
- 26) Participating in Professional Development School activities or other school-college teacher development partnerships.
- 27) Publishing in educational/journals.
- 28) Developing and presenting a major paper.
- 29) Serving on Comprehensive District Education Plan (CDEP) or District Comprehensive Education Plan (DCEP), or School Leadership committees.

## Personnel

**SUBJECT: SUBSTITUTE TEACHERS**

- 1) All applications for substitute teachers shall be sent to the Superintendent's Office. Credentials, certificates and references should be included with the application. This can be also verified by an administrator.
- 2) A statement of release requesting permission from the applicant to obtain information concerning the disposition and disclosure of any conviction records, if applicable, shall be signed by each potential substitute at the time he/she completes a District application form.
- 3) The application shall be forwarded to the appropriate building administrator for evaluation and processing. A recommendation shall then be made to the Board of Education.
- 4) The candidate will or will not be added to the substitute list of each of the respective buildings, pending Board approval.
- 5) Each approved substitute teacher shall be notified that he/she will be placed on the substitute list.

**Eligibility for Service**

Per Commissioner's Regulations Section 80-5.4, there shall be three (3) categories of substitutes as follows:

- 1) Substitutes with valid teaching certificates or certificates of qualification. Service may be rendered in any capacity, for any number of days. If employed on more than an "itinerant" basis, such persons will be employed in an area for which they are certified.
- 2) Substitutes without a valid certificate, but who are completing collegiate study towards certification at the rate of not less than six (6) semester hours per year. Service may be rendered in any capacity, for any number of days, in any number of school districts. If employed on more than an "itinerant" basis, such persons will be employed in the area for which they are seeking certification.
- 3) Substitutes without a valid certificate and who are not working towards certification. Service may be rendered for no more than forty (40) days per school year.

## Personnel

**SUBJECT: STUDENT TEACHERS**

The Alfred-Almond Central School District cooperates with teacher preparation institutions in the placement of student teachers to provide beginning teachers with a quality student teaching experience.

Student teachers are assigned by the building principal or designee with an approved supervising teacher. The student teacher will be placed with supervising teachers who will provide, as determined by the building principal, an appropriate student teaching experience.

In every instance, the well-being of the Alfred-Almond Central School District students is the prime consideration.

Building principals or designees are responsible for observing student teachers assigned to their buildings. Placement of student teachers in the regular classroom does not relieve the regularly assigned classroom teacher of his/her duties and responsibilities.

Student teachers are encouraged to participate in faculty meetings, other faculty activities and are invited to attend Parent-Teacher-Student Association meetings. Student teachers are to be provided with materials and supplies required in their assignment, and be accorded the courtesy of a regular staff member.

The student teacher's time in the classroom is to be appropriately divided so that a specified time will be spent in observation, participation and teaching. The main objective is to prepare the student teacher and does not relieve the supervising teacher from his/her responsibility to be present when instruction is taking place.

The student teacher should not be used as a substitute teacher. In case of emergency, a student teacher may be used until a substitute can be obtained. The student teacher may only substitute in the classroom to which he/she is assigned.

The number of student teachers assigned to a supervising teacher is limited to two (2) student teachers per year unless otherwise recommended by the building principal and approved by the Superintendent of Schools.

## Personnel

**SUBJECT: DETERMINATION OF EMPLOYMENT STATUS: EMPLOYEE OR INDEPENDENT CONTRACTOR**

Regulations recently promulgated by the Office of the State Comptroller provide guidance to school districts to help them determine whether an individual is an employee, and therefore eligible for membership in the New York State and Local Retirement System (NYSLRS) and for service credit, or an independent contractor who is not eligible for membership.

A certification of the determination that an individual is an employee will now be required when the School District initially reports to the NYSLRS certain covered professionals -- those persons providing services as an attorney, physician, engineer, architect, accountant or auditor.

Employee shall mean an individual performing services for the School District for which the District has the right to control the means and methods of what work will be done and how the work will be done. Independent contractor shall mean a consultant or other individual engaged to achieve a certain result who is not subject to the direction of the employer as to the means and methods of accomplishing the result.

When making a determination as to whether an individual is an employee or an independent contractor, the factors set forth below shall be considered by the District.

**Factors Supporting the Conclusion that an Individual is an Employee rather than an Independent Contractor**

- 1) The District controls, supervises or directs the individual performing the services, not only as to result but as to how assigned tasks are to be performed;
- 2) The individual reports to a certain person or department at the beginning or during each work day;
- 3) The individual receives instructions as to what work to perform each day;
- 4) The individual's decisions are subject to review by the District;
- 5) The District set hours to be worked;
- 6) The individual works at established and fixed hours;
- 7) The District maintains time records for the individual;
- 8) The District has established a formal job description;

(Continued)

## Personnel

**SUBJECT: DETERMINATION OF EMPLOYMENT STATUS: EMPLOYEE OR  
INDEPENDENT CONTRACTOR (Cont'd.)**

- 9) The District's Board of Education formally created the position with the approval of the local civil service commission where necessary;
- 10) The District prepares performance evaluations;
- 11) The District requires that the individual attend training;
- 12) The District provides permanent work space and facilities (including, but not limited to, office, furniture and/or utilities);
- 13) The District provides the individual with equipment and support services (including, but not limited to, computer, telephone, supplies and/or clerical assistance);
- 14) The individual is covered by a contract negotiated between the union and the District;
- 15) The individual is paid salary or wages through the District's payroll system;
- 16) Tax withholding and employee benefit deductions are made from the individual's paycheck; and
- 17) The individual is entitled to fringe benefits (including, but not limited to, vacation, sick leave, personal leave, health insurance and/or grievance procedures).

**Factors Supporting the Conclusion that an Individual is an Independent Contractor rather than an Employee**

- 1) The individual has a personal employment contract with the District;
- 2) The District pays the individual for the performance of services through the submission of a voucher;
- 3) The individual is authorized to hire others, at the expense of the individual or a third party, to assist the individual in performing work for the District;
- 4) The individual provides similar services to the public;
- 5) The individual is concurrently performing substantially the same services for other public employers; and

(Continued)

## Personnel

**SUBJECT: DETERMINATION OF EMPLOYMENT STATUS: EMPLOYEE OR INDEPENDENT CONTRACTOR (Cont'd.)**

- 6) The individual is also employed or associated with another entity that provides services to the District by contract, retainer or other agreement.

**Employees to be Reported to NYSLRS**

Only persons who are active members of NYSLRS and who have been assigned a registration number shall be included in the reporting requirements. In the case of employees who are in the process of being registered to membership, all service, salary and deductions data and mandatory contributions shall be accumulated by the District and such accumulation shall be included with the first monthly report which is due after the employee's registration number has been assigned.

An individual serving the District as an independent contractor or consultant is not an employee and should not be reported to the retirement system.

The District has the primary responsibility for determining whether an individual is rendering services as an employee or as an independent contractor. When making such a determination the District must consider the factors enumerated in State Regulations.

The District shall also complete, as necessary, a Certification Form for Individuals Engaged in Certain Professions (Form RS2414) as promulgated by the Office of the New York State Comptroller. As noted on the Certification Form instructions, when making a determination as to an individual's status as an employee or independent contractor, no single factor should be considered to be conclusive of the issue. All factors should be considered in making an assessment of an individual's status when engaged to perform services.

**Written Explanation by District: Certain Professions**

In the case of an individual whose service has been engaged by the School District in the capacity of attorney, physician, engineer, architect, accountant or auditor and the District has determined that the individual is rendering service as an employee and, therefore, may be eligible for credit with a retirement system, the District shall submit to the retirement system, in a form prescribed by the Comptroller and certified by the Chief Fiscal Officer of the District, an explanation of the factors that led to the conclusion that the individual is an employee and not an independent contractor or consultant.

Such certification shall be submitted to the retirement system at the time the individual is registered to membership or, in the case of an individual who is already a member of the retirement system, at the time the individual is first reported by the District to the retirement system. The District shall submit copies of documentation pertaining to the appointment of the individual as an employee,

(Continued)

## Personnel

**SUBJECT: DETERMINATION OF EMPLOYMENT STATUS: EMPLOYEE OR  
INDEPENDENT CONTRACTOR (Cont'd.)**

including a copy of the minutes of the Board of Education meeting where such individual was appointed an employee by the Board of Education, and the decision to report the individual to the retirement system as well as the acceptance of the appointment by the local civil service commission where necessary.

Adopted: 9/10/08

## Personnel

**SUBJECT: PERSONNEL RECORDS AND FILES****Personnel Records**

District employees shall notify the District Office of their wish to inspect their personnel files at least one (1) day in advance.

Employees may obtain copies of any material in the personnel file, except confidential recommendations, but may not remove any materials from it.

Inspection of the personnel file shall take place in the District Office.

**Personnel Files**

All personnel files are considered confidential. In this case confidential means that the file is available only to the individual, and his/her supervisors.

Faculty personnel files are to be kept in the District Office.

Personnel files are to include communications with the staff member, transcripts, letters of reference, employment records, etc. All items should be marked "c: personnel file," and the employee should get a copy. Personal notes by the supervisor or building principal and interoffice memos are not to be kept in the personnel file unless the employee receives a copy. Grievance materials/communications will be kept in the personnel file until the grievance is resolved. At that time, the original grievance and the resolution will be kept in the personnel file and all other information relating to the grievance will be placed in a grievance file.

Material kept in the personnel file is not to be released unless authorized by the staff member. This will normally be done through the District Office and will require written authorization. This does not prohibit the immediate supervisor, the building principal or the School Business Executive from sending a letter of personal reference if requested by a prospective employer.

Employees may review their personnel file by appointment in the presence of the Superintendent or his/her designee. Employees may have copies of any material in their folder except confidential recommendations.

Financial data and other information covered by the Freedom of Information Law will be made available only upon proper request.

## Personnel

**SUBJECT: PERSONNEL RECORDS**

<u>Responsibility</u>	<u>Action</u>
District Employee	1) Requests permission to inspect his/her personnel file from the District Office at least one (1) day in advance.
Administrator	2) Grants or denies request. a. If request is granted, has file ready and an area set aside for inspection on the agreed upon day and time. b. If permission is denied for particular date requested, states the reason and arranges an alternate time.
District Employee	3) a. At agreed upon day and time, at designated area, inspects file. b. Requests copy of any material he/she wishes to have, but may not remove any original material from the file. c. Upon completion of inspection, returns the file to the Administrator.
Administrator	4) Returns the personnel file to its proper place.

## Personnel

**SUBJECT: STAFF USE OF COMPUTERIZED INFORMATION RESOURCES**

The District's computer system (DCS hereafter) is provided for staff to enhance the educational programs of the District, to further District goals and objectives; and to conduct research and communicate with others.

Generally, the same standards of acceptable staff conduct which apply to any aspect of job performance shall apply to use of the DCS. The standards of acceptable use as well as prohibited conduct by staff accessing the DCS, as outlined in District policy and regulation, are not intended to be all-inclusive. The staff member who commits an act of misconduct which is not specifically addressed in District policy and/or regulation may also be subject to disciplinary action, including loss of access to the DCS as well as the imposition of discipline under the law and/or the applicable collective bargaining agreement. Legal action may also be initiated against a staff member who willfully, maliciously or unlawfully damages or destroys property of the District.

Staff are encouraged to utilize electronic communications in their roles as employees of the District. Staff are also encouraged to utilize electronic means to exchange communications with parents/guardians or homebound students, subject to appropriate consideration for student privacy. Such usage shall be limited to school related issues or activities. Communications over the DCS are often public in nature; therefore, general rules and standards for professional behavior and communications will apply.

The District's policies and accompanying regulations on staff and student use of computerized information resources establish guidelines for staff to follow in instruction and in working with students on acceptable student use of the DCS, including access to external computer networks.

**Privacy Rights**

Staff data files, e-mail and electronic storage areas shall remain District property, subject to District control and inspection. The computer coordinator may access all such files and communications without prior notice to ensure system integrity and that users are complying with requirements of District policy and accompanying regulations. Staff should **NOT** expect that information stored on the DCS will be private.

(Continued)

## Personnel

**SUBJECT: STAFF USE OF COMPUTERIZED INFORMATION RESOURCES (Cont'd.)****Prohibitions**

It is not the intention of this regulation to define all inappropriate usage. However, in addition to the general requirements of acceptable staff behavior, activities which shall be prohibited by staff members using the DCS include, but are not limited to, the following:

- 1) Using the DCS which in any way results in unauthorized charges or expense to the District.
- 2) Damaging, disabling or otherwise interfering with the operation of computers, computer systems, software or related equipment through physical action or by electronic means.
- 3) Using unauthorized software on the DCS.
- 4) Changing, copying, renaming, deleting, reading or otherwise accessing files or software not created by the staff member without express permission from the computer coordinator.
- 5) Violating copyright law, including the illegal file sharing of music, videos and software.
- 6) Employing the DCS for commercial purposes, product advertisement or political lobbying.
- 7) Disclosing an individual password to others or using others' passwords.
- 8) Sharing confidential information on students and employees.
- 9) Sending or displaying offensive messages or pictures.
- 10) Using obscene language.
- 11) Harassing, insulting, bullying, threatening or attacking others.
- 12) Engaging in practices that threaten the DCS (e.g., loading files that may introduce a virus).
- 13) Violating regulations prescribed by the network provider.
- 14) Use of the DCS for other than school related work or activities.
- 15) Assisting a student to violate District policy and/or regulation, or failing to report knowledge of any student violations of the District's policy and regulation on student use of computerized information resources.

(Continued)

**SUBJECT: STAFF USE OF COMPUTERIZED INFORMATION RESOURCES (Cont'd.)**

- 16) Use which violates any other aspect of Alfred-Almond Central School District policy and/or regulations, as well as local, state or federal laws or regulations.

Any user of the DCS that accesses another network or other computer resources shall be subject to that network's acceptable use policy.

**Sanctions**

The computer coordinator will report inappropriate behavior to the staff member's supervisor who will take appropriate disciplinary action. Any other reports of inappropriate behavior, violations or complaints will be routed to the staff member's supervisor for appropriate action. Violations may result in a loss of access to the DCS and/or disciplinary action. When applicable, law enforcement agencies may be involved.

**Notification**

All staff will be given a copy of the District's policies on staff and student use of computerized information resources and the regulations established in connection with those policies. Each staff member will sign an Acceptable Use Agreement (Form #6470F) before establishing an account or continuing their use of the DCS.

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
AGREEMENT FOR STAFF USE OF COMPUTERIZED INFORMATION RESOURCES**

In consideration for the use of the Alfred-Almond Central School District's Computer System (DCS), I agree that I have been provided with a copy of the District's policies on staff and student use of computerized information resources and the regulations established in connection with those policies. I agree to adhere to the staff policy and the regulations and to any changes or additions later adopted by the District. I also agree to adhere to related policies published in the Staff Handbook. I shall report all student violations of the District's policy on student use of computerized information resources to District officials.

I understand that failure to comply with these policies and accompanying regulations may result in the loss of my access to the DCS and may, in addition, result in the imposition of discipline under the law and/or the applicable collective bargaining agreement. I further understand that the District reserves the right to pursue legal action against me if I willfully, maliciously or unlawfully damage or destroy property of the District.

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(Blank lines for items of staff information)

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Staff Member Signature

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Date

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School/Building

**SUBJECT: FAMILY AND MEDICAL LEAVE ACT**

The Family and Medical Leave Act of 1993 (FMLA) requires public agencies to provide up to twelve (12) weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are "eligible" if they have been employed by the District for at least twelve (12) months and for at least 1,250 hours of service during the previous twelve-month period. Full-time teachers are deemed to meet the 1,250 hour test. However, a break in employment for military service (i.e., call to active duty) should not interrupt the twelve (12) month/1,250 hours of employment requirement and should be counted toward fulfilling this prerequisite. The law covers both full-time and part-time employees.

The District will compute the twelve (12) month period according to the following time frame: for which FMLA leave is being requested. The following four (4) choices are available: A "rolling" twelve (12) month period measured backward from the date of any FMLA leave usage.

**Reasons for Taking Leave**

A District must grant unpaid leave to an eligible employee for one (1) or more of the following reasons:

- 1) For the care of the employee's child (birth, or placement for adoption or foster care);
- 2) For the care of the employee's spouse, son or daughter, or parent/guardian, who has a "serious health condition"; or,
- 3) For a "serious health condition" that makes the employee unable to perform their job. A "serious health condition" is defined as an illness, injury, impairment or physical or mental condition that involves inpatient care or continuing treatment by a health care provider that renders the employee incapacitated for more than three (3) consecutive calendar days and where the employee is required to see the health care provider at least twice with the first visit commencing within seven (7) days of the incapacitating event and the second visit commencing within thirty (30) days of the incapacitating event. A "serious health condition" is also defined as any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence.

(Continued)

**SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)****Military Family Leave Entitlements**Military Caregiver Leave

An eligible employee who is the spouse, son, daughter, parent, or nearest blood relative of a covered service member who is recovering from a service-connected serious illness or injury sustained while on active duty or a veteran who has a qualifying injury or illness from service within the last five (5) years and aggravates that illness or injury, is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during a single 12-month period during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave. Military Caregiver Leave may be combined with other forms of FMLA-related leave providing a combined total of twenty-six (26) weeks of possible leave for any single twelve (12) month period; however, the other form of FMLA leave when combined can not exceed twelve (12) of the twenty-six (26) weeks of combined leave.

Military Caregiver Leave has a set "clock" for calculating the twelve (12) month period for when FMLA leave begins and tolling starts at the first day of leave taken.

The term "covered service member" means:

- a) A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
- b) A veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.

(Continued)

**SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)**"Qualifying Exigency" Leave/Call to Active Duty

An eligible employee is entitled to FMLA leave because of "a qualifying exigency" arising out of circumstances where the spouse, son, daughter, or parent of the employee is serving in the regular Armed Forces who is deployed to a foreign country or either the National Guard or the Reserves and is on active duty called for by the President of the United States or Congress, or has been notified of an impending call to active duty status, in support of a contingency operation.

A "qualifying exigency" related to families of National Guard and Reserve personnel on (or called to) active duty to take FMLA protected leave to manage their affairs is defined as any one of the following reasons:

- a) Short-notice deployment;
- b) Military events and related activities;
- c) Childcare and school activities;
- d) Financial and legal arrangements;
- e) Counseling;
- f) Rest and recuperation;
- g) Post-deployment activities; and
- h) Any additional activities where the employer and employee agree to the leave.

In any case in which the necessity for leave due to any qualifying exigency is foreseeable, whether because the spouse, or a son, daughter, or parent of the employee is on active duty, or because of notification of an impending call or order to active duty in support of a contingency operation, the employee shall provide such notice to the employer as is reasonable and practicable. This military-related leave is for up to twelve weeks during a single 12-month period. Leave may be taken intermittently or on a reduced leave schedule.

**Substitution of Paid Leave**

At the employee's or District's option, certain kinds of paid leave may be substituted for unpaid leave.

(Continued)

**SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)****Advance Notice and Medical Certification**

The employee may be required to provide advance leave notice and medical certification.

- 1) The employee ordinarily must provide thirty (30) days advance notice when the leave is "foreseeable."
- 2) A District may require medical certification to support a request for leave because of a "serious health condition".
- 3) A District may reinitiate the medical certification process with the first absence in a new 12-month leave year.
- 4) A District may also require medical certification if the employee is unable to return from leave because of a "serious health condition".
- 5) A District may also require medical certification for an employee returning to work often called the "fitness for duty" certification

**Medical Treatment for a Serious Health Condition**

The first visit to a health care provider for an employee claiming a "serious health condition" under FMLA must occur within seven (7) days of the aforementioned incapacity with the second required visit occurring within thirty (30) of the incapacitating event.

If the employee claiming FMLA under the "serious health condition" rationale is sustaining continuous treatment, their first visit to a health care provider must take place within seven (7) days of the claimed incapacitating event.

"Chronic serious health conditions" require "periodic visits" ; the employee must see a health care provider a minimum of two (2) times per year. The definition of a "chronic" serious health condition includes:

- 1) Periodic visits [i.e., a minimum of two (2) visits per year] to a health care provider for treatment of the "chronic" serious health condition; and
- 2) The "chronic" serious health condition continues over an extended period of time (including reoccurring episodes of a single underlying condition); and

(Continued)

**SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)**

- 3) The "chronic" serious health condition may be categorized as causing episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

**Intermittent or Reduced Leave**

- 1) An employee may take intermittent leave or may work a reduced leave schedule to reduce the usual number of hours per day or work week.
- 2) Intermittent or reduced leave schedules are subject to District approval unless medically necessary.

**Job and Benefits Protection**

- 1) Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

The District may deny restoration to certain highly compensated employees, but only if necessary to avoid substantial and grievous economic injury to the District's operation.

- 2) The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.
- 3) The use of unpaid FMLA leave cannot affect the exempt status of bona fide executive, administrative and professional employees under the Fair Labor Standards Act.

**Medical Insurance Coverage**

- 1) For the duration of FMLA leave, the District must maintain the employee's medical insurance coverage under any "group health plan," under the conditions coverage would have been provided if the employee had continued working.
- 2) In some cases, the District may recover premiums paid for maintaining an employee's health coverage if the employee fails to return to work from FMLA leave.

**Unlawful Acts by Employers**

FMLA makes it unlawful and subject to penalty for any employer to:

- 1) Fail to comply with notice provisions to employees under FMLA;

(Continued)

**SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)**

- 2) Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- 3) Discharge or discriminate against any person for opposing any practice made unlawful by FMLA; and,
- 4) Discharge or discriminate against any person because of involvement in any proceeding under or related to FMLA.

**Miscellaneous Provisions**

The District shall post a notice approved by the Secretary of Labor explaining rights and responsibilities under FMLA; and a notice of an employee's FMLA rights and responsibilities shall be either placed in the District's employee handbook or furnished to each new employee upon hire. The District has five (5) days to supply such notice from the date of hire. A willful violation of this requirement may subject the District to a fine of up to one hundred ten dollars (\$110) for each separate offense.

**FMLA Leave for Spouses Employed at the Same Employer**

Unless a "serious health condition" is the reason for why spouses employed by the same employer are taking FMLA-related leave, spouses are limited to a combined total of twelve (12) weeks of FMLA leave during any twelve (12) month period. If a "serious health condition" is the reason why FMLA leave is being taken, whether it be for either spouse, parent, or child, etc., each spouse is entitled twelve (12) weeks of FMLA-related leave during any twelve (12) month period.

Spouses who are entitled to FMLA leave for the reason of being a military caregiver to an injured service member may be limited to a combined total of twenty-six (26) weeks of leave during a single twelve (12) month period.

**Special Provisions for School District Employees**

An "instructional employee" is an employee whose principal function is to teach and instruct students in a class, a small group, or an individual setting (e.g., teachers, coaches, driving instructors, special education assistants, etc.). Teaching assistants and aides who do not have instruction as the principal function of their job are not considered an "instructional employee."

**Intermittent Leave Taken By Instructional Employees**

FMLA leave that is taken at the end of the school year and resumes at the beginning of the next school year is not regarded as intermittent leave but rather continuous leave. The period in the interim

(Continued)

**SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)**

(i.e., summer vacation) is not counted against an employee and the employee must continue to receive any benefits that are customarily given over the summer break.

Intermittent leave may be taken but must meet certain criteria. If the instructional employee requesting intermittent leave will be on that leave for more than twenty percent (20%) of the number of working days during the period for which the leave would extend, the following criteria may be required by the employer:

- 1) Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- 2) Transfer temporarily to an available alternative position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than does the employee's regular position.

Appropriate notice for foreseeable FMLA leave still applies and all employees must be returned to an equivalent position within the School District. Additional certifications, requirements and/or training may not be required of the employee as a contingent of their return to work.

**Leave Taken by Instructional Employees Near the End of the Instructional Year**

There are also special requirements for instructional employees taking leave and the leaves relation to the end of the term. If the instructional employee is taking leave more than five (5) weeks prior to the end of the term, the District may require that the employee take the leave until the end of the term if the leave lasts more than three (3) weeks and the employee was scheduled to return prior to three (3) weeks before the end of the term.

If the instructional employee is taking leave less than five (5) weeks prior to the end of the term for any FMLA-related reasons except qualifying exigency, the District may require that the employee remain out for the rest of the term if the leave lasts more than two (2) weeks and the employee would return to work during that two (2) week period at the end of the instructional term.

If the instructional employee begins taking leave during the three (3) weeks prior to the end of the term for any reason except qualifying exigency, the District may require that the employee continue leave until the end of the term if the leave is scheduled to last more than five (5) working days.

Any additional time that is required by the District due to the timing of the end of the school year will not be charged against the employee as FMLA leave because it was the employer who requested that the leave extend until the end of the term.

(Continued)

**SUBJECT: FAMILY AND MEDICAL LEAVE ACT (Cont'd.)****FMLA Does Not**

- 1) Affect any federal or state law prohibiting discrimination;
- 2) Supersede any state or local law which provides greater family or medical leave rights;
- 3) Diminish an employer's obligation to provide greater leave rights under a collective bargaining agreement or employment benefit plan, nor may the rights provided under FMLA be diminished by such agreement or plan; nor,
- 4) Discourage employers from adopting policies more generous than required by FMLA.

**Enforcement**

- 1) The Secretary of Labor is authorized to investigate and attempt to resolve complaints of violations, and may bring an action against an employer in any federal or state court of law.
- 2) FMLA's enforcement procedures parallel those of the federal Fair Labor Standards Act. The FMLA will be enforced by the Department's Wage and Hour Division.
- 3) An eligible employee may bring a civil action against an employer for violations.
- 4) Employers who act in good faith and have reasonable grounds to believe their actions did not violate FMLA may have any damages reduced to actual damages at the discretion of a judge.

For more information, please contact the nearest office of the Wage and Hour Division, listed in most telephone directories under U.S. Government, Department of Labor, Employment Standards Administration.

**SUBJECT: YOUR RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT**

FMLA requires covered employers to provide up to twelve (12) weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one (1) year, and for 1,250 hours over the previous twelve (12) months.

**Reasons for Taking Leave**

Unpaid leave must be granted for any of the following reasons:

- 1) To care for the employee's child after birth, or placement for adoption or foster care;
- 2) To care for the employee's spouse, son or daughter, or parent/guardian, who has a serious health condition; or
- 3) For a serious health condition that makes the employee unable to perform the employee's job.

At the employee's or employer's option, certain kinds of paid leave may be substituted for unpaid leave.

**Advance Notice and Medical Certification**

The employee may be required to provide advance leave notice and medical certification. Taking of leave may be denied if requirements are not met.

- 1) The employee ordinarily must provide thirty (30) days advance notice when the leave is "foreseeable."
- 2) An employer may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

**Job Benefits and Protection**

- 1) For the duration of FMLA leave, the employer must maintain the employee's health coverage under any "group health plan."
- 2) Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

(Continued)

## Personnel

**SUBJECT: YOUR RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT  
(Cont'd.)**

- 3) The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

**Unlawful Acts by Employers**

FMLA makes it unlawful for any employer to:

- 1) Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- 2) Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

**Enforcement**

- 1) The U.S. Department of Labor is authorized to investigate and resolve complaints of violations.
- 2) An eligible employee may bring a civil action against an employer for violations.

FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

**For Additional Information**

Contact the nearest office of the Wage and Hour Division, listed in most telephone directories under U.S. Government, Department of Labor.

EMPLOYEE NAME \_\_\_\_\_

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
FAMILY LEAVE/MEDICAL LEAVE APPLICATION**

**Qualifications\***

In accordance with the Family and Medical Leave Act of 1993, an employee is entitled to an unpaid leave of up to twelve (12) weeks with benefits under the following conditions:

- 1) The employee has been employed at least twelve (12) months.
- 2) The employee has worked at least 1,250 hours in the last year.
- 3) The employee gives his/her thirty (30) day notice of his/her intention to take a leave when the need for a leave is foreseeable.
- 4) The employee has not been granted a Family/Medical Act Leave in the twelve (12) months preceding the commencement of this leave request.

\*All of the above must be satisfied to be eligible for either a Family or Medical leave. Please check those criteria which you meet. An employee will continue to pay their regular rate of contribution for health insurance for up to twelve (12) weeks of unpaid leave.

**Family Leave**

Family leave is available to an employee for any of the following reasons:

- 1) The birth of a child and care for the infant.
- 2) Adoption of a child and care for the infant.
- 3) The placement with the employee of a child in foster care.

The family leave must be taken during the twelve (12) month period from the date of birth or placement of the child. Intermittent leave is not allowed under the family leave provision. An employee may elect, or an employer may require an employee, to use accrued paid vacation, personal or family leave in place of the unpaid leave.

**Medical Leave**

Medical leave is available to an employee for any of the following reasons:

- 1) Who has a "serious health condition" that prevents the employee from doing his/her job.
- 2) To care for a spouse who has a serious health condition.
- 3) To care for a dependent child who has a serious health condition.
- 4) To care for a parent/guardian who has a serious health condition. A serious health condition is defined as "an illness, injury, impairment, or physical or mental condition" that involves hospitalization or other inpatient care or continuing treatment by a doctor.

Medical leave may be taken intermittently, but the District may transfer the employee to another comparable position if the intermittent leave is foreseeable and the other position better accommodates recurring periods of leave. Additionally, for instructional employees whose foreseeable medical leave absences will exceed twenty percent (20%) of the period over which the intermittent leave will occur, the District can require the employee to elect to either take a block leave or accept a temporary transfer to another position that better accommodates recurring periods of leave.

(Continued)

**ALFRED-ALMOND CENTRAL SCHOOL DISTRICT  
FAMILY LEAVE/MEDICAL LEAVE APPLICATION (Cont'd.)**

An employee may elect, or an employer may require an employee, to use accrued vacation, personal, or sick leave for a medical leave. However, an employee is not entitled as a result of the Family and Medical Leave Act to use accrued sick leave when he/she would not otherwise be able to use sick leave under the terms of a collective bargaining agreement.

A District can require an employee requesting a medical leave to provide certification from a doctor that outlines the basis for the leave and its anticipated duration. If the District doubts the validity of the doctor's certification, the law provides a method for obtaining a second, and, if necessary, a third medical opinion.

**Return to Employment**

At the end of the family or medical leave, the employee is entitled to return to the actual position or an equivalent position he/she held before the leave. For instructional employees, restoration to a position "shall be made on the basis of established Board policies and practices" and the collective bargaining agreement. For example, the District is free under the law to assign a returning elementary teacher to a different grade from the class he/she taught prior to the leave.

The law states that an employee does not lose accrued employment benefits as a result of the leave, but he/she is not entitled to accrue seniority during the leave period.

Special limitations apply to instructional employees returning from leave near the conclusion of an academic term. Depending on the duration of the leave and the length of time remaining until the end of the school term, the District can require the employee to wait until next term to return.

NAME OF EMPLOYEE \_\_\_\_\_  
(Please Print) Employee Signature

DATE OF APPLICATION \_\_\_\_\_

**FAMILY LEAVE DETERMINATION**

qualified \_\_\_\_\_ initials (approval)  
 not qualified \_\_\_\_\_ initials (disapproval)

Date(s) \_\_\_\_\_  
Reason \_\_\_\_\_

**MEDICAL LEAVE DETERMINATION**

qualified \_\_\_\_\_ initials (approval)  
 not qualified \_\_\_\_\_ initials (disapproval)

Date(s) \_\_\_\_\_  
Reason \_\_\_\_\_

**PLEASE RETURN TO THE PERSONNEL OFFICE**

## Personnel

**SUBJECT: PROFESSIONAL SERVICES PROVIDERS****Determination by Employee**

The District has the primary responsibility for determining whether an individual is rendering services as an employee or as an independent contractor. When making such a determination the District must consider the factors enumerated in Commissioner's Regulations Sections 315.2 and 315.3. An individual serving the District as an independent contractor or consultant is not an employee and should not be reported to the New York State and Local Retirement System (NYSLRS).

**Charging for Professional Services**

Pursuant to Education Law Section 2050, a "lawyer" shall mean an attorney or counselor governed by Article 15 of the Judiciary Law who receives remuneration or other compensation from the School District in exchange for legal services provided to the District.

A lawyer shall not simultaneously be an independent contractor and an employee of the School District for the purpose of providing legal services to the District.

A lawyer who is not an employee of the School District shall not seek to be or be considered, treated or otherwise reported by the District as an employee thereof for purposes of compensation, remuneration, health insurance, pension and all employment-related benefits and emoluments associated therewith [Education Law Section 2051(2)].

**Enforcement**

Any person who shall knowingly:

- 1) Violate the provisions of Education Law Section 2051(2);
- 2) Make a false statement of material fact; or
- 3) Falsify or permit to be falsified any record or records of the retirement system in an attempt to defraud the retirement system as a result of such act for the purpose of obtaining a credit towards pension benefits, or a benefit or payment in excess of \$1000 from such retirement system for a professional services provider to which such professional services provider would not be entitled, shall be guilty of a Class E felony.

(Continued)

## Personnel

**SUBJECT: PROFESSIONAL SERVICES PROVIDERS (Cont'd.)****Reports Regarding Lawyers**

The District shall, on or before the 45th day after the commencement of its fiscal year, file with the State Education Department, the State Comptroller and the Attorney General a report specifying:

- 1) All lawyers who provide legal services to the District or Board of Education;
- 2) Whether the District or Board hired such lawyers as employees; and
- 3) All remuneration and compensation paid for legal services.

**Protection Against Fraud**

Any person who shall knowingly make any false statement, or shall falsify or permit to be falsified any record or records of the retirement system in any attempt to defraud the system as a result of such act, shall be guilty of a misdemeanor, and shall be punishable under the laws of New York State.

Any violation of applicable law that results in a member or beneficiary of the retirement system receiving a benefit or payment in excess of \$1000 more than he/she would have been entitled to shall be a class E felony. Any violation of applicable law that results in a member or beneficiary of the retirement system receiving a benefit or payment in excess of \$3000 more than he/she would have been entitled to shall be a class D felony.

Should any change or error in records result in any employee or beneficiary receiving from the retirement system more or less than he/she would have been entitled to receive had the records been correct, then, on the discovery of any such error, the Retirement Board shall correct such error, and, as far as practicable, shall adjust the payments in such a manner that the actuarial equivalent of the benefit to which he/she was correctly entitled shall be paid.

NOTE: Refer also to Regulation #6000R -- Determination of Employment Status: Employee or Independent Contractor