

NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION REGULAR MEETING

April 24, 2024

6:00 PM

Auditorium of the High School

AGENDA

1. Call to Order/Pledge of Allegiance

Approval of Agenda

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the agenda of April 24, 2024.

Motion for approval by _____, seconded by _____, all in favor ____-____.

2. Presentations:

- Senior Class Trip – Nicole Sinclair

3. Public Access to the Board:

This time is provided for residents of the District to address the Board of Education. Persons wishing to speak must complete the sign in sheet and be recognized by the President. The speaker will be allowed three minutes to address the Board of Education.

4. Election of BOCES Board members/BOCES Administrative Budget Vote

a. Election of Wayne-Finger Lakes BOCES Board Members

There are three(3) vacant seats on the Wayne-Finger Lakes Board of Cooperative Educational Services. Each seat is for a 3-year term effective July 1, 2024. The candidates are listed below, in order selected by with their address and school district of residence.

- Pam Pendleton, 6949 Furnace Rd., Ontario, NY 14519 (Wayne)
- OJ Sahler, 4214 County Rd 16, Canandaigua, NY 14424 (Canandaigua)
- Lynn Gay, 83 Main St., Bloomfield, NY 14469 (Bloomfield)

A motion is made by _____ and seconded by _____ to cast one vote for _____ to a seat on the Wayne-Finger Lakes BOCES Board for a three-year term effective July 1, 2024. All in favor ____-____.

Seat #1:

Be it resolved that the Board of Education of the North Rose - Wolcott Central School District, upon recommendation of the Superintendent of Schools and pursuant to Education Law, has voted on April 24, 2024 for _____ to a seat on the Wayne-Finger Lake BOCES Board three-year term effective July 1, 2024.

A motion is made by _____ and seconded by _____ to cast one vote for _____ to a seat on the Wayne-Finger Lakes BOCES Board for a three-year term effective July 1, 2024. All in favor ____-____.

Seat #2:

Be it resolved that the Board of Education of the North Rose - Wolcott Central School District, upon recommendation of the Superintendent of Schools and pursuant to Education Law, has voted on April 24, 2024 for _____ to a seat on the Wayne-Finger Lake BOCES Board three-year term effective July 1, 2024.

A motion is made by _____ and seconded by _____ to cast one vote for _____ to a seat on the Wayne-Finger Lakes BOCES Board for a three-year term effective July 1, 2024. All in favor ___-___.

Seat #3:

Be it resolved that the Board of Education of the North Rose - Wolcott Central School District, upon recommendation of the Superintendent of Schools and pursuant to Education Law, has voted on April 24, 2024 for _____ to a seat on the Wayne-Finger Lake BOCES Board three-year term effective July 1, 2024

A motion is made by _____ and seconded by _____ for approval of the 2024-25 tentative administrative budget of the Wayne-Finger Lakes Board of Cooperative Education Services in the amount of \$3,863,200 in favor ___-___.

b. 2024-2024 Wayne-Finger Lakes BOCES Administrative Budget

RESOLUTION

Be it resolved that the Board of Education of the North Rose - Wolcott Central School District, upon recommendation of the Superintendent of Schools and pursuant to Education Law, has voted on April 24, 2024, for approval of the tentative administrative budget (Part 1) of the Wayne-Finger Lakes Board of Cooperative Educational Services in the amount of \$3,863,200.

5. Consent Agenda:

A motion for approval of items as listed under the CONSENT AGENDA ITEMS is made by _____, and seconded by _____ any discussion- All in favor ___-___.

a. Board of Education Meeting Minutes

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the meeting minutes of April 11, 2024.

b. Substitute Teachers and Substitute Service Personnel

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the individuals named on the substitute lists, which are on file with the District Clerk.

c. Donation to the District

RESOLUTION

BE IT RESOLVED, the Board of Education hereby accepts the donation of (1) one 3D printer to the High School Technology Department from Absolute Precision.

c. Personnel Items:

1. Letter of Resignation – Laura Abbett

Laura Abbett has submitted a letter of resignation as Elementary Teacher.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law accepts the resignation from Laura Abbett as Elementary Teacher, effective April 14, 2024.

2. Letter of Resignation – Eileen Burghdurf

Eileen Burghdurf has submitted a letter of resignation as School Nurse.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law accepts the resignation from Eileen Burghdurf as School Nurse, effective April 15, 2024.

3. Letter of Resignation – Micah Pare’
Micah Pare has submitted a letter of resignation as Cleaner.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law accepts the resignation from Micah Pare’ as Cleaner, effective April 15, 2024.

4. Letter of Resignation – Carrie Brown
Carrie Brown has submitted a letter of resignation as Clerk/Typist and all other positions held within the District..

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law accepts the resignation from Carrie Brown as Clerk/Typist and all other positions held within the District, effective May 3, 2024.

5. Permanent Appointment – Brandon Voorhees
Jeremy Sebastiano recommends Brandon Voorhees to a permanent appointment as Cleaner.

RESOLUTION

Be it resolved, that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the permanent appointment of Brandon Voorhees as Cleaner effective November 14, 2023.

6. Permanent Appointment – Mason Fess
Jeremy Sebastiano recommends Mason Fess to a permanent appointment as Maintenance Worker.

RESOLUTION

Be it resolved, that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the permanent appointment of Mason Fess as Maintenance Worker effective April 3, 2024.

7. Permanent Appointment – Charlotte Breese
Rita Lopez recommends Charlotte Breese to a permanent appointment as Food Service Helper.

RESOLUTION

Be it resolved, that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the permanent appointment of Charlotte Breese as Food Service Helper effective October 24, 2023.

8. Permanent Appointment – Heidi Pare
Rita Lopez recommends Heidi Pare to a permanent appointment as Food Service Helper.

RESOLUTION

Be it resolved, that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the permanent appointment of Heidi Pare as Food Service Helper effective February 27, 2024.

9. Permanent Appointment – Colleen Barron
Crystal Rupp recommends Colleen Barron to a permanent appointment as School Nurse.

RESOLUTION

Be it resolved, that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the permanent appointment of Colleen Barron as School Nurse effective January 30, 2024.

10. Permanent Appointment – Keri McQuown
Rita Lopez recommends Keri McQuown to a permanent appointment as Cook.

RESOLUTION

Be it resolved, that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the permanent appointment of Keri McQuown as Cook effective March 27, 2024

11. Correction Appoint Teacher – Kristin Gardner
Nicole Sinclair recommends Kristin Gardner to fill a Social Studies Teacher position.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the three -year probationary appointment of Kristin Gardner as a Social Studies Teacher conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 as follows:

Certification: Social Studies 7-12, Permanent

Tenure Area: Social Studies

Probationary Period: ~~May 13, 2024-May 12, 2027~~ May 6, 2024-May 5, 2027

Salary: Step W \$71,899

The expiration date is tentative and conditional only. In order to be eligible for and considered for tenure, the teacher must meet all requirements of the educational law and corresponding regulations.

12. Written Agreement between the Superintendent and an Employee of the District

RESOLUTION

Resolved, that the Board of Education of the North Rose-Wolcott Central School District approves the written agreement between the Superintendent of Schools and an employee of the District, executed on April 11, 2024 and the resignation of such employee effective April 11, 2024.

13. Approve Amended Terms & Conditions of Employment

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the Amended Terms and Conditions of Employment for the Senior Automotive Mechanic for the 2024-2025 school year. The contract is on file with the District Clerk.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the Amended Terms and Conditions of Employment for the Automotive Mechanic for the 2024-2025 school year. The contract is on file with the District Clerk.

14. Co-Curricular Appointments

The following individual is being recommended to fill co-curricular positions.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, appoints the following individual to fill co-curricular positions for the 2023-24 school year.

Name	Bldg.	Title	Step	Year	Salary
Alex Richwalder		Athletic Event Staff			As per the NRWTA Contract
Adam Bishop		Athletic Event Staff			As per the NRWTA Contract
Caroline Strub	HS	Marching Band Director			\$32.50/hr. \$65.00 per event minimum

15. Correction Co-Curricular Appointments

The following individual is being recommended to fill co-curricular positions.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, appoints the following individual to fill co-curricular positions for the 2023-24 school year.

Name	Bldg.	Title	Step	Year	Salary
Amber Landry	HS	Class Advisor - 2025	2	5	\$1,153 <i>prorated</i>

16. Appoint Volunteers

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the following individuals to work as a volunteer in the district for the 2023-2024 school year.

- | | | | |
|------------------|-------------------|------------------|-----------------|
| Patricia Luciano | Brigitte Grinnell | Andrew Mathes | Allyssa Walters |
| Cathy LaValley | Kim Youngman | Rebecca Hokanson | |

6. Policies

A motion for approval of items as listed under Policies is made by _____, and seconded by _____ any discussion- All in favor ___-__.

a) Approval of Policies

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the following new and/or revised policies:

1000	By Laws	
1334	Duties of the External (Independent) Auditor	Revised
1334.1	Appointment and Duties of the Claims Auditor	Revised
5000	Non-Instructional/Business Operations	
5120	School District Budget Hearing	Revised
5260	Vending Machines	Revised
5311	Safeguarding and Use of District Credit Cards	Revised
6000	Personnel	
6190	Workplace Violence Prevention Policy Statement	New

➤ The following policies are being submitted as reviewed.

5000	Non-Instructional/Business Operations	
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5313	Reimbursement for Meals/Refreshments	Reviewed
5413	Procurement: Uniform Grant Guidance for Federal Awards	Reviewed
5510	Accounting of Funds	Reviewed
5511	Maintenance of Fund Balance	Reviewed
5512	Reserve Funds	Reviewed
5620	Fixed Asset Inventories, Accounting and Tracking	Reviewed
5630	Facilities: Inspection, Operation and Maintenance	Reviewed
5631	Hazardous Waste and Handling of Toxic Substances By Employees	Reviewed

Board Member Requests/Comments/Discussion:

Good News:

Informational Items:

Motion for Adjournment:

There being no further business or discussion, a motion is requested adjourn the regular meeting.

Motion for approval by ____, seconded by ____, with motion approved __ - __. Time adjourned: __: __ p.m.

Candidate Information Form

Name: Lynn Gay School District: Bloomfield
2024

PART I: Board Experience

Thank you to the Bloomfield Board of Education for nominating me to seek reelection to the BOCES board. My board experience includes past service on the Bloomfield board. I have many years of experience on the BOCES board, and was privileged to serve as president in the 2019-20, 2020-21 and 2021-22 school years. I have always believed that it is important for board members to be involved beyond the local level. Shortly after becoming a board member I became actively involved in the Four County School Boards Association, serving as legislative committee chair, 2nd vice president and president. I am serving as Policy and Bylaws Committee chair this year. I also participated in the various in-service programs offered by the New York State School Boards Association (NYSSBA). I served on the NYSSBA Board of Directors, representing Area 2, for ten years. I believe that my boardmanship has been enhanced by this involvement.

PART II: Interest in BOCES Board Seat

I believe that BOCES plays an important role in helping component districts conserve and use their resources economically for the benefit of all our students.

I bring to the position a well-rounded knowledge of the issues facing public education, the time to continue to be an advocate for all of our students, knowledge of BOCES programs and services, and a commitment to work with my colleagues on the BOCES board to continue to look for innovative, cost effective ways to meet the needs of our component districts and the students we serve.

PART III: Additional Information

I am excited to work with our recently appointed District Superintendent as our BOCES moves forward in service to the students and districts we serve. I feel privileged to have worked with so many of you over the past several years for the benefit of the children in the Wayne-Finger Lakes BOCES.

I ask for your vote in the upcoming election. Thank you.

Wayne-Finger Lakes Board of Cooperative Educational Services

Candidate Information Form

Name: Pamela Pendleton School District: Wayne Central CSD

PART I: Board Experience

I have served on the W-FL BOCES Board for the past 6 years. While on this Board, I've served on the Policy, Shared Decision Making, and Audit Committees, where I just completed my 3rd year as Chairperson. I also sit on the Upstate Institute Board. I have attended numerous conferences - RSA, NYSSBA, National SBA Conferences, Ferrara & Fiorenza and 4 County workshops as well as BOCES sponsored events to educate myself so I may better serve our 25 Component Districts as well as our services at BOCES. Prior to my term on the BOCES Board, I served 6 years on the Wayne Central BOE, was VP 2 years, served on Policy & Communication Committees, Capital Improvement Project Committee and was Board liaison for New Member training and our Board Clerk. In my 9 years as a Board member, I've been a part of 4 superintendent searches.

PART II: Interest in BOCES Board Seat

Initially I ran because I was impressed with the offerings BOCES had for ALL students and wanted to be part of expanding those opportunities. I wanted to see more student exposure to the Vocational programs and find ways to include the special education population in these areas. Since I've been on the W-FL BOCES Board I've seen growth in services – we've opened Ptech, expanded opportunities for our special education population, and continually look for ways to reach every student. The Vocational Programs we offer help many students find their passion and leave school career/college ready! The staff and Administration at our BOCES are student centered and focused on positive outcomes. As I serve on this Board, I am impressed with the level of support we offer our Component Districts. We offer workshops/conferences as well as providing districts with special student services they may contract with us (a fiscally sound way to provide needed services) as well as the additional supports – technology, crisis management team, superintendent search processes to name a few. BOCES is an essential piece that keeps our smaller rural districts running smoothly. The BOCES Board members work collaboratively and are centered on student needs and outcomes. I'm proud to have been a part of this and would be honored to serve again on the W-FL BOCES Board.

PART III: Additional Information

My background is in Special Education. I taught Special Education at North Rose-Wolcott for 28 years. I've always enjoyed working with children and LOVE the learning process. I would be honored to serve on this Board and continue serving the needs and programming of the students and staff members of our BOCES and our 25 W-FL Component districts.

Candidate Information Form

Name: O.J. Sahler School District: Canandaigua City School District (CCSD)

PART I: Board Experience

Prior to my election to the BOCES BOE, I was a member of the CCSD BOE for 21 years, retiring in 2007. I was a member or chair of all CCSD standing committees and a Board liaison member to several major District-wide initiatives: the Middle School Task Force, when the District constructed the 6-8 Middle School, which was redesigned about 10 years later to meet new demands; the Counseling Services Task Force, which recommended expanding services for students seeking specialized college/career counseling and more transition services for pupils between grades 5 & 6 and 8 & 9; the Wellness Committee, which aimed to consolidate our approach to a Healthful Lifestyle; and the Audit Committee, which designed our internal audit function as part of the comptroller's plan for enhanced oversight of school district management. After retirement from CCSD, I was a community representative to the Audit Committee for 5 years.

PART II: Interest in BOCES Board Seat

As a member of the BOCES Board for the past 27 years, I have gained a good understanding of the structure of BOCES services provided for life-long learning, and the challenge of functioning in a rapidly changing and uncertain social and economic environment. I have also become aware of the need for enhanced communication among BOCES districts statewide to learn from each other and avoid duplication of effort. I served as chair of a W-FL BOCES task force that was key to identifying functions that would benefit from increased advocacy by better informed BOCES Board members. I also co-chaired a workshop at the NYSSBA Annual meeting for 5 years to share the "Best of BOCES" throughout NY. I served on the Audit Committee during its formation, chaired the Superintendent and Board Evaluation Committee when it transitioned to a paperless format, and served on the Policy Committee when we reviewed our entire policy compendium, a process we have made an every-three-year process to keep W-FL policies relevant and timely, a task I continue to pursue as we streamline and standardize our policies regarding student and staff harassment and equal educational and employment opportunities. I completed my service as president of the W-FL BOCES Board of Education 5 years ago. I currently serve as chair of the Finance/Audit Committee. I am also the W-FL BOCES representative to the Legislative Committee of the 4-County School Boards Association, working to make our collective voices heard in Albany and beyond. One of my most truly rewarding experiences at BOCES has been to serve as the board representative to the School-to-Career Task Force and the External Review Committee, which evaluates applications to the State for certification of our vocational/career training programs. This is a duty which I have gladly fulfilled for 20 years. This experience gives me the opportunity to examine in detail all the career and technical programs available through our BOCES, as well as new initiatives developed in response to local student/employer demand. Most recently, I have come to appreciate the tremendous amount of creative energy that our students have, as exemplified by the beautiful art work that pervades all the trades and career opportunities, from welding sculptures, to fancy auto body paint jobs, to creative waves and braids, to pretty-as-a-picture table settings and plate presentations. No one could have such experiences and not feel thoroughly passionate about the incredible resource that BOCES is, both as an educational institution and as an asset to the economic and creative growth of our region. It would be a privilege and an honor to continue my service to the W-FL BOCES over the next 3 years.

PART III: Additional Information

I am a behavioral pediatrician practicing as a faculty member at the Golisano Children's Hospital at the University of Rochester Medical Center. I treat children and teens with physical, psychological, and behavioral issues that can interfere with their potential to learn. My background has been useful to me and, hopefully, to the BOCES as well in considering ways to enhance the services it provides and the image it projects to the communities it serves.

Please return this completed form to Cindy Murray, Board Clerk, cindy.murray@wflboces.org no later than Tuesday, April 4, 2024. It will be forwarded to component boards of education and placed on our website before our Annual Meeting.

NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION REGULAR MEETING

April 11, 2024

6:00 PM

Auditorium of High School

PRESENT:

BOE Members: Lucinda Collier, Tina Reed, John Boogaard, Linda Eygnor Paul Statskey

Absent: Shelly Cahoon, Jasen Sloan

Superintendent: Michael Pullen

District Clerk: Tina St. John

Approximately 25 students, staff and guests

1. Call to Order/Pledge of Allegiance

President, Lucinda Collier called the meeting to order at 6:00p.m.

Approval of Agenda:

Motion for approval was made by Tina Reed and seconded by Linda Eygnor with the motion approve 5-0.

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the agenda of April 11, 2024.

2. Presentations:

- Student Presentation – Leavenworth Middle School
 - 7th Grader, Jimmy Haffner was the student presenter
- Combined Sports – Marc Blankenberg
 - Mr. Blankenberg presented and answered questions regarding Combined Sports
- Booster Club
 - Bruce McIntyre, Aaron Petrosino and Stephanie Macro Zwolinski presented the annual report.
- Superintendent Update – Michael Pullen
 - April is Music in Our Schools Month – Mr. Pullen provided the music program numbers since the 2021-2022 school year.
 - Mr. Pullen provided budget goals and the budget at a glance over the years and gave examples of the budgets of component districts.
 - Mr. Pullen provided an overview of what would appear on the ballot on May 21st.

3. Reports and Correspondence: Committee chairperson or liaison provided an update.

- Board of Education Building Liaisons
 - Elementary School –John Boogaard
 - Middle School – Shelly Cahoon - no report given
 - High School – Linda Eygnor
 - Cougar Ops – Tina Reed –
- Four County Board of Directors – Linda Eygnor –
- Four County Legislative Committee – Linda Eygnor –
- Handbook Committee – Lucinda Collier, Jasen Sloan, Paul Statskey – no report given
- Audit Committee –John Boogaard, Shelly Cahoon, Paul Statskey - no report given
- District Safety Committee – no report given
- Personnel & Negotiations Committee – Tina Reed, John Boogaard, Lucinda Collier – no report given
- Policy Committee – Paul Statskey, Shelly Cahoon, Tina Reed
 - First Reading: The following policies are being submitted for a first reading.

1000	By Laws	
1334	Duties of the External (Independent) Auditor	Revised

1334.1	Appointment and Duties of the Claims Auditor	Revised
5000	Non-Instructional/Business Operations	
5120	School District Budget Hearing	Revised
5260	Vending Machines	Revised
5311	Safeguarding and Use of District Credit Cards	Revised
6000	Personnel	
6190	Workplace Violence Prevention Policy Statement	New

➤ The following policies are being submitted as reviewed.

5000	Non-Instructional/Business Operations	
5313	Reimbursement for Meals/Refreshments	Reviewed
5413	Procurement: Uniform Grant Guidance for Federal Awards	Reviewed
5510	Accounting of Funds	Reviewed
5511	Maintenance of Fund Balance	Reviewed
5512	Reserve Funds	Reviewed
5620	Fixed Asset Inventories, Accounting and Tracking	Reviewed
5630	Facilities: Inspection, Operation and Maintenance	Reviewed
5631	Hazardous Waste and Handling of Toxic Substances By Employees	Reviewed

EXECUTIVE SESSION:

A motion was requested to enter executive session to discuss the employment history of a specific employees and a legal matter.

The motion was made by Tina Reed and seconded by Linda Eynor with motion approved 5-0.

Time entered: 7:21p.m.

Return to Regular Session: 7:41p.m.

4. Public Access to the Board:

- No one addressed the Board of Education

5. Consent Agenda:

A motion for approval of the following items as listed under the CONSENT AGENDA is made by John Boogaard and seconded by Paul Statskey with the motion approved 5-0.

a. Board of Education Meeting Minutes

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the meeting minutes of March 28, 2024.

b. Recommendations from CSE and CPSE

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the recommendations for the Committee on Special Education dated January 9, 17, 29, 31, February 6, and 7, 2024; and instructs the Superintendent to implement the recommendations on behalf of the following individuals identified by student number:

12561	14325	12711	12354	13292	14668	13083			
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c. Substitute Teachers and Substitute Service Personnel

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the individuals named on the substitute lists, which are on file with the District Clerk.

d. 2024-2025 Board of Education Meeting Calendar

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law adopts the 2024-2025 Board of Education Meeting Calendar.

e. Participation in Cooperative Bid- WFL BOCES – Various Commodities and/or Services

WHEREAS, The Board of Education, North Rose – Wolcott Central School District of New York State desires to participate in a Cooperative Bidding Program conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties from year to year or, until this Resolution is rescinded, for the purchase of Various Commodities and/or Services. And...

WHEREAS, The Board of Education, North Rose – Wolcott Central School District of New York State is desirous of participating with The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties in the joint bid of the commodities and/or services mentioned below as authorized by General Municipal Law, Section 119-o... And...

WHEREAS, The Board of Education, North Rose – Wolcott Central School District of New York State has appointed The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties as representative to assume the responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Board of Education, North Rose – Wolcott Central School District of New York State and making recommendations thereon...

THEREFORE...

BE IT RESOLVED, That The Board of Education, North Rose – Wolcott Central School District of New York State and The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties hereby accepts the appointment of The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters related above... And...

BE IT FURTHER RESOLVED, That The Board of Education North Rose – Wolcott Central School District of New York State authorizes the above-mentioned Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters regarding the entering into contract for the purchase of the below-mentioned commodities and/or services... And...

BE IT FURTHER RESOLVED, That The Board of Education North Rose – Wolcott Central School District of New York State agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding... And...

NOW, THEREFORE, BE IT RESOLVED, That The Purchasing Agent on behalf of the Board of Education, North Rose – Wolcott Central School District of New York State hereby is authorized to participate in cooperative bidding conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties for various commodities and/or services and if requested to furnish The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties an estimated minimum number of units that will be purchased by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties. The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties is hereby authorized to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bid specifications

and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts.

f. Personnel Items:

1. Appoint Food Service Helper – Augustus Vanderlinde

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the 52-week probationary appointment of Augustus Vanderlinde as a Food Service Helper conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 as follows:

Probationary Period: April 9, 2024-April 8, 2025
Salary: \$15.25/hr.

2. Correction Appoint School Counselor – Tracy Migliore

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the four-year probationary appointment of Tracy Migliore as a School Counselor conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 as follows:

Certification: School Counselor, Permanent
Tenure Area: School Counselor
Probationary Period: ~~April 29, 2024-April 28, 2028~~ April 15, 2024-April 14, 2028
Salary: \$61,763 Step: Q

The expiration date is tentative and conditional only. In order to be eligible for and considered for tenure, the teacher must meet all requirements of the educational law and corresponding regulations.

3. Appoint Teacher – Kristin Gardner

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the three year probationary appointment of Kristin Gardner as a Social Studies Teacher conditional upon a criminal history record check according to Commissioners Regulation §80 1.11 and Part 87 as follows:

Certification: Social Studies 7-12, Permanent
Tenure Area: Social Studies
Probationary Period: May 13, 2024-May 12, 2027
Salary: Step W \$71,899

The expiration date is tentative and conditional only. In order to be eligible for and considered for tenure, the teacher must meet all requirements of the educational law and corresponding regulations.

4. Co-Curricular Appointments

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, appoints the following individual to fill co-curricular positions for the 2023-24 school year.

Name	Bldg.	Title	Step	Year	Salary
Joe Slaski		Athletic Event Staff			Per NRWTA Contract

5. Program Appointments

The following individuals are being recommended to work in enrichment programs that are funded by grants.

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the following individuals to work various enrichment programs during the 2023-2024 school year conditional upon a criminal history record check according to Commissioners Regulation §80-1.11 and Part 87.

Staff	Position	\$/Hr.
Ashley Kennedy	Grant Program Teacher	\$35.00/hr.

6. Appoint Volunteers

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law approves the following individuals to work as a volunteer in the district for the 2023-2024 school year.

Jessica McCarthy

Chalsea Humbert

Frank Drock

Brandi Kesel

7. 913 Examination

RESOLVED that the Board of Education of the North Rose-Wolcott Central School District, upon the recommendation of the Superintendent of Schools, and pursuant to its powers under New York education Law § 913, hereby directs a civil service employee to undergo medical and/or psychiatric examination(s) and/or other tests deemed medically appropriate, by an examiner(s) selected by the District; and

BE IT FURTHER RESOLVED that the Board of Education directs the Superintendent of Schools to make such arrangements as are necessary to effectuate this resolution, pursuant to Education Law Section 913; and

BE IT FURTHER RESOLVED that the findings of such examination(s) shall be reported back to the Board of Education for the evaluation of the employee's fitness to continue employment.

8. Reject Bid Award for NRWCS High Library SED Control # 65-15-01-06-0-10-025.

It is the recommendation of our Architects, SEI Design Group and Construction Managers, DGA Builders LLC, to reject the sole bid received for the High School Library (Phase II) Outlay project following competitive sealed bids received on March 28, 2024 as follows;

Contractor

Iverson Construction

Base Bid Contract Sum \$188,500

RESOLUTION

Be it Resolved, the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, to reject the bid as follows:

<u>Contractor</u>	<u>Items</u>	<u>Amount</u>
Iverson Construction Corp.	High School Library Outlay Project	\$188,500

6. Item requiring a roll call vote:

A motion for approval of Adoption of the 2024-2025 Budget Spending Plan is made by John Boogaard and seconded by Linda Eygnor with the following votes being cast:

a) Adoption of the 2024-2025 Budget Spending Plan

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the proposed 2024-2025 budget spending plan in the amount of \$35,489,766.

The motion having been duly moved, the resolution was acted upon by the Board of Education and there were - 5 - votes in favor of the resolution and - 0 - votes against the resolution as follows:

Lucinda Collier	Voting	<u> X </u> yes	___ no
Tina Reed	Voting	<u> X </u> yes	___ no
John Boogaard	Voting	<u> X </u> yes	___ no
Shelly Cahoon	Voting	absent	
Linda Eygnor	Voting	<u> X </u> yes	___ no
Jasen Sloan	Voting	absent	
Paul Statskey	Voting	<u> X </u> yes	___ no

A motion for approval of the Real Property Tax Report Card is made by Tina Reed and seconded by Paul Statskey with the following votes being cast:

b) Approval of Real Property Tax Report Card

RESOLUTION

Be it resolved that the Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the North Rose-Wolcott Central School District’s Real Property Tax Report Card for the 2024-2025 tax year.

The motion having been duly moved, the resolution was acted upon by the Board of Education and there were - 5 - votes in favor of the resolution and - 0 - votes against the resolution as follows:

Lucinda Collier	Voting	<u> X </u> yes	___ no
Tina Reed	Voting	<u> X </u> yes	___ no
John Boogaard	Voting	<u> X </u> yes	___ no
Shelly Cahoon	Voting	absent	
Linda Eygnor	Voting	<u> X </u> yes	___ no
Jasen Sloan	Voting	absent	
Paul Statskey	Voting	<u> X </u> yes	___ no

A motion for approval of the Settlement Agreement is made by John Boogaard and seconded by Paul Statskey with the following votes being cast:

c) Approve and Authorize Settlement Agreement

RESOLUTION TO APPROVE AND AUTHORIZE THE SETTLEMENT OF A CLAIM ASSERTED AGAINST THE NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT (“DISTRICT”) BY THE UTICA MUTUAL INSURANCE COMPANY, GRAPHIC ARTS MUTUAL INSURANCE COMPANY, AND UTICA NATIONAL INSURANCE GROUP, THEIR AFFILIATES AND PREDECESSORS AND SUCCESSORS IN INTEREST (“UTICA MUTUAL”) IN AN ACTION CAPTIONED *UTICA MUTUAL INSURANCE COMPANY, et al. v. NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT*, BEARING INDEX NO. CV090336 (“DECLARATORY JUDGMENT ACTION”), IN WHICH UTICA MUTUAL SEEKS A JUDGMENT AGAINST THE DISTRICT

DECREERING THAT IT HAS NO OBLIGATION TO PROVIDE THE DISTRICT WITH A DEFENSE OR INDEMNIFICATION RELATIVE TO CLAIMS ASSERTED AGAINST THE DISTRICT IN AN ACTION CAPTIONED AS, LINDA MAE LOHSE v. NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT, et al, IN THE NEW YORK STATE SUPREME COURT, WAYNE COUNTY, BEARING INDEX NO. CV085952 (“UNDERLYING ACTION”), PURSUANT TO THE TERM OF A PROPOSED SETTLEMENT AGREEMENT ATTACHED TO THIS RESOLUTION (“PROPOSED SETTLEMENT AGREEMENT”).

WHEREAS, a claim was filed against the District in the Underlying Action alleging that the District is liable to the Plaintiff in in that action relative to certain alleged acts and omissions that occurred approximately 50 years ago, and the District requested that Utica Mutual to provide it with a defense and indemnification relative to the claims asserted in the Underlying Action; and

WHEREAS, Utica Mutual has, to date, provided the District with a defense regarding the claims asserted in the Underlying Action and paid the costs of that defense, but has asserted that a diligent search of its records and files has failed to reveal that Utica Mutual or its predecessors in interest agreed to provide the District with insurance coverage relative to such claims during the times alleged in the Underlying Action and, therefore, it does not believe that it has an obligation to provide the District with a defense or indemnification relative to the claims asserted in the Underlying Action; and

WHEREAS, the District retained experts to conduct a forensic search relative to its insurance coverage during the times referenced in the Underlying Action and has diligently searched its records and files and neither the forensic search nor the search of the District has located any record concerning the District’s insurance coverage during the times referenced in the Underlying Action and has been unable to locate any document demonstrating that Utica Mutual has an obligation to provide the District with a defense and/or indemnification concerning the claims asserted in the Underlying Action; and

WHEREAS, based on for foregoing, Utica Mutual commenced the Declaratory Judgment Action, seeking a Declaratory Judgment against the District, decreeing that Utica Mutual has and had no obligation to provide the District with a defense or indemnification relative to the claims asserted in the Underlying Action; and

WHEREAS, pursuant to the terms of the Proposed Settlement Agreement, Utica Mutual will forego any claim it may possess to recover the cost of the District’s defense in the Underlying Action to date and the District will agree that Utica Mutual has no obligation to pay future costs of the District’s defense or to provide the District with indemnification relative to the Underlying Action; and

WHEREAS, based on the foregoing and advice of its counsel and its administrators, the Board has determined that a settlement of the Declaratory Judgment Action under the terms stated in the attached Settlement Agreement are in the District’s best interests;

THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE NORTH ROSE-WOLCOTT CENTRAL SCHOOL DISTRICT that it hereby authorizes and approves the terms stated in the Proposed Settlement Agreement and it authorizes and directs its Superintendent of Schools to execute said Settlement Agreement and take such further and additional action as may be necessary to effectuate the above-referenced settlement;

BE IT FURTHER RESOLVED, that this resolution takes effect immediately upon its adoption.

The motion having been duly moved, the resolution was acted upon by the Board of Education and there were - 5 - votes in favor of the resolution and - 0 - votes against the resolution as follows:

Lucinda Collier	Voting	<u> X </u> yes	___ no
Tina Reed	Voting	<u> X </u> yes	___ no
John Boogaard	Voting	<u> X </u> yes	___ no
Shelly Cahoon	Voting	absent	
Linda Eygnor	Voting	<u> X </u> yes	___ no
Jasen Sloan	Voting	absent	
Paul Statskey	Voting	<u> X </u> yes	___ no

Board Member Requests/Comments/Discussion:

- Meet the candidate night

Good News:

- Various newspapers articles

Informational Items:

- Four County
- BOCES Candidate Information

Adjournment:

A motion was requested to adjourn the regular meeting.

Motion for approval was made by Linda Eygnor and seconded by Paul Statskey with motion approved 5-0.

Time adjourned 7:54p.m.

Tina St. John, Clerk of the Board of Education

UNOFFICIAL

SUBJECT: DUTIES OF THE EXTERNAL (INDEPENDENT) AUDITOR

The Board by law shall obtain an annual audit of its records by an independent certified public accountant or an independent public accountant. The audit shall also include all extraclassroom activity funds. The independent accountant shall present the report of the annual audit to the Board and provide a copy of the audit to each Board member. The Board shall adopt a resolution accepting the audit report and file a copy of the resolution with the Commissioner. The District will also file the audit report with the Commissioner for a specific school year by October 15th of the following school year. ~~In addition to the annual audit, the District shall be subject to State audits conducted by the State Comptroller.~~

In addition, the independence and objectivity of the auditor may be enhanced when the Board of Education and audit committee perform an oversight role with respect to the hiring and performance of the auditor, as required by law.

Request for Proposal Process

In accordance with law, no audit engagement shall be for a term longer than five 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.

Duties and Responsibilities

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

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

- a) Independence: The auditor must document that he or she is independent of the District and free of personal and external impairments. The auditor must establish an internal quality control system to identify any personal and external impairment and assure compliance with GAGAS independence requirements.
- b) Internal Quality Control System: The auditor must document that his or her internal quality control processes adequately demonstrate compliance with government auditing standards. He or she must establish an organizational structure, policies and procedures to provide reasonable assurance of complying with applicable standards governing audits.

(Continued)

SUBJECT: DUTIES OF THE EXTERNAL (INDEPENDENT) AUDITOR (Cont'd.)

- c) Internal Controls: The auditor must obtain a sufficient understanding of the District's internal controls and document such understanding covering the five interrelated components: the control environment, risk assessment, control activities, information and communication, and monitoring.
- d) Planning and Supervision: The auditor's work is to be properly planned and supervised and consider materiality in order to provide reasonable assurance of detecting misstatements resulting from direct and material illegal acts and material irregularities to financial statements. The auditor should also be aware of the possibility that indirect illegal acts may have occurred.
- e) Audit documentation: In order to meet the GAGAS requirements, the audit documentation should provide a clear understanding of its purpose, the source, and the conclusions the auditor reached. It should be organized to provide a clear link to the findings, conclusions, and recommendations contained in the audit report.
- f) Reporting on Internal Controls and Compliance: The auditor must report on and present the results of his or her testing of the District's compliance with laws and regulations and its internal controls over financial reports in light of irregularities, illegal acts, other material noncompliance, significant deficiencies, and material weaknesses in internal controls.

Generally Accepted Government Auditing Standards (GAGAS) Sections 3.50-3.54, 4.03, 4.19-4.24, and 5.07-5.20

Education Law Sections 1709(20-a), and 2116-a

General Municipal Law Sections 33 and 104-b

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

Adopted: 1992

Revised: 1/9/07; 10/28/08; 7/12/11

SUBJECT: APPOINTMENT, QUALIFICATIONS AND DUTIES OF THE CLAIMS AUDITOR

The Board will appoint a Claims Auditor to examine all claims. This auditor will determine whether the amounts claimed are actual and necessary expenditures, if the goods or services were actually received, whether the District official or employee was authorized to incur the obligation, and if the claims are supported with adequate evidence. Support may include itemized documentation, a thorough description of the goods or services, and detailed receipts and invoices. The Claims Auditor will ensure that each claim is legitimate, mathematically correct, does not exceed any available appropriation within the applicable budget code, and is made in accordance with District policy, purchasing order, or contract before authorizing payment. This auditor will certify that ~~he or she~~ they audited each claim listed on the claims warrant to authorize the Treasurer to pay. The Treasurer should compare the signed checks to the certified warrant to verify accuracy and consistency before issuing payment.

The Claims Auditor will report directly to the Board on a monthly basis. The Board may, in its discretion, require that the Claims Auditor report to the Clerk of the District or the Board, or to the Superintendent for administrative matters such as workspace, time, and attendance.

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

Qualifications

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

The Claims Auditor should not be:

- a) A member of the Board;
- b) The Clerk or Treasurer of the Board;
- c) The Superintendent or District official responsible for business management;
- d) The Purchasing Agent;
- e) Clerical or professional personnel directly involved in District accounting and purchasing functions or under the direct supervision of the Superintendent;
- f) The individual or entity responsible for the internal audit function (the Internal Auditor);

(Continued)

SUBJECT: APPOINTMENT AND DUTIES OF THE CLAIMS AUDITOR (Cont'd.)

- g) The External (Independent) Auditor responsible for the external audit of the financial statements;
- h) A close or immediate family member of an employee, officer, or contractor providing services to the District. A "close family member" is defined as a parent, sibling or nondependent child; an "immediate family member" is a spouse, spouse equivalent, or dependent (whether or not related).

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

Delegation of the Claims Audit Function

The Board may delegate this claims audit function by using inter-municipal cooperative agreements, shared services through a Board of Cooperative Educational Services, or independent contractors, provided that the individual, organization, or entity:

- a) Has no other responsibilities related to the business operations of the District;
- b) Has no interest in any other contracts with, and does not provide any goods or services to, the District; and
- c) Is not a close or immediate family member of anyone who has responsibilities related to District business operations, or has an interest in any other contracts with the District.

The Board ultimately remains responsible for auditing all claims.

Education Law §§ 1604(35), 1709(20-a), 2526 and 2554(2)
8 NYCRR § 170.12(c)

Adopted: 6/24/97
Revised: 11/12/03; 1/9/07; 10/28/08; 6/13/17; 11/12/19

SUBJECT: SCHOOL DISTRICT BUDGET HEARING

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

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

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

Dissemination of Budget Information

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

Budget Notice

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

The District will also include in the notice:

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

(Continued)

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

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

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

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

Notice of Budget Hearing/Availability of Budget Statement:

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

Election and Budget Vote:

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

Budget Development and Attachments:

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

8 NYCRR §§ 100.2(bb), 170.8 and 170.9

Adopted: 2/24/98

Revised: 11/12/03; 10/16/12; 6/13/17

SUBJECT: VENDING MACHINES

The Board of Education may permit the placement of vending machines in the schools if, in the opinion of the Superintendent or ~~his/her~~ their designee, such vending machines are deemed proper and appropriate, and are operated in accordance with applicable law and regulations. The number and type of vending machines must also receive prior approval of the Superintendent or ~~his/her~~ their designee. However, the Board of Education retains sole and final authority as to the selection of the vendor and the placement of vending machines or similar apparatus on School District property. The School Business Official is charged with establishing and maintaining appropriate accounting procedures for District owned/leased vending machines, or machines under the control of extracurricular student organizations, in accordance with applicable law or regulation.

Whether the District owns or leases vending machines, the District must purchase the items to be dispensed through the machines in accordance with competitive bidding requirements if mandated by law.

The Board of Education also prohibits any arrangement between District employees or student organizations and vending machine vendors to do anything other than provide the services of the vendor's machines as authorized pursuant to contract or service agreement.

In accordance with Education Law, vending machines accessible to students which sell certain sweetened foods, including but not limited to, sweetened soda water; chewing gum; candy including hard candy, jellies, gums, marshmallow candies, licorice, and candy coated popcorn; and water ices except those which contain fruit juices, must be inoperative from the beginning of the school day until the end of the last scheduled meal period each school day. Vending machines selling fruit juices in accordance with federal and state regulations may operate during school lunch hours.

Districts that participate in the National School Lunch and Breakfast Programs must ensure that any moneys received from the sale of competitive foods from vending machines in the cafeteria area are applied only to the benefit of the school lunch program, the school, or to duly authorized student organizations.

Vending Machines: Extracurricular Student Organizations

Any extracurricular student organization wishing to place a vending machine on District property shall receive prior approval of the Superintendent or ~~his/her~~ their designee, with final authorization by the Board of Education as to the vendor and the location for the machine.

All vending machines under the control of extracurricular student organizations shall be registered in the name of the applicable Board appointed Extracurricular Activity Advisor and the School District. All moneys collected by such vending machines shall be deposited with the Board designated Treasurer of the extraclassroom activities fund. Further, all receipts and inventory reports of each vending machine must be kept by the Extracurricular Activity Advisor and the student(s) appointed by the extracurricular organization, and recorded on appropriate forms.

(Continued)

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Non-Instructional/Business
Operations

SUBJECT: VENDING MACHINES (Cont'd.)

Additionally, reports for each machine shall be made at least quarterly to the Board of Education; however, inventory and receipt reports (including sales/cost records) shall also be maintained and submitted to the School Business Official on a regular basis. If the accounting and inventory reports for any vending machine are inadequate as determined by the School Business Official, then approval for that machine may be withdrawn by the Board. Any rebate money for sales on a vending machine shall be made payable to the School District and the extracurricular student organization. Such rebates are to be reflected on the reports regularly submitted to the School Business Official and on the quarterly reports to the Board of Education.

Education Law Sections 915 and 1725
General Municipal Law Section 103
8 New York Code of Rules and Regulations (NYCRR) Part 172
*The Safeguarding, Accounting and Auditing of
Extraclassroom Activities Fund,*
State Education Department, 1992

Adopted: 8/8/00

2007

5311

Non-Instructional/Business
Operations

SUBJECT: SAFEGUARDING AND USE OF DISTRICT CREDIT CARDS

The North Rose-Wolcott Central School District will issue a credit card in its name to the Purchasing Agent for the use of its officers and designated employees for authorized expenses. District employees, directors, administrators and Board members may receive authorization from the Superintendent of Schools or Business Administrator. However, authorized personnel must submit purchase orders for those related expenses, prior to the use of the credit card.

This credit card will only be for those purchases of goods and services that require a credit card and do not accept other payment methods. Any other reason for credit card use must be approved by the Business Administrator prior to use.

Expenses incurred on each credit card shall be paid in such a manner as to avoid interest charges. The credit card shall be locked in a secure place in the Business Office.

Any individual who makes an unauthorized purchase with a School District credit card shall be required to reimburse the School District for the purchase.

Adopted: 1/12/07

Book	North Rose-Wolcott Policy Manual
Section	5000 Non-Instructional/Business Operations
Title	Reimbursement for Meals/Refreshments
Code	5313
Status	Active
Adopted	January 9, 2007

SUBJECT: REIMBURSEMENT FOR MEALS/REFRESHMENTS

Travel Outside of District/Emergency Meetings

School District officials and employees are entitled to reimbursement for necessary expenses incurred in the performance of their official duties. However, it is the position of the New York State Comptroller's Office that meals of public officers and employees generally should not be reimbursed or paid by the municipal entity unless the officer or employee is traveling outside his or her regular work area on official business for an extended period of time, or where events prevent them from taking off during mealtime for food consumption because of a pressing need to complete business. All requests for reimbursement must document who attended the meetings and how the meetings fit these conditions.

Staff/Board Meetings and District Events

However, the Board of Education recognizes that at certain times it may be appropriate to provide meals and/or refreshments at District meetings and/or events which are being held for an educational purpose. Prior approval of the Superintendent/designee must be obtained for food and beverages provided at meetings or activities which will be charged to the District.

Any such expenditures must be appropriately documented with an itemized receipt and information showing the date and purpose of the meeting, food served, who attended the meetings and why the attendees needed food and/or refreshments to conduct School District business. These requirements must be met for meals/refreshments provided by the school lunch fund or local vendors, charged to District credit cards and/or reimbursed to a School District official.

In no case will the costs for meals exceed the current federal per diem meal rates for the geographic area.

NOTE: Refer also to Policy #6161 -- Conference/Travel Expense Reimbursement

Adopted: 1/9/07

Book	North Rose-Wolcott Policy Manual
Section	5000 Non-Instructional/Business Operations
Title	Procurement: Uniform Grant Guidance for Federal Awards
Code	5413
Status	Active
Adopted	March 24, 2020

SUBJECT: PROCUREMENT: UNIFORM GRANT GUIDANCE FOR FEDERAL AWARDS

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

Uniform Grant Guidance Requirements

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

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

- purchase.
- j. Award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to matters such as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.
 - k. Maintain records that sufficiently detail the history of the procurement including, but not limited to:
 - 1. Rationale for the method of procurement;
 - 2. Selection of contract type;
 - 3. Contractor selection or rejection; and
 - 4. The basis for the contract price.
 - l. Use time and material contracts, only after a determination that no other contract is suitable and the contract includes a ceiling price that the contractor exceeds at its own risk.
 - m. Conduct all procurement transactions in a manner providing full and open competition consistent with the standards of the Uniform Grant Guidance.
 - n. Conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference.
 - o. Have written procedures for procurement to ensure that all solicitations:
 - 1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured; and
 - 2. Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids.
 - p. Ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition.
 - q. Use one of the following methods of procurement, which include:
 - 1. Micro-purchases;
 - 2. Small purchase procedures;
 - 3. Sealed bids;
 - 4. Competitive proposals; and
 - 5. Noncompetitive proposals.
 - r. Have a written method for conducting technical evaluations of the proposals received and for selecting recipients.
 - s. Take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
 - t. Include in all contracts made by the District the applicable provisions contained in Appendix II of the Uniform Grant Guidance -- Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.
 - u. Perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications.
 - v. Negotiate profit as a separate element of the price for each contract in which there is not price competition and in all cases where an analysis is performed.
 - w. Comply with the non-procurement debarment and suspension standards which prohibit awarding contracts to parties listed on the government-wide exclusions in the System for Award Management (SAM).

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

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

Adopted: 3/24/20

Book	North Rose-Wolcott Policy Manual
Section	5000 Non-Instructional/Business Operations
Title	Accounting of Funds
Code	5510
Status	Active
Last Revised	April 9, 2013

SUBJECT: ACCOUNTING OF FUNDS

The Board of Education authorizes the Superintendent to plan for the proper handling of all District funds and fixed assets.

Accounting and reporting procedures shall be developed to facilitate analysis and evaluation of the District's financial status and fixed assets. The District will use the Uniform System of Accounts for School Districts.

Provision shall be made for the adequate storage, security, and disposition of all financial and inventory records.

Electronic or Wire Transfers

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

The District will enter into written wire transfer security agreements for District bank accounts which will include established procedures for authenticating wire transfer orders.

All wire transfers must be authorized by the District Treasurer. Dual approval controls will be established for non-routine wire transfer orders.

The Internal Auditor will periodically confirm that wire transfers have appropriate signatures, verification and authorization of proper personnel.

Education Law Section 2116-a
General Municipal Law Article 2 Section 5-a

Adopted: 1992
Revised: 4/9/13

Book	North Rose-Wolcott Policy Manual
Section	5000 Non-Instructional/Business Operations
Title	Maintenance of Fund Balance
Code	5511
Status	Active
Adopted	February 27, 2018

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

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

Classification of Funds

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

Unassigned Fund BalanceMinimum Unassigned Fund Balance

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

Maximum Unassigned Fund Balance

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

Fund Balance and Budget Development

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

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

Compliance

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

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

Adopted: 2/27/18

Book	North Rose-Wolcott Policy Manual
Section	5000 Non-Instructional/Business Operations
Title	Reserve Funds
Code	5512
Status	Active
Adopted	March 27, 2018

SUBJECT: RESERVE FUNDS

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

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

Periodic Review and Annual Report

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

- a. Purpose;
- b. Use of unexpended balances;
- c. Three-year history (if applicable) of year-end balance;
- d. Ideal balance;
- e. Any additional relevant discussion points.

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

Education Law Section 3653

Adopted: 3/27/18

Book	North Rose-Wolcott Policy Manual
Section	5000 Non-Instructional/Business Operations
Title	Fixed Asset Inventories, Accounting and Tracking
Code	5620
Status	Active
Last Revised	February 9, 2016

SUBJECT: FIXED ASSET INVENTORIES, ACCOUNTING AND TRACKING

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

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

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

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

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

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

- a. Date of acquisition;
- b. Description;
- c. Serial or other identification number;
- d. Any funding source and percentage contributed by the source;
- e. Vendor;
- f. Cost or value;
- g. Location and use;
- h. Asset type;
- i. Condition and estimated useful life;

- j. Replacement cost;
- k. Current value;
- l. Salvage value;
- m. Sale price and date and method of disposition; and
- n. Responsible official.

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

Management of Assets Acquired Under a Federal Government Grant or Subgrant

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

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

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

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

Equipment Purchased with Extraclassroom Funds

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

34 CFR Parts 74-99, 200

SED Finance Pamphlet, The Safeguarding, Accounting, and Auditing of Extraclassroom Activity Funds, 2015
Uniform System of Accounts for School Districts (Fiscal Section)

Adopted: 1992
Revised: 2/9/16

Book	North Rose-Wolcott Policy Manual
Section	5000 Non-Instructional/Business Operations
Title	Facilities: Inspection, Operation and Maintenance
Code	5630
Status	Active
Last Revised	June 13, 2017

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

The Board, through the Superintendent and his or her staff, has the responsibility of protecting the District facilities through a systematic maintenance program. The program shall include periodic preventive maintenance activities, long-range maintenance schedules, and emergency repair procedures. The District will make reasonable attempts to ensure that all maintenance work will be carried out in the least intrusive manner.

Construction and Remodeling of School Facilities

The District will ensure all capital projects and maintenance comply with the requirements of the New York State Uniform Fire Prevention and Building Code, the Manual of Planning Standards, and the Commissioner's regulations. Relevant documentation regarding all new buildings must be formally submitted to the State Education Department (SED) no matter the size or cost. The SED Office of Facilities Planning has provided an Instruction Guide on its official website.

Plans and specifications for the erection, enlargement, repair or remodeling of facilities of the District will be submitted to the Commissioner consistent with applicable law.

Plans and specifications submitted to the Commissioner will bear the signature and seal of an architect or engineer licensed to practice in the State of New York. The architect or engineer who sealed the plans and specifications must also certify that the plans and specifications conform to the standards set forth in the State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code.

For remodeling or construction projects, the District will ensure compliance with the requirements of the State Uniform Fire Prevention and Building Code and Commissioner's regulations. The District will also retain the services of an architect or engineer licensed to practice in New York State as required by law or regulation, or as necessary given the scope and cost of the project.

Carbon Monoxide Detection Requirements

All new and existing District buildings that have appliances, devices, or systems that may emit carbon monoxide, and all attached garages, must have a means to detect carbon monoxide. Buildings include school buildings, administrative buildings, bus maintenance facilities, concession stands, and field houses. Carbon monoxide may be produced by fuel-fired heating systems (boilers, HVAC units, and makeup air units), emergency or standby electric generation within a building, fuel-fired kitchen equipment (ranges, ovens, steamers, dishwashers, and makeup air units serving hoods), fuel-fired domestic hot water heaters, laboratory/shop equipment (gas outlets, torches, gas-fired kilns, and stationary or portable engines), maintenance and storage areas with fuel-fired equipment, and in garages.

The District may use a self-contained carbon monoxide alarm, a carbon monoxide detection system, or both. The District will comply with all laws and regulations regarding alarms or detectors, including where they must be located, their power sources, and labeling requirements. The District should develop written standard operating procedures to follow when a carbon monoxide detector is activated.

Inspections

The District is mindful of the health and safety of its students, staff, and visitors and, as such, the District administration will cooperate with appropriate officials conducting health, fire, asbestos, bus, and boiler inspections. In addition, the administration will keep the Board informed of the results of these inspections in a timely fashion.

In accordance with the Asbestos Hazard Emergency Response Act (AHERA), the District will inform all employees and building occupants (or their legal guardians) at least once each school year about all asbestos inspections, response actions, post-response action activities, as well as triennial re-inspection activities and surveillance activities that are either planned or in progress. The District will provide yearly notification to parent, teacher, and employee organizations on the availability of the District's asbestos management plan and any asbestos-related actions taken or planned in the school.

The District will test potable water for lead contamination from all outlets as required by law. If an outlet exceeds the action level for lead content, the District will prohibit use of the outlet for drinking and cooking purposes, and it will remediate the outlet before allowing these uses. The District will make all required notifications and issue all mandated reports to the public, local health department, or the SED. For ten years following creation, the District will retain all records of test results, lead remediation plans, lead-free building determinations, and waiver requests. The District may seek a waiver from testing requirements from the local health department by demonstrating prior substantial compliance with testing requirements.

Comprehensive Public School Building Safety Program (RESCUE)

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

The program will be reevaluated and made current at least annually, and will include, at a minimum, the following:

- a. A five-year capital facilities plan which will include an appraisal of the following: the educational philosophy of the District, with resulting administrative organization and program requirements; present and projected student enrollments; space use and State-rated student capacity of existing facilities; the allocation of instructional space to meet the current and future education program and service needs, and to serve students with disabilities in settings with nondisabled peers; priority of need of maintenance, repair or modernization of existing facilities, including consideration of the obsolescence and retirement of certain facilities; and the provision of additional facilities.
- b. A District-wide building inventory, which will include information pertaining to each building including, but not limited to:
 1. Type of building, age of building, size of building;
 2. Rated capacity, current enrollment;
 3. List of energy sources and major systems (lighting, plumbing, electrical, heating); and
 4. Summary of triennial Asbestos Inspection reports.
- c. A building condition survey will be conducted for all occupied school buildings once every five years by a team that includes at least one licensed architect or engineer.
- d. A District-wide monitoring system which includes:
 1. Establishing a Health and Safety Committee;
 2. Development of detailed plans and a review process of all inspections;
 3. Procedures for a response in writing to all inquiries about building health and safety concerns, a copy of which will be sent to the District's Health and Safety Committee for oversight, and a copy kept on permanent file.
- e. Procedures to ensure the safety of the building occupants while a construction/renovation project is taking place. These procedures will include:

1. Notification to parents, staff and the community at least two months in advance of a construction project of \$10,000 or more to be conducted in a school building while the building is occupied; provided, however, that in the case of emergency construction projects, this notice will be provided as far in advance of the start of construction as is practicable;
2. A plan to ensure that all contractors comply with all health and safety issues and regulations, and wear photo identification badges;
3. An opportunity for the District's Health and Safety Committee to conduct a walk-through inspection of newly renovated or constructed areas to confirm that the area is ready to be reopened for use; and
4. An emergency plan which will address potential concerns with the capital project including, but not limited to, evacuation procedures, fire drills, and structural failures.

Asbestos Inspection: 40 CFR Part 763, Subpart E

15 USC Sections 2641-2656

Carbon Monoxide Detection: 19 NYCRR Section 1228.4

Fire Inspection: Education Law 807-a

8 NYCRR Section 155.4

Health and Safety Committee: 8 NYCRR Section 155.4(d)(1)

Lead Testing: 10 NYCRR Section 67-4.1, et seq.

Legionella Protection: 10 NYCRR Section 4.1, et seq.

Plans and Specifications: Education Law Sections 408, 408-a and 409

8 NYCRR Sections 155.1 and 155.2

19 NYCRR Sections 1221-1240

Structural Safety Inspections: Education Law Sections 409-d, 409-e, 3602 and 3641(4)

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

Revised: 6/24/97; 12/19/00; 1/9/07; 10/28/08; 3/20/12; 6/13/17

POLICY

2017

5631

Non-Instructional/Business
Operations

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

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

Hazard Communication Standard

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

Environmental Protection Agency
(40 CFR 261 & 262)
New York State Codes, Rules & Regulations (6 NYCRR Part 371)

Adopted: 1992
Revised: 6/13/17

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT**Overview**

The District is committed to the safety and security of its employees. Workplace violence presents a serious threat to the safety of employees, students, parents, and visitors. The goal of this policy is to promote the safety and well-being of all people in the workplace.

Acts of violence against District employees where any work-related duty is performed will be thoroughly investigated and appropriate action will be taken. All employees are responsible for: creating an environment of mutual respect for each other, as well as students, parents, and visitors; following all applicable documents; and for assisting in maintaining a safe and secure work environment.

This workplace violence prevention policy was developed in consultation with all authorized employee representatives and is designed to meet the requirements of New York State Labor Law and highlights some of the elements that are found within the District's Workplace Violence Prevention Program (WVPP).

Definitions

For purposes of this policy, the following definitions apply:

- a) "Authorized employee representative" means an employee authorized by the employees or the designated representative of an employee organization recognized or certified to represent the employees pursuant to Article 14 of the Civil Service Law, the Public Employees' Fair Employment Act.
- b) "Imminent danger" means any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of the danger can be eliminated through the enforcement procedures.
- c) "Retaliatory action" means the discharge, suspension, demotion, penalization, or discrimination against any employee, or other adverse employment action taken against an employee in the terms and conditions of employment.
- d) "Serious physical harm" means physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of any bodily organ or a sexual offense as defined in Penal Law.
- e) "Serious violation" means the failure to:
 1. Develop and implement a workplace violence prevention program;

(Continued)

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT (Cont'd.)

2. Address situations which could result in serious physical harm.
 - f) "Supervisor" means any person within the District who has the authority to direct and control the work performance of an employee or who has the authority to take corrective action regarding the violation of a law, rule, or regulation to which an employee submits written notice.
 - g) "Workplace" means any location away from an employee's domicile, permanent or temporary, where an employee performs any work-related duty in the course of their employment by the District.

What is Workplace Violence

Workplace violence is any physical assault or act of aggressive behavior occurring where an employee performs any work-related duty in the course of their employment including, but not limited to:

- a) An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- b) Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- c) Intentional and wrongful physical contact with an employee without their consent that entails some injury;
- d) Stalking an employee with the intent of causing fear of material harm to the physical safety and health of the employee when the stalking has arisen through and in the course of employment.

Workplace violence may be committed against a District employee by anyone, including, but not limited to:

- a) Other employees;
- b) Former employees;
- c) Students;
- d) Parents;
- e) Visitors;

(Continued)

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT (Cont'd.)

- f) Individuals who have no connection to the workplace, but enter to commit a robbery or other crime; or
- g) An individual who has a personal relationship with an employee.

Prohibited Conduct

The District prohibits workplace violence and will not tolerate violence, threats of violence, or intimidating conduct in the workplace.

Workplace Violence Prevention Advisory Committee

The District will establish a Workplace Violence Prevention Advisory Committee that will meet periodically throughout the year. The purpose of the Workplace Violence Prevention Advisory Committee is to assist the District in coordinating its efforts to comply with its responsibilities related to workplace violence prevention, including overseeing the development and maintenance of the District's WVPP.

The Workplace Violence Prevention Advisory Committee will include:

- a) The Workplace Violence Prevention Coordinator;
- b) All authorized employee representatives;
- c) The Chief Emergency Officer.

It may also include one or more representatives from the following groups:

- a) District-wide school safety team;
- b) The building level emergency response team(s);
- c) District/building administrators;
- d) Teachers, including at least one special education teacher; and
- e) Other District staff.

(Continued)

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT (Cont'd.)**Workplace Violence Prevention Coordinator**

The District has designated the following District employee to serve as its Workplace Violence Prevention Coordinator:

Fred Prince, Director of Human Resources, fprince@nrwcs.org. 315-594-5501

The Workplace Violence Prevention Coordinator convenes and coordinates the activities and plans of the Workplace Violence Prevention Advisory Committee. The Workplace Violence Prevention Coordinator is also responsible for answering employee questions about this policy and related materials, as well as receiving workplace violence incident reports.

Authorized Employee Representatives

The District must provide for employee participation in the WVPP through an authorized employee representative. Authorized employee representatives will participate on the Workplace Violence Prevention Advisory Committee. Authorized employee representatives have a right to, at a minimum, be involved in:

- a) Participating in the development and implementation of this policy.
- b) Evaluating the physical workplace environment to determine workplace violence risk factors.
- c) Developing the WVPP.
- d) Reviewing workplace violence incident reports at least once a year to identify trends in the types of incidents reported, if any.
- e) Evaluating the effectiveness of safeguards and actions taken to reduce the risk of workplace violence.
- f) Reporting violations of the District's WVPP.

Reporting Workplace Violence

The District has established and implemented a reporting system for incidents of workplace violence.

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SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT (Cont'd.)

Any employee or authorized employee representative who becomes aware of a physical assault, threatening behavior, or verbal abuse in the workplace must immediately provide written notice of the facts and circumstances of the violent incident to a supervisor or the Workplace Violence Prevention Coordinator. If the report was provided to a supervisor, the supervisor must immediately forward to the report the Workplace Violence Prevention Coordinator.

If an employee witnesses or is involved in an incident of violence in which there is an immediate threat to the employee's safety, or the safety of others, or where a serious injury has occurred, the employee should immediately call 911 to obtain law enforcement and/or medical assistance. The employee should also immediately notify their immediate supervisor.

If an employee believes that either they or another employee are in imminent danger of workplace violence and reasonably believes, in good faith, that reporting to a supervisor or the Workplace Prevention Coordinator would not result in corrective action, then the employee may report the violation directly to the Public Employee Safety and Health Bureau (PESH).

The District will immediately respond to all incidents of violence or threatening behavior upon notification. After the District receives notice, the District will be afforded a reasonable opportunity to correct the activity, policy, or practice.

If there is a developing pattern of workplace violence incidents which may involve criminal conduct or serious injury, the District will attempt to develop a protocol with the District Attorney or law enforcement to ensure that violent crimes committed against employees in the workplace are promptly investigated and appropriately prosecuted. The District will provide information on these protocols and contact information to employees who choose to file a criminal complaint after a workplace violence incident.

In addition to complying with the reporting requirements in this policy, District employees must comply with all other applicable reporting requirements contained in any District policy, regulation, procedure, collective bargaining agreement, or other document such as the District's *Code of Conduct*.

Inspections by the Commissioner of Labor**At the Request of an Employee or Authorized Employee Representative**

If, after being given notice and a reasonable opportunity to resolve the activity, policy, or practice, the matter has not been resolved and the employee or authorized employee representative still believes that a serious violation of the WVPP remains, or that an imminent danger exists, the employee or authorized employee representative may request an inspection by notifying the Commissioner of Labor of the alleged violation or danger. The notice and request will be in writing, describing with reasonable particularity the grounds for the notice, and be signed by the employee or authorized employee

(Continued)

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT (Cont'd.)

representative. A copy of the written notice will be provided by the Commissioner of Labor to the District or the person in charge no later than the time of inspection, except that on the request of the person giving the notice, the person's name and the names of individual employees or authorized employee representative will be withheld.

A District representative and an authorized employee representative will be given the opportunity to accompany the Commissioner of Labor during an inspection for the purpose of aiding the inspection. Where there is no authorized employee representative, the Commissioner of Labor will consult with a reasonable number of employees concerning matters of safety in the workplace.

The authority of the Commissioner of Labor to inspect a premises pursuant to an employee complaint will not be limited to the alleged violation contained in the complaint. The Commissioner of Labor may inspect any other area of the premises in which they have reason to believe that a serious violation of the workplace violence prevention law exists.

Initiated by the Commissioner of Labor

The Commissioner of Labor may inspect any premises occupied by the District if they have reason to believe that a violation of the workplace violence prevention law has occurred. The current PESH administrative plan will be used for the enforcement of the workplace violence prevention law, including a general schedule of inspection, which provides a rational administrative basis for the inspection.

Workplace Risk Evaluation and Developing a Workplace Violence Prevention Program (WVPP)

The District will engage in a process of workplace risk evaluation designed to identify the risks of workplace violence to which employees could be exposed.

The District will then develop and implement a written WVPP to prevent, minimize, and respond to any workplace violence. The Workplace Violence Advisory Committee, which includes all authorized employee representatives, will oversee the development and maintenance of the WVPP. During the development process, the authorized employee representative(s) will provide input on those situations in the workplace that pose a threat of workplace violence.

The WVPP will include the following:

- a) A list of the risk factors identified in the workplace risk evaluation.
- b) The methods the District will use to prevent incidents of workplace violence. Examples include, but are not limited to:
 1. Making high-risk areas more visible to more people;

(Continued)

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT (Cont'd.)

2. Installing good external lighting;
 3. Using drop safes or other methods to minimize cash on hand;
 4. Posting signs stating that limited cash is on hand;
 5. Providing training in conflict resolution and nonviolent self-defense responses; and
 6. Establishing and implementing reporting systems for incidents of aggressive behavior.
- c) A hierarchy of controls to which the program will adhere as follows: engineering controls, work practice controls, and personal protective equipment (PPE).
 - d) The methods and means by which the District will address each specific hazard identified in the workplace risk evaluation.
 - e) A system designed and implemented by the District to report any workplace violence incidents that occur in the workplace. The reports must be in writing and maintained for the annual program review.
 - f) A written outline or lesson plan for employee program training.
 - g) A plan for program review and update on at least an annual basis. This review and update will detail any mitigating steps taken in response to any incident of workplace violence.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The District will not take retaliatory action against any employee because the employee exercises any right accorded to them under this policy.

Training

At the time of hire and annually thereafter, all employees will participate in the District's workplace violence prevention training program. Additionally, retraining is required for all employees any time there is a significant change to the WVPP, a newly identified risk factor, or a control measure addition.

Notification

This policy will be posted where notices to employees are typically posted. A copy of the District's WVPP may be obtained by contacting the District's Workplace Violence Prevention Coordinator. The District will also make the WVPP available for reference to employees, authorized employee representatives, and the Commissioner of Labor in the work area.

(Continued)

SUBJECT: WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT (Cont'd.)

Labor Law Section 27-b
12 NYCRR Section 800.6

- NOTE: Refer also to Policies
- #3410 Code of Conduct
 - #3411 Prohibition of Weapons on School Grounds
 - #3412 Threats of Violence in School
 - #3420 Non-Discrimination and Anti-Harassment in the District
 - #3421 Title IX and Sex Discrimination
 - #5681 School Safety Plans
 - #5684 Use of Surveillance Cameras in the District and on School Buses
 - #5690 Exposure Control Program
 - #6121 Sexual Harassment in the Workplace
 - #6122 Employee Grievances
 - #7350 Timeout and Physical Restraint
 - #7360 Weapons in School and the Gun-Free Schools Act