

ELWOOD PUBLIC SCHOOLS
SPECIAL MEETING/WORK SESSION
OF THE BOARD OF EDUCATION

September 12, 2013

Elwood Middle School Cafeteria - 7:30 p.m.

AGENDA 

A. PLEDGE OF ALLEGIANCE

B. CALL TO ORDER

C. RESIDENTS' REMARKS *(7:30 p.m. – 7:45 p.m.)*

Remarks are limited to items voted on and/or discussed at this business meeting. Persons wishing to speak should identify themselves and any organization they represent at the meeting. Comments should be kept as brief as possible and may not exceed three minutes (Board Policy 3452). Public discussion of matters relating to staff, students, or others at which their reputations, privacy or right to due process could be in some way violated is prohibited. *(up to 30 minutes)*

WORK SESSION

D. DISCUSSION ITEMS. *(7:45 p.m. – 8:15 p.m.)*

- a. Proposed policy changes

SPECIAL MEETING

E. ACTION ITEMS *(8:15 p.m. – 8:25 p.m.)*

- 1. Recommend the Board approve the Personnel Agenda. *(TAB A)*

F. RESIDENTS' REMARKS *(8:25 p.m. – 8:40 p.m.)*

Remarks are limited to items voted on and/or discussed at this business meeting. Persons wishing to speak should identify themselves and any organization they represent at the meeting. Comments should be kept as brief as possible and may not exceed three minutes (Board Policy 3452). Public discussion of matters relating to staff, students, or others at which their reputations, privacy or right to due process could be in some way violated is prohibited. *(up to 30 minutes)*

G. EXECUTIVE SESSION *(8:40 p.m.)*

- a. Personnel matters
- b. Negotiations

H. ADJOURNMENT *(Next regular meeting September 26, 2013)*

ELWOOD PUBLIC SCHOOLS
Elwood, New York

BOARD OF EDUCATION PERSONNEL ACTIONS

September 12, 2013

78
JF

KEY: P-1: Position Abolition P-6: Tenure Appointments
 P-2: Position Creation P-7: Other Appointments
 P-3: Resignations P-8: Other
 P-4: Leaves P-9: Changes in Table of Organization
 P-5: Terminations/Excessed

The Superintendent of Schools recommends that the Board of Education approve the following personnel action items:

P-1-- Position Abolitions: No Recommended Actions

P-2-- Position Creations: No Recommended Actions

P-3-- Resignations: No Recommended Actions

P-4-- Leaves: No Recommendations

P-5-- Terminations/Excessed Staff: No Recommended Actions

P-6-- Tenure Appointments: No Recommended Actions

P-7-- Other Appointments: No Recommended Actions

B) Civil Service:

1) **PATRICE WAHL**

| | |
|-----------------------|---|
| Position | Senior Clerk Typist |
| Civil Service Title | Senior Clerk Typist |
| Type of Appointment | Permanent (Part-time, 18 hrs/wk, 12 months) |
| Assignment | District Office, Business Office |
| Effective Date | September 13, 2013 |
| Permanent Status Date | March 14, 2014 |
| Certification | Civil Service (Competitive Class) |
| Salary | In accord with the contract between the District and the Elwood Secretarial Association |
| Reason | To fill a vacant position on the Table of Organization |

BOARD OF EDUCATION PERSONNEL ACTIONS

September 12, 2013

P-8-- Other (*all compensation items are included in the 2013-14 budget*):

- a) Recommend the Board of Education approve the following employees for their attendance at CSE meetings this summer. The rate of pay is their hourly rate based on 1/200th of their current annual salary:

Vita Beyer, Shari Coopersmith, Jaime Lauth, Sima Lis, and Tara Viola
- b) Recommend the Board of Education approve the additional 0.1 FTE for Garrett Chesnoff, an English Teacher at the Elwood-John H. Glenn High School effective September 3, 2013 through June 30, 2014 bringing his total FTE to 1.1 for the 2013/2014 school year.
- c) Recommend the Board of Education approve the additional 0.1 FTE for Sarah Ketcham, an English Teacher at the Elwood-John H. Glenn High School effective September 3, 2013 through June 30, 2014. As a result of this additional FTE, Ms. Ketcham will now be split 0.2 at the high school and 0.2 at the middle school bringing her total for the year to 0.4 FTE from 0.3 FTE.
- d) Recommend the Board of Education approve Adam Goudreau for a weekly meeting with Special Education students from the Life Skills class at the Elwood-John H. Glenn High School at the compensation rate of \$66.00 per hour for one and a half hours per week.
- e) Recommend the Board of Education approve Marianne Migut as the Varsity Cheerleading Coach for the fall 2013 season at the stipend of \$4,442 (Step 4).
- f) Recommend the Board of Education approve the change in assignment for James Mortillaro, a Custodial Worker I at the Elwood-John H. Glenn High School, from the day shift to the night shift. He will now be entitled to the night differential.
- g) Recommend the Board of Education approve the addendum to the Schedule of Substitute Teachers and Nurses for the 2013/2014 school year
- h) Recommend the Board of Education approve the attached addendum to the Schedule of Substitute Teaching Assistants, Clericals, Paraprofessionals, Food Service Workers and Custodians.

P-9-- Recommend the Board of Education approve the following changes in the Table of Organization:

- 1) Teachers: Increase of 0.2 FTE of English at the Elwood Middle School. Increase is the result of a large influx of 7th grade students during the last two weeks of August 2013.

ELWOOD PUBLIC SCHOOLS
 SCHEDULE OF SUBSTITUTE TEACHERS
 SEPTEMBER 12, 2013

| <u>NAME</u> | <u>CERTIFICATION</u> | <u>EXPIRATION</u> | <u>APPROVAL</u> |
|----------------|--------------------------------------|-------------------|-----------------|
| Jason Crockett | Music K-12 | I-9/17 | All K-12 |
| Janet Gromada | Business & Distributive Education | Permanent | All K-12 |
| | School Building Leader | I-2/16 | |
| Katrina Roman | Spanish 7-12 | I-9/17 | All 7-12 |

ELWOOD PUBLIC SCHOOLS
 SCHEDULE OF SUBSTITUTE SUPPORT STAFF
 SEPTEMBER 12, 2013

| <u>NAME</u> | <u>POSITION</u> | <u>LOCATION</u> |
|-----------------|--|-----------------|
| Kelly Clelland | Paraprofessional, Food Service Worker | District Wide |
| JoAnn Piccolo | Paraprofessional | District Wide |
| Karen Zimmerman | Clerical | District Wide |

ELWOOD PUBLIC SCHOOLS
 SCHEDULE OF SUBSTITUTE TEACHERS
 SEPTEMBER 12, 2013

| <u>NAME</u> | <u>CERTIFICATION</u> | <u>EXPIRATION</u> | <u>APPROVAL</u> |
|---------------|--------------------------------------|-------------------|-----------------|
| Janet Gromada | Business & Distributive Education | Permanent | All K-12 |
| | School Building Leader | I-2/16 | |
| Katrina Roman | Spanish 7-12 | I-9/17 | All 7-12 |

ELWOOD PUBLIC SCHOOLS
 SCHEDULE OF SUBSTITUTE SUPPORT STAFF
 SEPTEMBER 12, 2013

| <u>NAME</u> | <u>POSITION</u> | <u>LOCATION</u> |
|-----------------|--|-----------------|
| Kelly Clelland | Paraprofessional, Food Service Worker | District Wide |
| JoAnn Piccolo | Paraprofessional | District Wide |
| Karen Zimmerman | Clerical | District Wide |

Policies for Discussion

ANNUAL DISTRICT ELECTION AND BUDGET VOTE

The district shall hold an annual meeting and election at which the district's authorized voters will elect members of the Board of Education and vote on the district budget for the coming school year. The annual district meeting and election will be held on the third Tuesday in May, unless this date conflicts with religious observances on that day, in which case the annual meeting and election will be held on the second Tuesday in May.

The District Clerk shall publish a notice of the time and place of the annual meeting and election at least four times within the seven weeks prior to the meeting, in two newspapers having general circulation within the district. The first publication of the notice shall be at least 45 days prior to the meeting. The notice shall also contain notice of any other matter required by law.

Copies of the budget to be voted upon at the annual meeting election will be available in each district school building for district residents upon request at the time of the annual meeting and election and 14 days (other than Saturday, Sunday and holidays) prior to the meeting.

The Board shall appoint assistant clerks and election inspectors necessary for the annual meeting and election at a Board meeting held before the annual meeting and election.

Propositions

The Board has the authority, under the Education Law, to adopt reasonable rules and regulations concerning the submission of petitions to the Board to place propositions on the ballot which may amend the budget. Pursuant to those provisions, the Board establishes the following guidelines:

1. Unless otherwise provided by the Education Law, petitions for the submission of a proposition must contain a minimum of 25 signatures of eligible voters of the district or 2 percent of the eligible voters, whichever is greater. ~~insert the number/percent of signatures the district requires; for example, 25 signatures of qualified voters of the district or 5 percent of the eligible voters who voted in the previous annual election of the members of the Board of Education, whichever is greater.~~
2. Petitions must be filed with the District Clerk at least 30 days prior to the annual meeting, except for petitions relating to a proposition which must be included in the notice of the annual meeting (e.g., changing the number of board members). Such petitions must be submitted 60 days in advance of the annual meeting to facilitate the preparation and printing of the ballots.
3. Propositions must include the specific appropriations necessary for the purposes listed.

4. Wording of a petition must comply with legal requirements. If the wording does not comply, it may be changed or altered by the Board, or the Board may reject a petition for failure to comply.

Propositions received in accordance with these specifications will be placed on the ballot as amendments and will be voted upon by the voters in the same manner as the proposed budget, except that the Board shall not be required to place any proposition on the ballot which is within the exclusive province of the Board, or otherwise forbidden by law. No proposition involving the budget may be submitted to the voters more than twice.

The Board may also, on its own motion, submit propositions.

Ref: Education Law §§416(3); 1608(2); 1716(2) 1804(4); 1906(1); 2002(1); 2003(1)(2); 2004(1)-(7); 2009; 2021;2022(1), (4)-(5); 2035(2); 2601-a(2)
General Construction Law §60
Matter of Hebel, 34 EDR 319 (1994)
Matter of Martin, 32 EDR 567 (1993)
Matter of Como, 30 EDR 214 (1990)

Adoption date: June 14, 2007

DISTRICTWIDE AND STATEWIDE ASSESSMENTS OF STUDENTS WITH DISABILITIES

The Board of Education recognizes the importance of offering access and appropriate testing accommodations to eligible students so that they can participate in assessment programs on an equal basis with their nondisabled peers. Two elements that contribute to an effective assessment program are proper use of use of accommodations and use of universal design principles in developing and administering tests.

Testing Accommodations

Testing accommodations provide an opportunity for students with disabilities to:

- Participate in the instructional and assessment program;
- Demonstrate their strengths, knowledge and skills without being restricted by their disability; and
- Provide an accurate measure of the standards being assessed so that appropriate instruction and services can be provided.

Testing accommodations are changes made in the administration of the test in order to remove obstacles to the test-taking process that are presented by the disability without changing the constructs being tested. Examples of testing accommodations are: flexibility in scheduling/timing; flexibility in the setting for the administration of the test; changes in the method of presentation and changes in the method of response. Testing accommodations are neither intended nor permitted to: alter the construct being measured or invalidate the results, provide an unfair advantage for students with disabilities over students taking the test under standard conditions or substitute for knowledge or abilities that the student has not attained.

The Committee on Special Education, the Subcommittee on Special Education or the Committee on Preschool Special Education is responsible for recommending the appropriate test accommodations and including those recommendations on the student's Individualized Education Program (IEP), Individualized Education Services Program (IESP) or Service Plan (SP). If it is determined that a student should participate in alternative assessments instead of the standard statewide or districtwide tests, the CSE must indicate the reasons for doing so on the IEP, IESP or SP. ~~The Section 504 Committee~~ ~~Insert appropriate title, i.e., The 504 multidisciplinary committee~~ will include the appropriate test accommodations as part the 504 plan.

The recommendations will be reviewed annually by the CSE, CSE subcommittee, CPSE or 504 team. The Board acknowledges the importance of integrating the assessment program with the instructional program and, to that end, encourages effective communication among

district staff so that implementation is consistent and fair. The goal is to provide effective assessments that allow students to benefit from their educational program.

In some situations, a building principal may authorize the use of testing accommodations in accordance with this policy. Those instances are limited to cases where a regular education student incurs a disability, such as, but not limited to, a broken arm, without sufficient time for the CSE, CPSE and/or Section 504 Committee to make a recommendation prior to a test. They do not include cases where the student is already being evaluated to determine his or her eligibility for status as a student with a disability. In exercising this authority, the building principal will rely on his or her professional judgment. He or she also may confer with CSE, CPSE and/or Section 504 Committee members.

Universal Design Principles in Districtwide Assessments

The Board of Education recognizes the benefits of using the principles of universal design to further the goal of ensuring equal access to districtwide assessments and to ensure the most accurate measure of the performance of all students. The Board directs the Superintendent, in consultation with appropriate school staff, to examine how universal design principles can be incorporated into the district's assessment program, and to facilitate its use to the extent feasible. Any steps taken in this regard will be consistent with this policy and applicable State Education Department policy and/or guidance on the use of universal design principles.

At a minimum, the Superintendent will explore how district assessments can be:

1. Made more usable by students with diverse abilities.
2. Designed to better accommodate a wide range of individual preferences and abilities.
3. Made more understandable.
4. Made to communicate necessary information to students more effectively.
5. Designed to minimize adverse consequences of accidental or unintended actions.
6. Used more efficiently and comfortably and with a minimum of student fatigue.

Cross-ref: 4321, Programs for Students with Disabilities
4321.5, Confidentiality and Distribution of IEP, IESP and SP
5020.3 Students with Disabilities and Section 504

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1401(35);
1412(a)(16)(E);
34 CFR §§ 300.44
Assistive Technology Act, 29 USC 3002(19)
8 NYCRR §§ 200.1(jjj); 200.2(b)(13,14); 200.4(d)(2)(vi)

Adoption date: February 12, 2009

GRADING SYSTEMS

Grading is considered a positive tool to indicate achievement and development in each class or subject in which a student is enrolled. The Board of Education recognizes that the classroom teacher has the primary responsibility to evaluate students and determine student grades.

The district shall use a uniform grading system. Classroom teachers shall evaluate students and assign grades according to the established system.

Grading shall be based upon student improvement, achievement, and participation in classroom discussions and activities. Parents/guardians shall be provided a written report card at least four (4) times a year regarding their child's progress. The use of marks and symbols will be appropriately explained.

Grading shall not be used for disciplinary purposes, i.e., reducing grade for an unexcused absence, although a lower grade can be given for failure to complete assigned work or for lack of class participation.

All students are expected to complete the assigned class work and homework as directed. Students are also expected to participate meaningfully in class discussions and activities in order to receive course credit. If work is missed due to absence, the student is expected to make up the work. The student and/or the student's parent(s) or guardian(s) should discuss with the student's teacher an appropriate means of making up the missed work. With the possible exception of absences intended by the student as a means of gaining an unfair academic advantage (e.g., to secure more time to study for a test), every effort will be made to provide students with the opportunity and assistance to make up all work missed as a result of absence from class.

The professional judgment of the teacher shall be respected. Once a grade is assigned to a student by a teacher, the grade may only be changed by a district administrator after notification to the teacher of the reason for such change. Should an administrator enforce a grade change, he/she shall be prepared to report to the Superintendent of Schools and/or the Board.

~~As of July 1, 2010, students in grades 6-12 will be graded by a numerical system with the exceptions noted below:~~

~~Students in Grades 11 and 12 during the 2010-2011 school year and in Grade 12 during the 2011-2012 school year will be graded by an alphabetical system based on the following standard:~~

| | | | | |
|---------------|--------------|---------------|--------------|----------------|
| A+ | — | 95 | — | 100 |
| A | — | 90 | — | 94 |
| B+ | — | 85 | — | 89 |
| B | — | 80 | — | 84 |
| C+ | — | 75 | — | 79 |
| C | — | 70 | — | 74 |
| D | — | 65 | — | 69 |
| F | — | | | |

~~Below 65~~

~~Art and Music Course Grading: Students will have a choice of a grade or Pass/Fail. Grades will be weighted as a Regents level course with one exception— Music Theory is an Honors level course. Students who take split courses (e.g. Band/Chorus) must choose the same grading option for both classes. Students who take multiple courses (e.g. Photography and Drawing & Painting I or Band and Orchestra) can select grading options for each class.~~

~~Physical Education Courses— will be graded pass/fail.~~

As of the 2013-14 school year, due to reporting changes required by the New York State Student Information Repository System (SIRS) all Elwood students will receive numeric grades for all courses.

All courses will be used to calculate a student's overall grade point average with the following exceptions:

1. Physical Education : Students have the option of withholding the grades they receive in physical education classes from the calculation of their overall grade point average.
2. Art and Music:
 - a. Students taking an art or music sequence in lieu of a foreign language will have all art or music courses included in the calculation of their overall grade point average.
 - b. Students taking art or music classes as an elective have the option of withholding art or music classes from the calculation of their overall grade point average.

Cross-ref: 5100, Attendance

Ref: Education Law §§3202; 3205 et seq.
Matter of Nathaniel D., 32 EDR 67 (1992)
Matter of Hegarty, 31 EDR 232 (1992)
Matter of Shepard, 31 EDR 315 (1992)
Matter of Handicapped Child, 32 EDR 83 (1992)
Matter of Ackert, 30 EDR 31 (1990)
Matter of Augustine, 30 EDR 13 (1990)
Matter of Boylan, 24 EDR 421 (1985)
Matter of Burns, 29 EDR 103 (1989)
Matter of Chipman, 10 EDR 224 (1971)
Matter of Dickershaid, 26 EDR 112 (1986)
Matter of Fitchett-Delk, 25 EDR 178 (1985)
Matter of Gibbons, 22 EDR 134 (1982)
Matter of LaViolette, 24 EDR 37 (1984)
Matter of MacWhinnie, 20 EDR 145 (1980)
Matter of McClurkin, 28 EDR 136 (1988)
Matter of Reid, 65 Misc 2d 718 (1971)
Matter of Rivers, 27 EDR 73 (1987)
Matter of Shamon, 22 EDR 428 (1983)

Adoption date: February 12, 2009
 Revised: September 16, 2010

SCHOOL SPONSORED STUDENT EXPRESSION

The Board of Education encourages student expression in its many forms, including the school newspaper, yearbook, concerts, shows and art exhibits. ~~*insert applicable activities: school newspaper, yearbook, literary magazine, concerts, shows, art exhibits*~~. The Board believes these activities are an important part of student learning and enrich the life of the school community. The school newspaper, for example, is an important part of the school not only because it offers an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism, but also because it provides an opportunity for students to express their views in a responsible manner. Each school-sponsored activity offers unique opportunities for students to engage in creative and educational modes of expression.

All school-sponsored opportunities for student expression will comply with the rules set forth in this policy and in the Code of Conduct. Libelous statements, unfounded charges and accusations, obscenity, false statements; materials or performances advocating racial or religious prejudice, hatred, violence, the breaking of laws and school policies and/or regulations; or materials or performances designed to disrupt the educational process will not be permitted.

In addition, the school-sponsored activities listed above are not considered public forums. In such cases, the Board reserves the right to edit or delete such student expression which it believes is inconsistent with the district's basic educational mission.

Procedural Due Process

When a student(s) presents material for inclusion in a school sponsored publication to a school official with authority over the school publication, the school official must review and make a decision on inclusion in the publication within two (2) school days of submission of the material to him/her. If publication is denied, the student(s) may appeal the decision to the Building Principal. If the principal agrees with the decision to withhold approval, the principal must state the reasons in writing and provide the students with a copy of the reasons within two (2) school days of the receipt of the appeal. The aggrieved student(s) may within two (2) school days appeal in writing to the Superintendent of Schools. The Superintendent of Schools must issue a written decision within two (2) school days after receiving the appeal.

Cross-ref: 5300, Code of Conduct
5225, Student Personal Expression

Ref: *Morse v. Frederick*, 127 S Ct 2618 (2007)
Hazelwood School District v. Kuhlmeier, 484 US 260, 108 S Ct 562, (1988) (limits on student free speech rights in school-sponsored student publications)

Bethel School District v. Fraser, 478 US 675 (1986)

Tinker v. Des Moines Independent Community School Dist., 393 US 503, (1969) (limits on student free speech rights in school setting)

Thomas v. Board of Education, Granville Central School Dist., 607 F 2d 1043 (1979)

Trachtman v. Anker, et al., 563 F 2d 512 (1977)

Frasca v. Andrew et al., 463 F Supp 1043 (1979)

Matter of Beil and Scariati, 26 EDR 109(1986)

Adoption date: February 12, 2009

ANNUAL BUDGET

The school budget is the legal basis for the establishment of the tax levy. It is the official document that describes the programs to be conducted during a given period of time. It is the operational plan, stated in financial terms, for the conduct of all programs in the school system.

The annual school budget process is important to school district operations and serves as a means to improve communications within the school organization and with the residents of the school community.

The budget will be presented to the public in three components (to be voted upon as one proposition):

1. *a program component*, which includes all program expenditures of the district, including the salaries and benefits of teachers and any school administrators or supervisors who spend a majority of their time performing teaching duties, and all transportation operating expenses;
2. *a capital component*, which includes all transportation capital, debt service and lease expenditures; costs resulting from court judgments, administrative orders or settled or compromised claims; and all facilities costs of the district, including facilities lease expenditures, annual debt service and total debt for all facilities financed by bonds and notes of the district, and costs of construction, acquisition, reconstruction, rehabilitation or improvement of school buildings, provided that the budget shall include a rental, operations and maintenance section that includes base rent costs, total rent costs, operation and maintenance charges, cost per square foot for each facility leased by the district, and all expenditures associated with custodial salaries and benefits, service contracts, supplies, utilities, and maintenance and repair of school facilities;
3. *an administrative component*, which includes office and central administrative expenses, traveling expenses, and all compensation, salaries and benefits of all school administrators and supervisors, all expenditures associated with the operation of the school board, the office of the Superintendent of Schools, general administration, the school business office, any consulting costs not directly related to direct student services and programs, planning, and all other administrative activities.

In addition, each component must be separately delineated in accordance with Regulations of the Commissioner. The budget will categorize revenues, property tax refunds, expenditures, budget transfers and fund balance information, and will be formatted to show changes in the data as compared with the previous year. Finally, the budget will be written in plain language and organized in a manner which best promotes the public's understanding of its contents.

The budget will be completed at least seven days before the public hearing at which the Board will present the budget to the voters. Copies of the budget will be made available upon request to residents within the district (not just district taxpayers) during the 14 days preceding the date of the annual election and budget vote at each school building in the district, at the

school district offices, and at any public library or free association library within the district, between the hours of 9:00 a.m. and 5:00 p.m. on each day other than Saturday, Sunday or holidays, ~~insert the following text if the district has a website:~~ as well as on the school district's internet website]. In addition, at least once during the school year, the Board will include in a district-wide mailing, notice of the availability of copies of the budget.

The following documents will be attached to the budget:

- a detailed statement of the total compensation to be paid to the Superintendent of Schools, and any assistant or associate superintendent in the coming school year, including a delineation of the salary, annualized cost of benefits and any in-kind or other form of remuneration;
- a list of all other school administrators and supervisors, if any, whose annual salary will be at or above the amount designated by the State Education Department in the coming year, along with their title and annual salary;
- a school district report card detailing the academic and fiscal performance of the district; and
- a property tax report card prepared pursuant to the Education Law and the Regulations of the Commissioner of Education, including information on the tax levy limit.

If the proposed budget increases the property tax levy by more than either 2% or the rate of inflation (whichever is less), it requires a supermajority of 60% in order to pass.

The Board may not submit the proposed budget or a related proposition to the voters more than twice. If the voters fail to approve the proposed budget or budget proposition after the second submission, or if the Board elects not to put the proposed budget to a public vote a second time, the Board must adopt a contingency budget with a tax levy of 0% increase (i.e., less than or equal to the tax levy of the previous year).

The Board may use district monies to present educational and informational material about the annual budget and related information to the voters. It shall not, however, use these funds to urge voters to cast their ballots in a particular fashion.

Adopted: January 19, 2012

Ref: Education Law §§1608; 1716; 1804(4); 1906(1); 2008(2); 2021; 2002(1); 2022(2); **2023**; **2023-a**; 2035(2); 2601-a
General Municipal Law §36
Phillips v. Maurer, 67 NY2d 672 (1986)
Fiscal Management (NYSSBA, 1997)
Hartman, William T., "Participatory Budgeting in High School", *Planning and Changing*, Spring 1989, vol. 20, no. 1.

6150

BUDGET TRANSFERS

The transfer of funds between and within functional unit appropriations of the General Fund is commonly required during the school year. The Superintendent of Schools, in accordance with the Regulations of the Commissioner of Education, is authorized to make budget transfers between line item accounts based on their line item designation on New York State, so long as the transfer for any one item does not exceed \$5,000~~{insert a dollar amount, e.g., \$2,000}~~. All transfers in excess of \$5,000.00~~{insert same dollar amount}~~ require prior Board of Education approval. The Superintendent will report any transfers to the Board as an information item at its next meeting.

Ref: Education Law §1718
8 NYCRR §170.2(l)

Adoption date: February 12, 2009

INVESTMENTS

The objectives of the district's investment policy are to safeguard district funds and to minimize risk, to ensure that investments mature when cash is required to finance operations and to ensure a competitive rate of return. In accordance with this policy, the Treasurer or his/her designee is authorized to invest and/or deposit all funds, including proceeds of obligations and reserve funds, in time-deposit accounts, certificates of deposit, short-term government securities, repurchase agreements or other investment instruments permitted by law, subject to the investment regulations approved by the Board of Education.

To the extent feasible, investments and deposits shall be made in and through local or regional financial institutions. Concentration of investments in a single financial institution should be avoided. Diversification of investments and deposits is encouraged.

In accordance with the provisions of General Municipal Law, Subsection 10, deposits of the Elwood U.F.S.D. in excess of the amount insured under the provisions of the Federal Deposit Insurance Act may be secured by an "irrevocable letter of credit" issued in favor of the Elwood U.F.S.D. by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, for the payment of 100 percent of the aggregate amount of public deposits and investments from the Elwood U.F.S.D. and agree-upon interest, if any, equal to the aggregate amount of deposits.

This policy will be annually reviewed by the Board and may be amended from time to time in accordance with the provisions of section 39 of the General Municipal Law.

Ref: Education Law, 1604-a; 1723-a; 3651; 3652
Local Finance Law, 24.00, 25.00, 165.00
General Municipal Law 6(d), 6(j); 6 (l-n, p,r); 10; 11; 39

Adoption date: February 12, 2009

GIFTS AND GRANTS

Gifts

Only the Board of Education may accept for the school district any bequest or gift or money, property or goods, except that the Superintendent of Schools may accept on behalf of the Board any such gift of less than \$500.00 ~~{insert a dollar amount}~~ in value.

The Board reserves the right to refuse to accept any gift which does not contribute towards the achievement of the district's goals or the ownership of which would tend to deplete the resources of the district.

Any gift accepted by the Board or the Superintendent shall become the property of the district, may not be returned without the approval of the Board, and is subject to the same controls and regulations as are other properties of the district.

The Board will attempt to honor the intent of the donor in its use of the gift, but reserves the right to use any gift it accepts in the best interest of the district's educational program.

It shall be the policy of the district to accept a gift, provided it is made within the statutory authority granted to school districts and has received the approval of the Board of Education.

In granting or withholding its consent, the Board will review the following factors:

1. The terms of the gift must identify:
 - a. the subject of the gift
 - b. the purpose of the gift
 - c. the beneficiary or beneficiaries if any
 - d. all conditions or restrictions that may apply.
2. The gift must not benefit a particular or named individual or individuals.
3. If the purpose of the gift is an award to a single student, the determination of the recipient of such award shall be made on the basis that all students shall have an equal opportunity to qualify for it and shall not be denied its receipt on the basis of race, religion, sex, or disability.
4. If the gift is in trust, the obligation of the investment and reinvestment of the principal shall be clearly specified and the application of the income or investment proceeds shall be clearly set forth.
5. No gift or trust will be accepted by the Board unless:
 - a. it is in support of and a benefit to all or to a particular public school in the district,
or
 - b. it is for a purpose for which the school district could legally expend its own funds,
or

- c. it is for the purpose of awarding scholarships to students graduating from the district.

Any gift rejected by the Board shall be returned to the donor or his/her estate within 60 days together with a statement indicating the reasons for the rejection of such gift.

Ref: Education Law 1709(12)

Adoption date: February 12, 2009

AUDIT COMMITTEE CHARTER

Audit Committee Authority

Pursuant to ~~the Audit Advisory Committee Charter resolution number [insert number of resolution]~~, dated ~~February 9, 2006[insert date of resolution]~~, the Board of Education of the ~~Elwood Union Free School District[insert name of district]~~ has established an audit committee to assist the Board of Education in the oversight of both the internal and external audit functions. The requirement to create an audit committee was established by Education Law §2116-c. According to §2116(4), the role of an audit committee shall be advisory and any recommendations it provides to the Board shall not be substituted for any required review and acceptance by the Board of Education. ~~The District's resolution also states that [insert any other relevant wording from the establishing resolution for your district].~~

Mission

The Board of Education has established an audit committee to provide independent assistance to the Board in the oversight of the following matters:

~~NOTE: Items 1 and 4 below represent statutory requirements contained in Education Law §2116 (b) and (c). The remainder should be modified to meet the requirements of your district.~~

- Assist the Board in providing oversight of the internal and external audit functions, including the appointment of the internal and external auditors.
- Oversee the competitive Request for Proposal Process (RFP) used to solicit quotations for the District's annual external audit.
- Review the scope, plan and coordination of the external audit.
- Review corrective action plans and necessary improvement based on audit findings and recommendations received from external and internal auditors.
- Provide a communications link between the external and internal auditors and the Board.

Composition and Requisite Skills

The District's Audit Committee is comprised of ~~a minimum of three members with staggered one year terms.[insert number of members must be at least three]~~ with staggered ~~[insert number of years]~~ terms. The committee ~~shall include:~~ may include Board members and/or outside individuals.

~~[insert composition of the audit committee as established by the Trustees or the Board of Education]~~

The Committee members collectively should possess the expertise and experience in accounting, auditing, financial reporting and school district finances needed to understand and

evaluate the school district's financial statements, the external audit of those statements and the district's internal audit activities. Accordingly, the Audit Committee's members should:

- Possess the requisite skills and experience necessary to understand technical and complex financial reporting issues.
- Have the ability to communicate with, and offer advice and assistance to, public finance officers and auditors.
- Be knowledgeable about internal controls, financial statement audits and management/operational audits.

Duties and Responsibilities

The duties and responsibilities of the District's Audit Committee includes the following:

- **External Audit Focus**

NOTE: All but item 4 below are statutory requirements contained in Education Law §2116 (b) and (e).

- o Recommend selection of the external auditor to the Board of Education.
- o Meet with the external auditor prior to commencement of the audit to review the engagement letter.
- o Review and discuss with the external auditor any risk assessment of the district's fiscal operations developed as part of the auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards, if applicable.
- o Review the external auditor's assessment of the district's system of internal controls.
- o Receive and review the draft annual audit report and accompanying draft management letter and, working directly with the external auditor, assist the Board of Education in interpreting such documents.

- o Make a recommendation to the Board of Education on accepting the annual audit report.
- o Review any corrective action plan developed by the school district and assist the Board of Education in the implementation of such plans.

• **Internal Audit Focus**

NOTE: All but item 3 and part of item 4 below are statutory requirements contained in Education Law §2116 (b) and (c).

- o Make recommendations to the Board of Education regarding the appointment of the internal auditor.
- o Assist in the oversight of the internal audit function.
- o Review the annual internal audit plan to ensure that high risk areas and key control activities are periodically evaluated and tested.
- o Review the results of internal audit activities and significant recommendations and findings of the internal auditor.
- o Monitor implementation of the internal auditor’s recommendations by management.
- o Provide input on the performance evaluation of the internal auditor.

• **Administrative Matters**

- o Hold regularly scheduled meetings.
- o Administer other related duties as prescribed by the Board of Education.
- o Review and revise the Audit Committee Charter.

Membership

The membership duties of the Elwood Union Free School District Audit Committee include the following:

- **Good Faith** – Members of the Committee shall perform their duties in good faith, in a manner they reasonably believe to be in the best interests of the Committee and the District with such care as a generally prudent person in a similar position would use under similar circumstances.
- **Independence** – The following individuals would be precluded from being an Audit Committee member:

- o ~~An employee of the District; Someone currently or previously employed by the District during the past [insert period].~~
- ~~o—An individual who within the last two years provided or currently provides goods or services to the District; Someone currently or previously providing services contractually to the District during the past [insert period].~~

- An individual who owns or has a direct and material interest in a company providing goods or services to the District; and
 - A close or immediate family member of an employee, officer, board member or contractor providing goods or services to the District. The term “close or immediate family member” includes parent, sibling, nondependent child, spouse, spouse equivalent, or dependent, whether or not related.
- o ~~Someone of the immediate family (husband, wife & any children and their spouses) of an individual who is, or has been in any of the past [insert period], employed by the district, providing services contractually to the District or contractually related to the District as a board member or an administrator.~~
 - o ~~Someone who is a partner in, a controlling owner or an executive of, any for-profit business to which the district made, or from which the district received, payments that are or have been significant [insert dollar amount] to the district or the for-profit business entity in any of the past five years.~~
- **Confidentiality** – During the exercise of duties and responsibilities, the Committee members may have access to confidential information. The Committee shall have an obligation to the district to maintain the confidentiality of such information.
 - **Oath of Office** - All non-board members, who are members of the Audit Committee, should be administered the district’s oath of office by the District Clerk.

Meetings and Notification

The ~~[insert name of district]~~**Elwood Union Free School District** Audit Committee shall meet a minimum of ~~three~~**[insert number]** times each year. An agenda of each meeting should be clearly determined in advance and the Audit Committee should receive supporting documents in advance, for reasonable review and consideration. *Any member of the Board of Education, who is not a member of the Audit Committee, may attend audit committee meetings if authorized by a resolution of the Board.*

The Audit Committee shall prepare minutes of each meeting. At a minimum, the minutes will include the following:

- Copies of the meeting agenda
- Date, attendance and location of the meeting
- Brief summary of the topics discussed
- Copies of materials discussed or presented at the meeting
- A record of all actions or recommendations agreed to by the committee

Decision-Making Process

All decisions shall be reached by consensus of those members present at the meeting. Consensus

is defined as an acceptable solution that all can agree to support. If consensus cannot be reached, polling of the voting membership will take place and simple majority will rule. A quorum constitutes a simple majority of the total membership and meetings will not be conducted unless a quorum is present.

Reporting Requirements

The Elwood Union Free School District~~{insert name of district}~~ Audit Committee has the duty and responsibility to report its activities to the Board of Education. Periodic written reports of Audit Committee activities are an important communication link between the Audit Committee and the Board on key decisions and responsibilities. The Audit Committee's reporting requirements are to:

- Report on the scope and breadth of committee activities so that the Board of Education is kept informed of its work.
- Provide minutes of meetings and work sessions which clearly record the actions and recommendations of the Committee.
- Report on their review of the District's draft annual audit report and accompanying management letter and their review of significant findings and recommendations of the internal auditor.
- Report on suspected fraud or abuse or material defects in the internal control systems.
- Report on material or significant non-compliances with laws or District policies and regulations.
- Report on any other matters that should be disclosed to the Board of Education.

Review of the Charter

The Elwood Union Free School District~~{insert name of district}~~ Audit Committee shall assess and report to the Board of Education on the adequacy of this Charter no less than an annual basis or as necessary. Charter modifications, as recommended by the Audit Committee, should be presented to the Board of Education in writing for their review and action.

Adoption date: February 12, 2009

PURCHASING

The Board of Education views purchasing as serving the educational program by providing necessary supplies, equipment and related services. Purchasing will be centralized in the business office under the authority of the Purchasing Agent designated by the Board.

It is the goal of the Board to purchase competitively, without prejudice or favoritism, and to seek the maximum educational value for every dollar expended. Competitive bids or quotations shall be solicited in connection with purchases pursuant to law. The General Municipal Law requires that purchase contracts for materials, equipment and supplies involving an estimated annual expenditure exceeding \$10,000 and public work contracts involving an expenditure of more than \$20,000 will be awarded only after responsible bids have been received in response to a public advertisement soliciting formal bids. Similar procurements to be made in a fiscal year will be grouped together for the purpose of determining whether a particular item must be bid.

In accordance with law, the district shall give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats. The term "alternative format" shall mean any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a disabled student enrolled in the district (or program of a BOCES), including but not limited to Braille, large print, open and closed captioned, audio, or an electronic file in a format compatible with alternative format conversion software that is appropriate to meet the needs of the individual student.

Goods and services which are not required by law to be procured by the district through competitive bidding will be procured in a manner so as to ensure the prudent and economical use of public monies, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, except for procurements:

1. under a county contract;
2. under a state contract;
3. of articles manufactured in state correctional institutions; or
4. from agencies for the blind and severely disabled.

The district's purchasing activity will strive to meet the following objectives:

1. to effectively supply all administrative units in the school system with needed materials, supplies, and contracted services;
2. to obtain materials, supplies and contracted services at the lowest prices possible consistent with the quality and standards needed as determined by the Purchasing Agent in cooperation with the requisitioning authority. The educational welfare of the students is the foremost consideration in making any purchase;
3. to ensure that all purchases fall within the framework of budgetary limitations and that they are consistent with the educational goals and programs of the district;
4. to maintain an appropriate and comprehensive accounting and reporting system to record and document all purchasing transactions; and
5. to ensure, through the use of proper internal controls, that loss and/or diversion of district property is prevented.

Opportunities shall be provided to all responsible suppliers to do business with the school district. Suppliers whose place of business is situated within the district may be given preferential consideration only when bids or quotations on an item or service are identical as to price, quality and other factors. Purchases will be made through available state contracts of the Office of General Services, county contracts, or agreements entered into by school districts for joint purchasing whenever such purchases are in the best interests of the district. In addition, the district will make purchases from correctional institutions and severely disabled persons through charitable or non-profit-making agencies, as provided by law.

The district will provide justification and documentation of any contract awarded to an offeror other than the lowest responsible dollar offeror, setting forth the reasons why such award is in the best interests of the district and otherwise furthers the purposes of section 104-b of the General Municipal Law.

The Purchasing Agent will not be required to secure alternative proposals or quotations for:

1. emergencies where time is a crucial factor;
2. procurements for which there is no possibility of competition (sole source items); or
3. very small procurements of no more than \$2,000 ~~[Note: district may wish to specify dollar limits]~~ when solicitations of competition would not be cost-effective.

The Board authorizes the Superintendent of Schools, with the assistance of the Purchasing Agent and the Treasurer, to establish and maintain an internal control structure to ensure, to the best of their ability, that the district's assets will be safeguarded against loss from unauthorized use or disposition, that transactions will be executed in accordance with the law and district policies and regulations, and recorded properly in the financial records of the district.

The Purchasing Agent shall be responsible for the establishment and implementation of the procedures and standard forms for use in all purchasing and related activities in the district. Such procedures shall comply with all applicable laws and regulations of the state and the Commissioner of Education.

No Board member, officer or employee of the school district shall have an interest in any contract entered into by the Board or the district, as provided in Article 18 of the General Municipal Law.

The Purchasing Agent shall meet with the Board annually to review the district's procurement procedures including this purchasing policy and regulation.

The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the district's policies regarding procurement will not be grounds to void action taken nor give rise to a cause of action against the district or any officer or employee of the district.

Ref: Education Law §§305(14); 1604(29-a); 1709(4-a)(9)(14)(22); 2503(7-a); 2554(7-a)
General Municipal Law §§102; 103; 104-b; 109-a; 800 et seq.

Adoption date: February 12, 2009

USE OF DISTRICT CREDIT CARDS

The Board of Education permits the use of district credit cards by certain school officials and Board members to pay for actual and necessary expenses incurred in the performance of work-related duties for the district. A list those individuals that will be issued a district credit card will be maintained in the Business Office and reported to the Board each year at its reorganizational meeting in July. All credit cards will be in the name of the school district.

There shall be no issuance of bank credit cards to district employees or Board members. The Board of Education authorizes the use of credit cards in the following manner:

A. Gasoline Credit Cards

1. Gasoline credit cards are under the jurisdiction of the Assistant Superintendent for Business.
2. Gasoline purchases shall only be made for actual and necessary expenses incurred in the performance of work-related duties for the district.
3. The District shall have two gasoline credit card accounts – one with Hess and one with Texaco/Shell.
4. Each district vehicle shall have a log in which the driver shall enter the mileage and gasoline purchases.
5. Receipts for gasoline purchases shall be signed by the driver and submitted to the Building and Grounds Department for approval and payment authorization.
6. The Assistant Superintendent for Business shall monitor and maintain records of all gas station credit card accounts.
- ~~7.~~ Purchases that are unauthorized, illegal, are personal in nature or violate the intent of policy 8334 may result in discipline of the employee.

B. Purchasing Cards *NOTE: What is a "purchasing card"? Please define.*

A purchasing card is a credit card issued to the District for the procurement of school related goods from designated vendors.

1. With prior approval of the Assistant Superintendent for Business, a purchasing card may be used by school employees for school-related expenses.

The Board shall ensure that the credit card is secured through an RFP process and the relationship between the district and the credit card company is such that the district preserves its right to refuse to pay any claim or portion thereof that is not expressly authorized, does not constitute a proper district charge, or supersedes any laws, rules, regulations, or policies otherwise applicable. In addition, the Board will ensure that no claim shall be paid unless an

itemized voucher approved by the officer whose action gave rise or origin to the claim, shall have been presented to the Board and shall have been audited and allowed.

Credit cards may only be used for legitimate school district business expenditures. The use of credit cards is not intended to circumvent the district's policy on purchasing.

Users must take proper care of these credit cards and take all reasonable precautions against damage, loss, or theft. Any damage, loss, or theft must be reported immediately to the Business Office and to the appropriate financial institution. Failure to take proper care of credit cards or failure to report damage, loss or theft may subject the employee to financial liability.

Purchases that are unauthorized, illegal, represent a conflict of interest, are personal in nature or violate the intent of this policy may result in credit card revocation and discipline of the employee.

Users must submit detailed documentation, including itemized receipts for commodities, services, travel and/or other actual and necessary expenses which have been incurred in connection with school-related business for which the credit card has been used.

The Superintendent of Schools, in consultation with the Assistant Superintendent of Business and the district's Purchasing Agent, shall establish regulations governing the issuance and use of credit cards. Each cardholder shall be apprised of the procedures governing the use of the credit card and a copy of this policy and accompanying regulations shall be given to each cardholder.

The Assistant Superintendent of Business shall periodically, but no less than twice a year, monitor the use of each credit card and report any serious problems and/or discrepancies directly to the Superintendent and the Board.

Cross-ref: 6700, Purchasing
6830, Expense Reimbursement

Ref: Education Law §§1724(1); 2524(1) (itemized, audited, and approved vouchers required)
Opns. St. Compt. No. 79-202 (use of multi-purpose credit cards by municipal employees)
Opns. St. Compt. No. 79-494
Opns. St. Compt. No. 78-897 (gas credit cards)

Adoption date: February 12, 2009

COMPUTER RESOURCES ~~AND DATA MANAGEMENT~~

The Board of Education recognizes that computers are a powerful and valuable education and research tool and as such are an important part of the instructional program. In addition, the district depends upon computers as an integral part of administering and managing the schools' resources, ~~including the compilation of data and recordkeeping for personnel, students, finances, supplies and materials. This policy outlines the Boards expectations in regard to these different aspects of the district's computer resources.~~

General Provisions

The Superintendent shall be responsible for designating an Executive Director for Administrative and Instructional Technology ~~[computer network coordinator — insert appropriate title]~~ who will oversee the use of district computer resources. The Executive Director For Administrative and Instructional Technology ~~[insert title]~~ will prepare in-service programs for the training and development of district staff in computer skills, appropriate use of computers and for the incorporation of computer use in subject areas, and various computer systems.

The Superintendent, working in conjunction with the designated purchasing agent for the district, and Executive Director for Administrative and Instructional Technology ~~[insert other appropriate personnel who would be involved in determining instructional computer needs]~~, will be responsible for the purchase and distribution of computer software and hardware throughout the schools. They shall prepare and submit for the Board's approval a comprehensive multi-year technology plan which shall be revised as necessary to reflect changing technology and/or district needs.

The Superintendent, working with the Executive Director for Administrative and Instructional Technology ~~[insert title]~~, shall establish regulations governing the use and security of the district's computer resources. The security and integrity of the district computer network and data is a serious concern to the Board and the district will make every reasonable effort to maintain the security of the system. All users of the district's computer resources shall comply with this policy and regulation, as well as the district's Computer Use In Instruction policy (4526). Failure to comply may result in disciplinary action, as well as suspension and/or revocation of computer access privileges.

All users of the district's computer resources must understand that use is a privilege, not a right, and that use entails responsibility. Users of the district's computer network must not expect, nor does the district guarantee, privacy for electronic mail (e-mail) or any use of the district's computer network. The district reserves the right to access and view any material stored on district equipment or any material used in conjunction with the district's computer network.

Management of Computer Records

The Board recognizes that since district data is managed by computer, it is critical to exercise appropriate control over computer records, including financial, personnel and student information. The Superintendent, working with the Executive Director for Administrative and Instructional Technology ~~insert~~

8630

~~title~~ and the district's business official, shall establish procedures governing management of computer records. The procedures will address:

- passwords,
- system administration,
- separation of duties,
- remote access,
- data back-up (including archiving of e-mail),
- record retention, and
- disaster recovery plans.

Review and Dissemination

Since computer technology is a rapidly changing area, it is important that this policy be reviewed periodically by the Board and the district's external auditor. The regulation governing appropriate computer use will be distributed annually to staff and students and will be included in both employee and student handbooks.

Cross-ref: 1120, School District Records
4526, Computer Use for Instruction
4526.1, Internet Safety
6600, Fiscal Accounting and Reporting
6700, Purchasing
8635, Information Security Breach and Notification

Adoption date: February 12, 2009

RECRUITING AND HIRING

The Board of Education believes that the quality of the district's employees in large part determines the quality of the education offered to the district's students. As the employer for the school district, the Board will provide and maintain qualified and certified instructional and support personnel to carry out the educational programs of the district.

The Superintendent of Schools ~~{title of the person who will oversee the district's recruiting and hiring procedures, typically the Superintendent of Schools or the Assistant Superintendent for Personnel}~~ shall implement and maintain a high-quality recruiting and hiring program to attract, secure and retain the best-qualified staff to meet the needs of students and the district.

New or Revised Positions

The Superintendent of Schools ~~{title of the person who will oversee the district's recruiting and hiring procedures}~~ will develop recommended qualifications for all new positions in the district and review the qualifications for all existing positions as necessary. **[If the person developing recommended qualifications is someone other than the Superintendent, insert the following:** The Superintendent must approve all recommended qualifications for all new and existing positions.] The Board must approve the qualifications for all new positions in the district and revisions of the qualifications for existing positions.

The Superintendent of Schools ~~{title of the person who will oversee the district's recruiting and hiring procedures}~~ shall refer all proposals for the creation or reclassification of all unclassified (non-instructional) positions and a statement of the duties for these positions to the Suffolk County Department of Civil Service ~~{name of the local civil service authority}~~ for classification.

The Superintendent of Schools ~~{title of the person who will oversee the district's recruiting and hiring procedures}~~ shall develop job descriptions that incorporate the qualifications and job duties for all positions in the school district. ~~**[If the person developing job descriptions is someone other than the Superintendent, insert the following:** The Superintendent must approve the job descriptions for all positions in the district.]~~

Recruiting

The district will seek the most qualified candidates for vacant positions by recruiting from a variety of sources, including present staff. District employees may apply for all positions for which they meet the certification and other stated qualifications.

The Board and its employees will adhere to the practice of recruiting and hiring personnel without regard to age, color, creed, disability, marital status, national origin, race, religion, sex or any other status protected by federal or state law.

Hiring

Through standard recruiting and hiring procedures, the Superintendent of Schools ~~{title of the person who will oversee the district's recruiting and hiring procedures}~~ will ensure that candidates for district employment meet all the qualifications set for the position sought. The district will comply with all the requirements of the Education and Civil Service laws, including any fingerprinting requirements.

~~{If the person who oversees the district's recruiting and hiring procedures is the Superintendent, insert the following sentence: The Superintendent will recommend individuals for employment in the school district. If the person who oversees the district's recruiting and hiring procedures is someone other than the Superintendent, insert the following sentences: The (title of the person who will oversee the district's recruiting and hiring procedures) will recommend individuals for employment to the Superintendent. The Superintendent must recommend all individuals for employment to the Board.}~~ The Board must approve of all individuals who are employed by the school district.

Ref: Age Discrimination in Employment Act (ADEA), 29 USC §§ 621 *et seq.* (prohibiting discrimination on the basis of age)
 Americans with Disabilities Act (ADA), 42 USC §§ 12101 *et seq.* (prohibiting discrimination on the basis of disability)
 Civil Rights Act of 1964 (Title VII), 42 USC §§ 2000e *et seq.* (prohibiting discrimination on the basis of color, national origin, race, religion and sex)
 Rehabilitation Act of 1973 (Section 504), 29 USC § 794 (prohibiting discrimination on the basis of disability)
 Title IX, 20 USC §§ 1681 *et seq.* (prohibiting discrimination on the basis of sex)
 New York State Constitution, article V, § 6 (requiring public employees be appointed on the basis of merit and fitness)
 Civil Service Law §§ 22, 40-44, 61(1) (rules on classified positions)
 Education Law §§ 1604(8), 1709(16), 2503(3), 2554(2), 3012(1)(a) (board's authority to hire employees)
 Education Law §§ 1604(39), 1709(39), 1804(9), 1950(4), 2503(18), 2554(25) (fingerprinting requirements)
 Executive Law §§ 290 *et seq.* (prohibiting discrimination on the basis of age, color, creed, disability, marital status, national origin, race or sex)

Adoption date: February 12, 2009