

**BABYLON UNION FREE SCHOOL DISTRICT  
50 RAILROAD AVENUE  
BABYLON, NEW YORK 11702**

**ANNUAL SCHOOL BOARD REORGANIZATIONAL MEETING/REGULAR BUSINESS MEETING**

**AGENDA  
JULY 13, 2015  
7:00 p.m.**

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**Meeting protocol: Please state your name when addressing the Board of Education**

- I. **CALL TO ORDER** (The District Clerk will preside over the meeting until a newly elected President of the Board takes the Oath of Office)
  
- II. **PLEDGE OF ALLEGIANCE**
  
- III. **ADMINISTRATION OF OATH**
  - a. Swearing in of newly elected Board Members by District Clerk  
Ann Donaldson and Tricia Pané
  - b. Swearing in of Superintendent of Schools  
Mrs. Linda J. Rozzi
  
- IV. **ELECTION OF OFFICERS**
  - a. Nominations for President of the Board
  - b. Swearing in of Board President (At this time Board President presides over meeting)
  - c. Nominations of Vice President of the Board
  - d. Swearing in of Board Vice President
  
- V. **APPOINTMENT OF OFFICERS**

**RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve Item #V-Appointment of Officers for the 2015-2016 school year as follows:

a. District Treasurer	-	Donna Lika
b. Deputy Treasurer	-	Patricia Brink
c. District Clerk	-	Linda Pesce
d. District Clerk Pro Tem	-	President Board of Education
e. Internal Claims Auditor	-	Dennehy Accounting Services, Inc.
  
- VI. **OTHER APPOINTMENTS**

**RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve Item #VI-Other Appointments for the 2015-2016 school year as follows:

a. School Attorneys	-	Guercio & Guercio
b. Internal Auditor	-	Nawrocki Smith LLP
c. External Auditors	-	Cullen & Danowski
d. School Physicians	-	Dr. Jack Geffken & Dr. Carl Soranno
e. Extra-Curricular Treasurer	-	Patricia Brink
f. School Representative for Chapter 1 Funds	-	Peter Daly
g. Section 504 Appeals Officer	-	Daniel D'Amico
h. Title IX Coordinator	-	Daniel D'Amico
i. Records Access Officer	-	Peter Daly
j. Records Access Appeals Officer	-	Linda J. Rozzi
k. Asbestos Compliance Officer	-	Steve Panno
l. Homeless Liaison	-	Dennis McGovern
m. Alternate Homeless Liaison	-	Linda J. Rozzi
n. Surrogate Parent	-	Patricia Barberich
o. Residency Hearing Officer	-	Linda J. Rozzi
p. Impartial Hearing Officers	-	as per the approved rotational list on VESID
q. DASA Coordinators:		
High School	-	Michael Collins/Matt Ryan
Grade School	-	Heather Hosek/Francesca Johnson
Elementary School	-	Robert Andrews/Beth Marinelli

Other Appointments Continued

- r. Chief Election Inspector/  
Assistant Clerk @ \$16.00/hour - Nancy Sharapata
  
- s. Board of Registrars/Election Workers/  
Election Inspectors @ \$12.00/hour - Barbara Witthohn, Corrine Samon, Donna Ryan, Eileen Scudlo, Karen Bustamante, Ellen Smith, Linda McGarvey, Patricia Brink, Gail Farley, Karin Colletti, Francis Bustamante, Maria Lethin, Laura Lynn Browning, Joanne Petruzzelli, Patricia Resky, Marie Bohrer, Karen Parrish

**VII. DESIGNATIONS**

**RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve Item #VII-Designations for the 2015-2016 school year as follows:

- a. Official Bank Depositories - All Funds - JP Morgan Chase, Astoria Federal, Teachers Federal Credit Union, Wells Fargo, Bridgehampton National Bank (BNB)
- b. Regular Monthly Meetings - Once each month unless otherwise specified
- c. School Board Meetings for the 2015/2015 SY - As attached
- d. Official Newspapers of the District - The Beacon, South Bay, Newsday

**VIII. AUTHORIZATIONS**

**RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve Item VIII-Authorizations for the 2015-2016 school year as follows:

- a. Chief School Officer to Certify Payrolls - Linda J. Rozzi
- b. School Purchasing Agent - Peter Daly
- c. Alternate Purchasing Agent - Donna Lika
- d. Authorization to Establish Petty Cash Funds:
  - 1. High School - Al Cirone & Karin Colletti \$100
  - 2. Grade School - Steve Goldberg & Linda McGarvey \$100
  - 3. Elementary School - Jessica Kemler & Jean Romanchuk \$100
  - 4. Business Office - Peter Daly & Gail Farley \$100
  - 5. Buildings & Grounds Office - Karen Bustamante \$100
  - 6. Food Service Office - Carol Ann Grodski \$100/bldg.
- e. Designation of Authorized Signatures on Checks:
  - 1. All Funds - Donna Lika, District Treasurer
  - 2. Alternate Funds - President of the Board and/or Deputy Treasurer
- f. Authorization of the Chief School Officer to Approve Budget Transfers up to \$7,500 as per Board Policy - Linda J. Rozzi
- g. Authorization to Establish Substitute Lists - Daniel D'Amico
- h. Authorization to Approve Attendance at Professional Meetings and/or Conferences - Linda J. Rozzi
- i. Authorization to Approve Board Members' Attendance at Meetings and/or Conferences - Linda J. Rozzi
- j. Authorization to sign Federal Aid Applications (PL 874) - Linda J. Rozzi & Peter Daly

**IX. BONDING OF PERSONNEL**

**RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve Item #IX-Bonding of Personnel as follows:

- a. Renewal of Treasurer's Bond in the amount of \$250,000.
- b. Renewal of Blanket Bond in the amount of \$20,000.

**X. APPOINTMENTS TO CSE**

**RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve Item #X-Appointments to CSE as follows:

Chairperson	-	Lisa Consolo
Alternate Chairpersons	-	Steve Vaccaro, Joanne Fasano, Jessica Linder, Yvette Chase, Patricia Bocchimuzzo, Dennis McGovern
Psychologists	-	Jessica Linder, Yvette Chase, Patricia Bocchimuzzo
Physician	-	Dr. Geffken & Dr. Soranno
Child's Teacher	-	Regular education or special education
Parent Members	-	Donna Frole, Anne Boxer, Margaret Stroehlein, Dana Focarile, Patricia Larkin, Rosemary Walsh

**XI. APPOINTMENTS TO CPSE**

**RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve Item #XI-Appointments to CPSE as follows:

Chairperson	-	Lisa Consolo
Alternate Chairpersons	-	Steve Vaccaro, Joanne Fasano, Jessica Linder, Yvette Chase, Patricia Bocchimuzzo, Dennis McGovern
Municipality	-	Representative from Suffolk County
Evaluator	-	Representative from the program that has completed an evaluation on the preschool child
Parent Members	-	Donna Frole, Anne Boxer, Margaret Stroehlein, Dana Focarile, Patricia Larkin, Rosemary Walsh

**XII. NYSSBA LEGISLATIVE LIAISON**

**RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve \_\_\_\_\_ as the NYSSBA Legislative Liaison for the 2015-2016 school year.

**XIII. ADJOURN REORGANIZATION MEETING**

**RESOLVED**, that the Board of Education adjourn the reorganization meeting and convene the regular business meeting.

**XIV. Approval of Minutes of the Regular Meeting of June 15, 2015.**

**XV. Approval of Treasurer's & Business Office Financial Reports and Extra Curricular Fund Report for May, 2015**

**XVI. Superintendent's Report**

**XVII. Questions from Visitors on Agenda Items - Please approach the podium and state your name.**

**XVIII. NEW BUSINESS**

- 1. RE-ADOPTION OF BOARD POLICIES: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education re-adopts all current Board of Education policies and regulations for the 2015-2016 school year.
- 2. DONATION: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education accept the donation of several sets of decodable classics from SEPTA valued at \$898.00 with appreciation for this generous gift.
- 3. AUTHORIZATION OF CONDITIONAL APPOINTMENTS: RESOLVED**, that the Board of Education hereby authorizes the Superintendent of Schools to make conditional appointment(s) of coaches, advisors, support staff and/or professional staff other than administrators during the 2015-2016 school year, under emergency circumstances when the Board of Education is not available to meet. The Board of Education will confirm or terminate employment of said individual(s) at the next Regular scheduled Board of Education meeting.

4. **CENTRAL OFFICE ADMINISTRATORS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby approve the salaries and fringe benefit agreements for the 2015-2016 school year for the Central Office Administrators as listed on Schedule A.
5. **CONFIDENTIAL EMPLOYEES/DIRECTOR OF FACILITIES: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby approve the salaries and fringe benefit agreements for the 2015-2016 school year for the Confidential Employees/Director of Facilities as listed on Schedule B.
6. **DEPUTY TREASURER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the stipend of Patricia Brink as Deputy Treasurer for the 2015-2016 school year as listed on Schedule B.
7. **PROBATIONARY APPOINTMENT ELEMENTARY TEACHER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the probationary appointment of Erin Morgan as an elementary teacher K-6, assigned to the Babylon Elementary School, effective September 1, 2015. Compensation for this assignment to be Step 3 of the MA column of the 2015-2016 Babylon Teachers' salary schedule.
8. **PROBATIONARY APPOINTMENT SPECIAL EDUCATION TEACHER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the probationary appointment of Alyssa Byrne as a special education teacher K-6, assigned to the Babylon Elementary School, effective September 1, 2015. Compensation for this assignment to be Step 1 of the MA column of the 2015-2016 Babylon Teachers' salary schedule.
9. **PROBATIONARY APPOINTMENT SPECIAL EDUCATION TEACHER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the probationary appointment of Samantha Stark as a special education teacher K-6, assigned to the Babylon Elementary School, effective September 1, 2015. Compensation for this assignment to be Step 1 of the MA column of the 2015-2016 Babylon Teachers' salary schedule.
10. **PROBATIONARY APPOINTMENT SPECIAL EDUCATION TEACHER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the probationary appointment of Lauren Halverson as a special education teacher 7-12, assigned to the Babylon Junior-Senior High School, effective September 1, 2015. Compensation for this assignment to be Step 1 of the MA column of the 2015-2016 Babylon Teachers' salary schedule.
11. **PROBATIONARY APPOINTMENT READING TEACHER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the probationary appointment of Daisy Holzmacher as reading teacher K-6, assigned to the Babylon Memorial Grade School, effective September 1, 2015. Compensation for this assignment to be Step 11 of the MA+15 column of the 2015-2016 Babylon Teachers' salary schedule.
12. **PROBATIONARY APPOINTMENT SCHOOL PSYCHOLOGIST: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the probationary appointment of Jessica Linder as a school psychologist, assigned to the Babylon Memorial Grade School, effective September 1, 2015. Compensation for this assignment to be Step 4 of the MA column of the 2015-2016 Babylon Teachers' salary schedule.
13. **PROBATIONARY APPOINTMENT SPEECH TEACHER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the probationary appointment of Catherine Schipf as a speech teacher, assigned districtwide, effective September 1, 2015. Compensation for this assignment to be Step 5 of the MA column of the 2015-2016 Babylon Teachers' salary schedule.

14. **PROBATIONARY APPOINTMENT PHYSICAL EDUCATION AND HEALTH TEACHER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the probationary appointment of Stephanie Sirico as physical education and health teacher, assigned to the Babylon Junior-Senior High School, effective September 1, 2015. Compensation for this assignment to be Step 2 of the BA+15 column of the 2015-2016 Babylon Teachers' salary schedule.
15. **RECALL FROM PREFERRED ELIGIBLE LIST: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education recall from the preferred eligibility list Susan Shanahan as a physical education teacher, assigned to the Babylon Junior-Senior High School, effective September 1, 2015. Compensation for this assignment to be Step 12 of the MA+75 column of the 2015-2016 Babylon Teachers' salary schedule.
16. **PROMOTIONAL APPOINTMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the promotional appointment of William Rivas as a Custodial II Night Supervisor, assigned to the Babylon Memorial Grade School, effective July 14, 2015. Compensation for this assignment to be Step 11 Column B of the 2015-2016 Custodial Association Agreement.
17. **CASUAL APPOINTMENTS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the following casual appointments for the 2015-2016 school year. Compensation for these positions to be in accordance with the Babylon Teachers' Association Contract.

Curriculum Coordinators

English	-	Teresa Collins
World Language	-	Michelle Scharff
Mathematics	-	John Michele
Practical Arts	-	Claire Reilly
Science	-	Kristen Parris-Dixon
Social Studies	-	Christopher Ryan

Directors

Fine Arts K-12	-	Angela Turk
Discipline 7-12	-	Michael Collins
Student Services	-	Tracy Lesnick
Special Education	-	Steve Vaccaro

High School

Administrative Assistants	-	Eric Reisert Sean Burgoyne
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Grade School

Administrative Assistants	-	Richard Punzone Cathy O'Connor
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Elementary School

Administrative Assistants	-	Patricia Bocchimuzzo Leah Weissinger
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Special Education Lead Teacher (K-6)	-	Joanne Fasano
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18. **CASUAL APPOINTMENTS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the following casual appointments for the summer school program from July 6, 2015 to August 14, 2015. Compensation for these positions to be in accordance with the 2015-2016 Non-Instructional Aides and Monitors' Agreement.

Aide: Lynn Quigley

Substitute Aide: Jonathan Kowalchuk

19. **CASUAL SUMMER MUSIC PROGRAM APPOINTMENTS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the following casual appointments for the summer music program from July 6, 2015 to August 7, 2015. Compensation for these positions to be in accordance with the 2015-2016 Babylon Teachers' Association Contract.

Teachers: Paul Grisafi, Don Meier and Charles Leech

Substitute teacher: Dan Kreuger

20. **PART-TIME SECURITY GUARD APPOINTMENTS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the part-time security guard appointments for the 2015-2016 school year. Compensation for these positions to be at the security guard hourly rate of pay of \$18.00.

Tina Cardinal	Victoria Cautela	Mike Connolly	Jerry Grant
Daniel Grant	Mike Koubek	Tom Parson	Fred Sommers
Mike Tenety	Steve Ulrich	Craig Wagner	Jim Woods

21. **CASUAL APPOINTMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education appoint Laura Mayo as the Individual Competitor Swimming supervisor for Babylon students who practice with the West Islip swim team, West Islip swim club and Islip Aquatics swim team and **BE IT FURTHER RESOLVED**, that the Board of Education authorize the West Islip swim team appointed coach, Robert Kollar, West Islip swim club, Kerri Mitchell, and the Islip Aquatics coach, Marc Danin, to coach Babylon Students. Compensation for Laura Mayo to be at the current supervisory rate of pay for the 2015-2016 school year.

22. **CASUAL APPOINTMENTS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the following fall coaching casual appointments for the 2015-2016 school year. Compensation for these positions to be in accordance with the Babylon Teachers' Association Contract for the 2015-2016 school year.

FOOTBALL	Varsity	-	Rick Punzone
	Assistant Varsity	-	Bill Singleton
	Assistant Varsity	-	Vincent DeLapi
	Junior Varsity	-	Frank Palumbo
	Junior Varsity	-	Josh Carlock
	Junior High	-	Chris Morra
FIELD HOCKEY	Junior High	-	Stephen Edmonds
	Varsity	-	Catherine York
	Junior Varsity	-	Cecilia Galbraith
GYMNASTICS	Junior High	-	Stephanie Sirico
	Varsity	-	Kristie Hirten
	Assistant Varsity	-	Nancy O'Donnell
CROSS COUNTRY (BOYS)	Varsity	-	Steve Silipo
CROSS COUNTRY (GIRLS)	Varsity	-	Luke Merz
	Junior High	-	Danielle Vedder
TENNIS (GIRLS)	Junior High	-	Eric Solnick
	Varsity	-	Robert Andrews
	Junior Varsity	-	Peter Mankes
BOYS SOCCER	Junior High	-	Rich Villanueva
	Varsity	-	Dennis McGovern
	Assistant Varsity	-	Chris Egan
	Junior Varsity	-	Peter Montalbano
GIRLS SOCCER	Junior High	-	Michael Birnbaum
	Junior High	-	Allie Halbig
	Varsity	-	Tim Harrison
	Assistant Varsity	-	Frank Mancuso
VOLLEYBALL	Junior Varsity	-	Edward Aromando
	Junior High	-	Joe Fragapane
	Junior High	-	Jessie Lynch
	Varsity	-	Patrick Donaldson
CHEERLEADING	Junior Varsity	-	Brenda Mayo
	Varsity	-	Jennifer Shelorke
WEIGHT ROOM	Junior Varsity	-	Samantha Wolcott
	Supervision	-	Daniel McHugh
ATHLETIC TRAINER		-	South Bay Physical Therapy

23. **VOLUNTEER COACHING APPOINTMENTS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the following volunteer coaching appointments for the 2015-2016 school year in accordance with Board of Education Policy 4532-School Volunteers, pending all NYS clearances:
- |                             |   |                |
|-----------------------------|---|----------------|
| Varsity Football Volunteers | - | Tom McNulty    |
|                             |   | Steve Fasciani |
|                             |   | Daniel Drance  |
|                             |   | Frank Riviezzo |
24. **APPOINTMENT FIRST AID/CPR TRAINER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education appoint Grace McHugh as the First Aid/CPR Trainer for the 2015-2016 school year. Compensation for this assignment to be \$90.00 per hour.
25. **APPOINTMENT MEDICAL PROFESSIONALS: RESOLVED**, that the upon the recommendation of the Superintendent of Schools, the Board of Education approve the appointments of the following medical professionals to provide medical coverage for Babylon Schools 2015 Fall home football games in accordance with New York State Public High School Athletic Association and Section XI rules and regulations. Compensation for this assignment to be \$165.00 per game.
- |                   |                    |                  |
|-------------------|--------------------|------------------|
| Heidi Shapiro, PA | Kathleen Egner, PA | Susan Whalen, PA |
| Perry Shapiro, DO | Bruce Zappia, MD   |                  |
26. **NEW BOARD MEMBER MANDATED TRAINING: RESOLVED**, that Tricia Pané is registered to complete the New York State mandated School Board Governance and Fiscal Oversight training on August 14<sup>th</sup> -15<sup>th</sup>, 2015 at a cost of \$400.00
27. **APPROVAL FOR NIGHT AND WEEKEND DIFFERENTIAL: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the night and weekend differential for the following buildings and grounds staff for the 2015-2016 school year:  
Night Differential: Lisa Brunjes, Stephen DeRusso, Simone Genua, Joseph Jones, James Lind, David Marcopoulos, Genero Peralta, William Rivas, Nelson Torres  
Weekend Differential: Stephen DeRusso
28. **ESTABLISHMENT OF OVERTIME HOURLY RATE: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education establish the hourly rate of pay for facility, food service and field light usage for the 2015-2016 school year as follows:
- |                   |   |                   |              |
|-------------------|---|-------------------|--------------|
| Food Service      | - | Cook              | \$21.60/hour |
|                   |   | PT Kitchen Helper | \$17.25/hour |
| Security Service  | - |                   | \$18.00/hour |
| Custodial Service | - |                   | \$43.54/hour |
| Field Lights      | - |                   | \$20.00/hour |
29. **FIRST READING POLICY 5280-INTERSCHOLASTIC ATHLETICS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education conduct a first reading of policy 5280-Interscholastic Athletics and **BE IT FURTHER RESOLVED**, that the Board of Education waive the formal first reading of policy 5280-Interscholastic Athletics, as attached.
30. **FIRST READING POLICY 6700-PURCHASING: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education conduct a first reading of policy 6700/6700R-Purchasing and **BE IT FURTHER RESOLVED**, that the Board of Education waive the formal first reading of policy 6700/6700R-Purchasing, as attached.
31. **SECOND READING POLICY 8635-INFORMATION SECURITY BREACH AND NOTIFICATION: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education conduct a second reading of policy 8635/8635R-Information Security Breach and Notification and **BE IT FURTHER RESOLVED**, that the Board of Education waive the formal second reading of policy 8635/8635R-Information Security Breach and Notification, as attached.
32. **ADOPTION OF POLICY 8635-INFORMATION SECURITY BREACH AND NOTIFICATION: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve and adopt policy 8635/8935R-Information Security Breach and Notification, as attached.

33. **ROOF RECONSTRUCTION/MASONRY REPAIR, ROOF ACCESS LADDERS, TRIM AT FASCIA AND GABLE END RAKES CONTRACT AWARD: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education award Milcon Construction Corp. as the lowest responsible bidder for Capital Construction Base Bid No. GC-1 \$1,874,000, Alternate 1-1 \$13,000 and Alternate 1-2 \$70,000 at a total cost of \$1,957,000.
34. **ENTRY VESTIBULES AND GENERATORS ELECTRIC CONTRACT AWARD: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education award Roland's Electric as the lowest responsible bidder for Capital Construction Base Bid EC-4 (Combined Bid) at a cost of \$714,040.
35. **PLAYGROUND IMPROVEMENTS CONTRACT AWARD: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education award Louis Barbato as the lowest responsible bidder for Capital Construction Base Bid SC-1 at a cost of \$140,137.
36. **ENTRY VESTIBULE GENERAL CONSTRUCTION AWARD: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education award PB Contracting Corp. as the lowest responsible bidder for Capital Construction Base Bid GC-3 at a cost of \$290,500.
37. **E-RATE PROCESSING SERVICE AGREEMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the Annual E-Rate Consultant Service Contract with Integra Consulting and Computer Services, Inc. from July 1, 2015 to June 30, 2016 at a total annual cost not to exceed \$5,500.
38. **EXTERNAL AUDITOR AGREEMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve external audit services between the Babylon Union Free School District and Cullen & Danowski, LLP for the year ending June 30, 2016. The audit fee for the 2015-2016 audit is \$42,000.
39. **INTERNAL CLAIMS AUDITOR AGREEMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education authorize the President of the Board of Education to execute an agreement between the Babylon Union Free School District and Dennehy Accounting Services, Inc. for internal claims auditing services from July 1, 2015 to June 30, 2016. The annual service fee for 2015-2016 is \$19,306.
40. **INTERNAL AUDITOR AGREEMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education authorize the President of the Board of Education to execute an agreement between the Babylon Union Free School District and Nawrocki Smith LLP for internal auditing services performed from July 1, 2015 to June 30, 2016. The annual service fee for 2015-2016 is \$30,000.
41. **IRS 403B PLAN RENEWAL SERVICES AGREEMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the renewal services agreement between the Babylon Union Free School District and OMNI Financial Group, Inc. for the 2015-2016 school year. The annual service fee for 2015-2016 is \$2,364.
42. **WRIGHT RISK MANAGEMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the agreement between the Babylon UFSD and Wright Risk Management to act as a third party administrator for the district's self funded workers compensation program for the 2015-2016 school year. The annual service fee for 2015-2016 is \$17,650.
43. **SECURITY SERVICES AGREEMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the agreement between the Babylon UFSD and Investigative Professionals Inc. to perform security services from July 1, 2015 through June 30, 2016. The hourly rate, holiday hourly rate and overtime hourly rate respectively is \$22.00, \$33.00 and \$33.00 per hour.



44. **PHYSICIAN CONSULTANT SERVICES: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the physician consulting services agreements between the Babylon Union Free School District and Dr. Carl Soranno and Dr. Jack Geffken for the 2015-2016 school year, fee structure as per contract.
45. **GUERCIO & GUERCIO: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education authorizes the President of the Board of Education to execute a contract between the Babylon Union Free School District and Guercio & Guercio for the General Counsel Contract and Labor Counsel Contract from July 1, 2015 to June 30, 2016, fee structure as per contract.
46. **FITZGERALD DRIVING SCHOOL: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the contract between the Babylon UFSD and Fitzgerald Driving School for the 2015-2016 school year.
47. **SELF-INSURED WORKERS COMPENSATION PROGRAM: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education award Sound Actuarial Consulting, LLC to conduct an actuarial review of Babylon UFSD's self-insured workers compensation program on data evaluated as of June 30, 2015 at a cost of \$6,000.
48. **ATHLETIC TRAINER CONSULTANT AGREEMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education authorizes the President of the Board of Education to execute a sports training agreement between South Bay Sports and Physical Therapy and the Babylon Union Free School District to provide an athletic trainer for the Babylon Union Free School District for the 2015-2016 school year.
49. **SPECIAL EDUCATION SERVICES AND CONSULTANT AGREEMENTS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the special education services and consultant agreements for the 2015-2016 school year between the Babylon UFSD and Little Flower Union Free School District (SE-2015.16-C) and St. James Tutoring (SECSC-2015/16-#10).
50. **COMMITTEE ON SPECIAL EDUCATION AND COMMITTEE ON PRESCHOOL SPECIAL EDUCATION: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the recommendations from the Committee on Special Education and Committee on Preschool Special Education for cases from January 2015 to June 2015 be accepted.
51. **CPSE FORMS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education appoint the District Director of Special Education as their designee for the 2015-2016 school year to sign all necessary and appropriate TAF forms and STAC forms concerning the placement of preschool students.
52. **APPOINTMENT DISTRICT REPRESENTATIVES: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education of the Babylon UFSD designates District representatives for the 2015-2016 school year to have the authority to initiate referrals to the Committee on Special Education pursuant to NYS Education Law 4401-a(1): Ms. Linda J. Rozzi, Lisa Consolo, Yvette Chase, Daniel D'Amico, Joanne Fasano, Steve Goldberg, Jessica Linder, Jessica Kemler, Al Cirone, Patricia Bocchimuzzo, Dennis McGovern, Steve Vaccaro. All other professional staff shall be authorized to request a referral to the District Director for Special Education which shall be made on the form approved by the District Director for Special Education.
53. **DESTRUCTION OF BALLOTS: WHEREAS**, the Board of Education held the annual meeting of the voters of the District on May 21, 2013 and May 20, 2014 and Special District Meeting of December 10, 2013; and **WHEREAS**, no proceeding has been commenced within six (6) months of the meeting; **NOW THEREFORE BE IT RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby orders unsealing and opening of the ballot box, or boxes, and the destruction of all ballots contained therein, together with the unused ballots.

54. **SECTION 18 OF THE PUBLIC OFFICERS LAW OF THE STATE OF NEW YORK: WHEREAS**, Section 18 of the Public Officers law of the State of New York authorizes municipal corporations, including boards of education, to adopt supplemental defense and indemnification provisions to those contained in the Education Law, and **WHEREAS**, the statute authorized boards of education to defend, indemnify and save harmless, members of the board of education and officers, agents and employees of the board of education in connection with any claims asserted of judgment obtained against such board members, officers, agents or employees in any State or Federal Court, or in the amount of any settlement of any such claim, provided the act or omission from which such judgment or claim arose occurred while the board member, officer, agent or employee was acting within the scope of his/her office or employment, **BE IT THEREFORE RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education of the Babylon Union Free School District hereby adopts the supplemental defense and indemnification provisions contained in Section 18 of the Public Officers Law for its Board members, officers, agents and employees. This coverage shall supplement and shall be in addition to the coverage available to such persons under other enactments, including but not limited to the Education law of the State of New York.

55. **APPROPRIATION TRANSFERS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the following appropriation transfers for the 2014-2015 school year:

1.	From:	A 2110.4900-00-000	Tch/Reg Sch-Boces	(19,653)
	To:	A 1981.4900-00-000	Special Items-Boces	19,653
2.	From:	A 2110.4900-00-000	Tch/Reg Sch-Boces	(80,000)
	To:	A 2280.4900-00-000	Occupational Education-Boces	80,000
2.	From:	A 2250.4900-00-000	Special Ed-Boces	(60,382)
	To:	A 2630.4900-00-000	Computer Instr-Boces	60,382

These are end of year budget transfers required to satisfy ST-3 reporting codes.

56. **STANDARD WORK DAY AND REPORTING RESOLUTION: BE IT RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Babylon Board of Education hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

<u>Title</u>	<u>Name</u>	<u>SS#</u>	<u>Work Day (Hrs/Day)</u>	<u>Term Begins/ Ends</u>	<u>Participates in the Employer's Time Keeping System (Y/N)</u>	<u>Days/Month Based on Record of Activities</u>
<u>Appointed Officials</u>						
District Clerk	Linda Pesce	****	7	7/1/15-6/30/16	Y	n/a
District Treasurer	Donna Lika	****	7	7/1/15-6/30/16	Y	n/a
Deputy Treasurer	Patricia Brink	****	7	7/1/15-6/30/16	Y	n/a

**XIX. OTHER BUSINESS**

**1. Appointments of Board Members to Board Committees**

- a. Audit
- b. Finance
- c. Technology
- d. Policy
- e. Buildings and Grounds
- f. Curriculum

**RESOLVED**, that the Board of Education approve the appointments of Board Members to Board Committees as follows:

Audit:

Finance:

Technology:

Policy:

Buildings and Grounds:

Curriculum:

Continued Other Business

2. Building Liaisons

**RESOLVED**, that the Board of Education approve the appointments of Board Members as building liaisons as follows:

Elementary School:

Grade School:

Junior-Senior High School:

3. Board Conferences

4. Establish date for Board of Education Building Tour and Inspection

**XX. REPRESENTATIVES OF ORGANIZATIONS** - Please approach the podium and state your name.

**XXI. QUESTIONS FROM VISITORS** - Please approach the podium and state your name.

**XXII. FUTURE BOARD MEETINGS**

**XXIII. ADJOURNMENT**

**INTERSCHOLASTIC ATHLETICS**

Interscholastic athletics for boys and girls is an integral and desirable part of the district's secondary school educational program. Individual and team sports shall be based upon comprehensive physical education instruction and intramural activities, seeking broad participation from all eligible secondary students. Lifetime or carry-over sports are to be particularly encouraged and supported. Parity in the number and kind of sports activities for girls and boys is a clear objective of the district.

Student eligibility for participation on interscholastic teams shall include:

1. authorization by the school physician;
2. written parent or guardian consent (the written consent will contain information for parents on mild traumatic brain injury (TBI) and will provide a link to the State Education Department's web page on TBI); and
3. endorsement by the Building Principal based on established rules and various league and State Education Department regulations.

Although the district will take reasonable care to protect student athletes, students may still sustain injuries. In order to most effectively ensure student safety, open communication between students, parents and coaches about the child's medical condition is critical. Coaches, and other appropriate staff, will receive guidance and training regarding recognition of injury and removal of the student athlete from play in the event of injury. Parents and/or students are expected to report injuries so that student health can be protected.

In the case of a suspected or actual head injury, a student must be removed from play immediately. In order to resume participation following injury, including head injury, the student needs to receive medical clearance. The Superintendent, in consultation with appropriate district staff, including the school physician, will develop regulations and procedures to guide the process of return to play.

In recognition of the importance of appropriately managing head injuries, the Board authorizes the creation of a Concussion Management Team (CMT). The CMT will be comprised of: the athletic director, a school nurse, the school physician, an athletic trainer and other appropriate personnel designated by the Superintendent. The CMT is charged with overseeing compliance with state training requirements, developing guidelines for use by coaches and physical education teachers and developing information for distribution to parents and students.

Athletic Placement Process (formerly Selection/Classification)

The Board permits students in grades 7 and 8 who wish to play at the freshman, junior varsity or varsity level in all sports to do so provided they can complete the entire Athletic Placement Process (APP). A description of the APP is available from the District's Athletic Director.

Cross-ref: 5420, Student Health Services

Ref: Education Law §§ 305(42), 1709 (8-a); 3001-b  
8 NYCRR §§135.4, 136.5  
*Santa Fe Indep. Sch. Dist. V. Doe*, 520 U.S. 290 (2000) (constitutionality of student-led prayers at interscholastic athletic activities)  
*Concussion Management Support Materials*, [www.nysphsaa.org](http://www.nysphsaa.org)  
*Athletic Placement Process for Interscholastic Athletic Programs*.  
<http://www.p12.nysed.gov/sss/documents/AthleticPlacementProcess2-11-15Revised.pdf>

Adoption date: June 10, 2002

Revised date: February 11, 2013

Revised date:

**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 general supervision of the Purchasing Agent designated by the Board. The purchasing procedures and decisions shall be made in compliance with all existing, applicable laws and regulations of New York State, including New York State General Municipal law and the Regulations of the Commissioner of Education.

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 \$20,000 and public work contracts involving an expenditure of more than \$35,000 will be awarded only after responsible bids have been received in response to a public advertisement soliciting formal bids. Purchases of the same commodity cannot be artificially divided for the purpose of avoiding the threshold. 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.

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 conformance with state law and regulation and in cooperation with the requisitioning authority. The educational and physical 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.

Where permitted by law, purchases will be made through available cooperative BOCES bids, or by “piggybacking” onto contracts of the United States or agencies thereof or the federal General Services Administration (GSA), the New York State Office of General Services (OGS), departments or agencies of New York State, any New York State county, or any state or any county or political subdivision or district therein, whenever such purchases are in the best interests of the district or will result in cost savings to 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.

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.

The Board is also aware of the need to reduce exposure of students and staff to potentially harmful chemicals and substances used in cleaning and maintenance. In accordance with law, regulation and guidelines set forth by the Office of General Services (OGS), the district will purchase and utilize environmentally sensitive cleaning and maintenance products in its facilities whenever feasible. Cleansers purchased must, first and foremost, be effective so that the district may continue to purchase non-green products as necessary. Environmentally sensitive cleaning and maintenance products will be procured in accordance with standard purchasing procedures as outlined in this policy and regulation.

In order to ensure that the district avails itself of advantageous purchasing opportunities, the Board authorizes the Purchasing Agent to represent the district in applying for federal programs designed to discount prices for goods and services. Specifically, the Purchasing Agent will abide by the rules and regulations associated with applying for telecommunications service discounts through the Universal Service Fund (E-Rate), in addition to complying with the local purchasing policies set forth by the Board. As with all purchasing activity, appropriate documentation of the application and purchase through any federal program will be maintained by the business office.

### Competitive Bidding

Purchase contracts and public works contracts subject to competitive bidding will be awarded to the lowest responsible bidder, however, the Board authorizes that purchase contracts may be awarded on the basis of best value, as defined in State Finance Law §163. Other exceptions to competitive bidding are outlined below.

In addition, the Board authorizes the receipt of sealed bids for purchase contracts in electronic format, pursuant to the provisions of General Municipal Law §103(1) which addresses proper documentation, authentication, security, and confidentiality of electronic bids.

The district shall comply with the requirements of General Municipal Law §103-g, which prohibits, with few exceptions, competitive bidding contracts with entities that invest significantly in the Iranian energy sector, as outlined in the accompanying regulation.

#### Exceptions to Competitive Bidding

Competitive bidding, even if the dollar value of the purchase meets the threshold established above, is not required in the following circumstances:

1. emergencies where time is a crucial factor;
2. procurements for which there is no possibility of competition (sole source items);
3. professional services that require special skill or training (see policy 6741 for guidance on purchasing professional services);
4. purchases such as surplus or second-hand items from governmental entities, certain food and milk items, or goods and services from municipal hospitals ; or
5. where the district is purchasing through (or is “piggybacking” onto) the contract of another governmental entity.

#### Purchasing when Competitive Bidding Not Required

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 as permitted by state law for procurements:

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



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.

#### General Purchasing Provisions

The Superintendent of Schools, with the assistance of 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.

Comments will be solicited from those administrators involved in the procurement process before enactment of the district's policies regarding purchasing and from time to time thereafter. The policies must then be adopted by Board resolution. All district policies regarding the procurement processes will be reviewed by the Board at least annually.

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.

Cross-ref: 6710, Purchasing Authority  
6741, Contracting for Professional Services

Ref: Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195)  
Education Law §§305(14); 409-i; 1604(29-a); 1709(4-a), (9), (14), (22); 2503(7-a); 2554(7-a)  
General Municipal Law §§102; 103; 103-g; 104; 104-b; 109-a; 800 et seq.  
State Finance Law §§97-g(3), (4), (5); 163; 163-b; 165-a  
County Law §408-a(2)  
8 NYCRR Part 114

Adoption date: March 10, 2003  
Revised Date: December 13, 2010  
Revised date:

## PURCHASING REGULATION

The following sets forth the procedures for the procurement of goods and services by the district:

### I. Definitions

**Best value:** optimizing quality, cost and efficiency. The basis for best value shall reflect, whenever possible, objective and quantifiable analysis, and may also take into consideration small businesses or certified minority- or women-owned businesses as defined in State Finance Law §163.

**Purchase Contract:** a contract involving the acquisition of commodities, materials, supplies, services or equipment

**Public Work Contract:** a contract involving labor or both materials and labor for a project such as construction

### II. General Municipal Law

The General Municipal Law requires that purchase contracts for services, materials, equipment and supplies involving an estimated annual expenditure exceeding \$20,000 and public work contracts involving an expenditure of more than \$35,000 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.

### III. Competitive Bidding Required

#### A. Method of Determining Whether Procurement is Subject to Competitive Bidding

1. The district will first determine if the proposed procurement is a purchase contract or a contract for public work.
2. If the procurement is either a purchase contract or a contract for public work, the district will then determine whether the amount of the procurement is above the applicable monetary threshold as set forth above.
3. The district will also determine whether any exceptions to the competitive bidding requirements (as set forth below) exist.

4. All advertised bids shall include the following statement required by General Municipal Law 103-g: “By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the state finance law.”

**B. Contract Combining Professional Services and Purchase**

In the event that a contract combines the provision of professional services and a purchase, the district, in determining the appropriate monetary threshold criteria to apply to the contract, will determine whether the professional service or the purchase is the predominant part of the transaction.

**C. Opening and Recording Bids; Awarding Contracts**

The Purchasing Agent will be authorized to open and record bids. Contracts will be awarded to the lowest responsible bidder or a purchase contract bid of best value (as recommended by the Purchasing Agent), who has furnished the required security after responding to an advertisement for sealed bids.

In order to be considered a responsible bidder, entities must certify that they are not on the list created and maintained by the State Office of General Services cataloging significant investment in the Iranian energy sector. Such statement may be submitted electronically pursuant to General Municipal Law §103(1). Entities that cannot make this certification may only be awarded the bid if:

1. The entity’s investment activities in Iran were made before April 12, 2012; the investment activities in Iran have not been expanded or renewed after that date; and the entity has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
2. The district makes a determination, in writing, that the goods or services are necessary for the district to perform its functions and that, absent such an exemption, the district would be unable to obtain the goods or services for which the contract is offered.

D. Documentation of Competitive Bids

The district will maintain proper written documentation which will set forth the method in which it determined whether the procurement is a purchase or a public work contract.

E. Purchase of Instructional Materials

In accordance with Education Law the district shall give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats (i.e., any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as a accommodation for a disabled student enrolled in the district, including but not limited to Braille, large print, open and closed captioned, audio or an electronic file in an approved format).

The district will establish and follow a plan to ensure that every student with a disability who needs his or her instructional materials in an alternative format will receive those materials at the same time that they are available to non-disabled students.

F. Leases of Personal Property

In addition to the above-mentioned competitive bidding requirements, section 1725 of the Education Law requires that the district will be subject to competitive bidding requirements for purchase contracts when it enters into a lease of personal property.

Documentation: The district will maintain written documentation such as quotes, cost-benefit analysis of leasing versus purchasing, etc.

G. Environmentally-Sensitive Cleaning and Maintenance Products

The district will purchase and utilize environmentally sensitive cleaning and maintenance products whenever feasible. The purchasing agent will consult with the Green Guidelines provided by the Office of General Services.

Any legal issues regarding the applicability of competitive bidding requirements will be presented to the school attorney for review.

#### IV. Exceptions to Competitive Bidding Requirements

The district will not be subject to competitive bidding requirements when the Board of Education, in its discretion, determines that one of the following situations exists:

1. emergency situations where:
  - a. the situation arises out of an accident or unforeseen occurrence or condition;
  - b. a district building, property, or the life, health, or safety of an individual on district property is affected; or
  - c. the situation requires immediate action which cannot await competitive bidding.

However, when the Board passes a resolution that an emergency situation exists, the district will make purchases at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practicable under the circumstances.

Documentation: The district will maintain records of verbal (or written) quotes, as appropriate;

2. when the district purchases surplus or second-hand supplies, materials or equipment from the federal or state governments or from any other political subdivision or public benefit corporation within the state.

Documentation: The district will maintain market price comparisons (verbal or written quotes) and the name of the government entity;

3. when the Board separately purchases eggs, livestock, fish and dairy products (other than milk), juice, grains and species of fresh fruits and vegetables directly from New York State producers or growers or associations of producers and growers, subject to the requirements of General Municipal Law §103(9) and Commissioner's Regulations §114.3.

Documentation: The district will maintain documentation consistent with section 114.3 of the Regulations of the Commissioner of Education;

4. when the Board separately purchases milk directly from licensed milk processors employing less than forty (40) people. The amount expended in any fiscal year by the district may not exceed an amount equal to twenty-five cents multiplied by the number of days in the school year multiplied by the total enrollment of the district or exceed the current market price.

Documentation: The district will maintain documentation consistent with section 114.4 of the Regulations of the Commissioner of Education;

5. when the district purchases goods, supplies and services from municipal hospitals under joint contracts and arrangements entered into pursuant to section 2803-a of the Public Health Law.

Documentation: The district will maintain the legal authorization, Board authorization and market price comparisons;

6. when there is only one possible source from which to procure goods or services required in the public interest;

Documentation: The district will maintain written documentation of the unique benefits of the item or service purchased as compared to other items or services available in the marketplace; that no other item or service provides substantially equivalent or similar benefits; and that, considering the benefits received, the cost of the item or service is reasonable, when compared to conventional methods. In addition, the documentation will provide that there is no possibility of competition for the procurement of the goods.

7. when the district purchases professional services that require special skill or training, such as but not limited to, audit, medical, legal or insurance services, or property appraisals.

Documentation: The district will keep proper documentation in accordance with policy 6741; or

8. when the district purchases through the contracts of (or “piggybacks” onto) other governmental entities, as authorized by law, for certain goods and services permitted by law. Factors relevant to the decision to “piggyback” may include cost, staff time, delivery arrangements, quality of goods and services, and suitability of such goods and services to the district’s needs.

Documentation: The district will keep documentation indicating why “piggybacking” is in the best interests of the district, and that the originating contract was let in a manner consistent with applicable competitive bidding requirements.

V. Quotes When Competitive Bidding Not Required

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. Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, as set forth below.

A. Methods of Documentation

1. Verbal Quotations: the telephone log or other record will set forth, at a minimum, the date, item or service desired, price quoted, name of vendor, name of vendor's representative;
2. Written Quotations: vendors will provide, at a minimum, the date, description of the item or details of service to be provided, price quoted, name of contact. For example, with regard to insurance, the district will maintain documentation that will include bid advertisements, specifications and the awarding resolution. Alternatively, written or verbal quotation forms will serve as documentation if formal bidding is not required.
3. Requests for Proposals: the district will utilize RFP's to engage professional services providers in accordance with policy 6741.

B. Purchases/Public Work: Methods of Competition to be Used for Non-Bid Procurements; Documentation to be Maintained

The district will require the following methods of competition be used and sources of documentation maintained when soliciting non-bid procurements in the most cost-effective manner possible:

1. Purchase Contracts up to \$20,000
  - a. Contracts from \$100 to \$1,000: Verbal quotes  
Documentation will include notations of verbal quotes.
  - b. Contracts in excess of \$1,000 to \$20,000: Written quotes
2. Public Work Contracts up to \$35,000
  - a. Contracts from \$1,000 to \$10,000: Verbal quotes  
Documentation will include notations of verbal quotes.
  - b. Contracts in excess of \$10,000 to \$35,000: Written quotes

VI. Quotes Not Required When Competitive Bidding Not Required

The district will not be required to secure alternative proposals or quotations for those procurements as permitted by state law:

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

VII. Procurements from Other than the "Lowest Responsible Dollar Offeror"

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.

VIII. Internal Control

The Board authorizes the Superintendent of Schools, with the assistance of the Purchasing Agent, 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.

Comments will be solicited from those administrators involved in the procurement process before enactment of the district's regulations regarding purchasing and from time to time thereafter. The regulations must then be adopted by Board resolution. All district regulations regarding the procurement processes will be reviewed by the Board at least annually.

The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the district's regulations regarding procurement will not be grounds to void action taken or give rise to a cause of action against the district or any officer or employee of the district.

Adoption date: March 10, 20013

Revised date: December 13, 2010

Revised date:



## SECOND READING AND ADOPTION 8635

### INFORMATION SECURITY BREACH AND NOTIFICATION

The Board of Education acknowledges the States concern regarding the rise in identity theft and the need for prompt notification when security breaches occur. To this end, the Board directs the Superintendent of Schools, in accordance with appropriate business and technology personnel, to establish regulations which:

- Identify and/or define the types of private information that is to be kept secure. For purposes of this policy, “private information” does not include information that can lawfully be made available to the general public pursuant to federal or state law or regulation;
- Include procedures to identify any breaches of security that result in the release of private information; and
- Include procedures to notify persons affected by the security breach as required by law.

Any breach of the district’s computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the district shall be promptly reported to the Superintendent and the Board of Education.

Ref: State Technology Law §§201-208

Adoption date:

## INFORMATION SECURITY BREACH AND NOTIFICATION REGULATION

### Definitions

“Private information” shall mean personal information (i.e., information such as name, number, symbol, mark or other identifier which can be used to identify a person) in combination with any one or more of the following data elements, when either the personal information or the data element is not encrypted or encrypted with an encryption key that has also been acquired:

- Social security number;
- Driver’s license number or non-driver identification card number; or
- Account number, credit or debit card number, in combination with any required security code, access code, or password which would permit access to an individual’s financial account.

NOTE: “Private information” does not include publicly available information that is lawfully made available to the general public pursuant to state or federal law or regulation.

“Breach of the security of the system” shall mean unauthorized acquisition or acquisition without valid authorization of computerized data which compromises the security, confidentiality, or integrity of personal information maintained by the district. Good faith acquisition of personal information by an officer or employee or agent of the district for the purposes of the district is not a breach of the security of the system, provided that the private information is not used or subject to unauthorized disclosure.

### Procedure for Identifying Security Breaches

In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or a person without valid authorization, the district shall consider:

1. indications that the information is in the physical possession and control of an unauthorized person, such as, lost or stolen computer, or other device containing information;
2. indications that the information has been downloaded, or copied;
3. indications that the information was used by an unauthorized person, such as fraudulent accounts, opened or instances of identity theft reported; and/or
4. any other factors which the district shall deem appropriate and relevant to such determination.

### Security Breaches – Procedures and Methods for Notification

Once it has been determined that a security breach has occurred, the following steps shall be taken:

1. If the breach involved computerized data *owned or licensed* by the district, the district shall notify those New York State residents whose private information was, or is reasonably believed to have been acquired by a person without valid authorization. The disclosure to affected individuals shall be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, or any measures necessary to determine the scope of the breach and to restore the reasonable integrity of the system.

The district shall consult with the New York State Office of Cyber Security and Critical Infrastructure Coordination (CSCIC) to determine the scope of the breach and restoration measures.

2. If the breach involved computer data *maintained* by the district, the district shall notify the owner or licensee of the information of the breach immediately following discovery, if the private information was or is reasonably believed to have been acquired by a person without valid authorization.

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

The required notice shall include (a) district contact information, (b) a description of the categories information that were or are reasonably believed to have been acquired without authorization, (c) which specific elements of personal or private information were or are reasonably believed to have been acquired and (d) what the district is doing about it . This notice shall be directly provided to the affected individuals by either:

1. Written notice
2. Electronic notice, provided that the person to whom notice is required has expressly consented to receiving the notice in electronic form; and that the district keeps a log of each such electronic notification. In no case, however, shall the district require a person to consent to accepting such notice in electronic form as a condition of establishing a business relationship or engaging in any transaction.
3. Telephone notification, provided that the district keeps a log of each such telephone notification.

However, if the district can demonstrate to the State Attorney General that (a) the cost of providing notice would exceed \$250,000; or (b) that the number of persons to be notified exceeds 500,000; or (c) that the district does not have sufficient contact information, substitute notice may be provided. Substitute notice would consist of all of the following steps:

1. E-mail notice when the district has such address for the affected individual;
2. Conspicuous posting on the district's website, if they maintain one; and
3. Notification to major media

Notification of State and Other Agencies

Once notice has been made to affected New York State residents, the district shall notify the State Attorney General, the Department of State Division of Consumer Protection, and the State Office of Information Technology Services as to the timing, content, and distribution of the notices and approximate number of affected persons.

If more than 5,000 New York State residents are to be notified at one time, the district shall also notify consumer reporting agencies as to the timing, content and distribution of the notices and the approximate number of affected individuals. A list of consumer reporting agencies will be furnished, upon request, by the Office of the State Attorney General.

Adoption date: