

STUDENT CONDUCT

The Board of Education is committed to providing a safe and orderly school environment where students may receive, and district personnel may deliver, quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents, and other visitors is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of trustworthiness, respect, responsibility, fairness, caring, and citizenship.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the Board adopted a Code of Conduct (5300-E).

Unless otherwise indicated in the Code of Conduct, the code applies to all students, school personnel, parents, and other visitors when on school property or attending a school function.

All policies regarding student conduct and discipline shall be uniformly enforced and distributed annually to the students, parents, and staff of the district.

Cross-ref: 5311.3, Student Complaints and Grievances
5312, Prohibited Conduct
8414.4, Video Cameras on School Buses

Ref: Education Law §§2801; 3214
8 NYCRR §100.2(l)

Approved: July 1, 2001
Revised and Approved: April 2, 2007
Board of Education

STUDENT DISCIPLINE

The Board of Education believes that each student can reasonably be expected to be responsible for his/her own behavior. The school administration shall develop and disseminate rules of conduct, focusing on personal safety and respect for the rights and property of others to be consistently applied in the classrooms and throughout the schools. Students who fail to meet this expected degree of responsibility and violate school rules may be subject to appropriate disciplinary action and more regulated supervision.

The administration may conduct an investigation into reports of misconduct which may include conferences with the complainant, student, parents, teachers, other student service personnel, or others as is deemed appropriate for the early identification and resolution of suspected discipline problems.

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that is viewed as fair and impartial by the student. Therefore, before seeking outside assistance, teachers will first use all their resources to create a change of behavior in the classroom. When the teacher has made every effort to bring about positive behavioral change, and has been unsuccessful, the teacher will bring the matter to the attention of the administration. Once done, the teacher and Building Principal will develop a strategy for dealing with the problem.

Disciplinary action, when necessary, will be firm, fair, and consistent in order to ensure effectiveness in changing behavior.

Pursuant to section 100.2 of the Commissioner's regulations, such action will be appropriate to the seriousness of the offense. Extreme penalties will not be assigned without first reviewing the student's disciplinary records and considering the circumstances which led to the improper behavior.

A student identified as having a disability shall not be disciplined for behavior related to his/her disability. Any question relating to the discipline of such student will be referred to the Committee on Special Education.

The Superintendent of Schools shall solicit the recommendations of the teaching staff and administrators regarding inservice programs pertaining to the management and discipline of students.

Ref: Education Law §§2801; 3214
 8 NYCRR §§100.2(l)1 and 2
 Easterbrook, *Substance & Due Process*, 1982 Supreme Court Review
Chapman v. Thomas, 105 S.Ct. 1866 (1985)
Tinker v. DesMoines Independent Community School Dist., 393 U.S. 503 (1969)
Matter of Troy R., 29 EDR 424 (1990)
Matter of Pellegrino, 22 EDR 462 (1983)
Matter of MacWhinnie, 20 EDR 145 (1980)
Matter of Port, 9 EDR 108 (1969)
 State Education Department, *Guidelines for Students' Rights and Responsibilities* (1979)

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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.

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. 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.

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.

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 cooperative BOCES bids, state contracts of the Office of General

Services, or county contracts 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 offer other than the lowest reasonable dollar offer, 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 when solicitations of competition would not be cost-effective.

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: 2160, School District Officer and Employee Code of Ethics
6670, Petty Cash/Petty Cash Accounts
6720, Bidding Requirements
6740, Purchasing Procedures

Ref: Education Law §§305(14); 409-i; 1604(29-a); 1709(9)(14)(22);
2503(7-a); 2554(7-a)
General Municipal Law §§102; 103; 104-b; 109-a; 800 et seq.
State Finance Law 163-b

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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. Diversification of investments and deposits is encouraged.

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 §165.00
General Municipal Law §§6-c-6-e; 6-j-6-n; 10; 11; 39

Approved: July 1, 2001
Board of Education

BOARD MEMBER CONFLICT OF INTEREST

The members of the Board of Education shall avoid acting in circumstances where their personal interest conflicts with that of the public whose interest they have been elected to represent. Any Board member with a conflict of interest shall disclose the conflict of interest during the annual reorganizational meeting of the Board and it shall be recorded in the minutes of such meeting. The actions of the Board shall be governed by the applicable provisions of the General Municipal Law, any other applicable law, and the code of ethics established pursuant to Board Policy 2160.

Cross-ref: 9120.1, Conflict of Interest

Ref: Education Law §§2103; 2502(7); 2590-c; 2590-g; 2590-j(4); 3016
General Municipal Law §§800 et seq.
Local Finance Law §60.10

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Reviewed by BOE Policy Committee on Jan. 5, 2011