



Farmingdale School District

Board of Education Meeting
June 5, 2019

EXECUTIVE SESSION, 6:00 P.M. – A. TERRY WEATHERS BOARD ROOM

It is anticipated that upon a majority vote of the total membership of the Board, a motion to meet in Executive Session to discuss specific litigation, collective bargaining, and personnel issues in accordance with Open Meetings Law will be considered. Following the Executive Session the Board will reconvene in the Howitt East Cafeteria at approximately 8 p.m.

Board of Education Recognition Ceremony 7:00 P.M.
Howitt Middle School Auditorium

PUBLIC MEETING, 8:00 P.M.
Howitt East Cafeteria

The Board of Education is interested in encouraging all members of the public to share their ideas, comments and questions. Public participation opportunities will be available at the beginning and end of this meeting and, as stated in board policy, no person shall speak for more than three minutes and each period of public participation shall be limited to 30 minutes. If you have any questions or concerns regarding matters on the Agenda, it may be important for you to utilize the first public participation opportunity as the Board will act on those items immediately. Charges, complaints or challenges should follow procedures listed under Policies 1400, 1410 and/or 1440, which are included on the materials table. Thank you for your anticipated courtesy and cooperation. The agenda follows:

IN THE EVENT OF FIRE AND/OR IF YOU HEAR THE FIRE BELL, YOU MUST LEAVE THE BUILDING. PLEASE USE THE NEAREST EXIT, WHICH IS TO YOUR RIGHT IN THE BACK OF THIS ROOM.

Call to Order

Pledge of Allegiance

Superintendent's Update

- Board Recognition: Retirees, Newly Tenured Teachers
- Year in Review

Public Participation

Board of Education Minutes

Motion made by _____, seconded by _____ to approve the minutes of

1. Minutes of May 1, 2019 Board Meeting
2. Minutes of May 14, 2019 Budget / Public Hearing

Board Correspondence

Board Committee Reports

Consideration of Consent Agenda:

Motion made by _____, seconded by _____ that the Consent Agenda consisting of Items I (a-q), II (a-m), and III (a-d) be approved as a whole with action recorded separately.

I. Business Report

a. Acceptance for File of Financial Reports

1. Acceptance of Treasurer's Report - April 2019
2. Acceptance of Revenue and Expenditure Report - April 2019
3. Acceptance of Extra Curricular Report - April 2019
4. Acceptance of Claims Auditor Report - April 2019

b. Approval of Contracts and Agreements

1. Approval of Special Education and General Education Contracts for the 2019-2020 School Year
2. Approval of a Special Education and General Education Contract for the 2018-2019 School Year
3. Approval of an Agreement with Nassau BOCES for a One-Year Lease for Classroom Space at Woodward Parkway Elementary School for Special Education Elementary Program for the 2019/20 School Year
4. Approval of a Facility Use Agreement with the American Red Cross for the 2019/20 School Year
5. Approval of a Service Agreement and Business Associate Agreement for Compliance with the HIPAA Act of 1996 with Zycron Industries, LLC to Provide Assistance of Medicaid Submissions for the 2019/20 School Year
6. Approval of Health & Welfare Services Agreements for Resident Students Attending Non Public Schools Outside of the District for the 2018/19 School Year (Bellmore, Brentwood & Hempstead)
7. Approval of an Agreement with Edgewater Consulting, LLC for Federal, Capital Project Filings, and State Aid Maximization Services for the 2019/20 School Year
8. Approval of an Agreement with Aquarius Capital Solutions Group, LLC for Actuarial Services for the 2019/20 School Year
9. Approval of an Agreement with CBIZ Valuation Group, LLC for Capital Asset Reporting and Property Insurance Updating Services for the 2019/20 School Year
10. Approval of an Extended Warranty Services Agreement with Tecogen Inc. for the Maintenance of the Cogeneration System for the 2019/20 School Year
11. Approval of an Inter-Municipal Agreement with the Farmingdale Public Library for Snow Removal for the 2019/20 School Year

12. Approval of Service Agreement and Business Associate Agreement for Compliance with the HIPAA Act of 1996 with Long Island Athletic Services Inc. to Provide Athletic Trainer Services for the 2019/20 School Year
13. Approval of an Inter-Municipal Cooperative Parking Lot License Agreement with the Incorporated Village of Farmingdale for the 2019/20 School Year
14. Approval of a Renewal Agreement with PeachJar, Inc. for Flyer Management System for the 2019/20 School Year.
15. Approval of an Agreement with Nearpod for the 2019/20 School Year
16. Approval of an Apple Direct Customer Agreement Renewal for the 2019/20 School Year
17. Approval of an Affordable Care Act Administration Agreement with Seneca Consulting Group for 2019/20 and a Business Associate Agreement for Compliance with the HIPAA Act of 1996 for the 2019/20 School Year
18. Approval of a Revocable Permit and Agreement with SUNY Farmingdale for Non-Commercial Use of University Facilities (Off-Site Emergency Shelter) for the 2019/20 School Year
19. Approval of an Agreement with JStor for the 2019/20 School Year
20. Approval of an Agreement with ScholarChip ODBC for the 2019/20 School Year
21. Approval of the Infinite Campus End User License Agreement for the 2019/20 School Year
22. Approval of a One -Year Extension for Transportation Contracts for Southeast Nassau Transportation Cooperative (SENTCO) for Summer 2019 and the 2019/20 School Year
23. Approval of a One-Year Contract Extension with Nesco Bus Maintenance, Inc. for the 2019/20 School Year
24. Approval of a One-Year Contract Extension with Educational Bus, Inc. for the 2019/20 School Year
25. Approval of a Renewal Agreement with Educational Bus, Inc. for the Maintenance of Cameras on District Buses for the 2019/20 School Year
- c. Acceptance of a Donation to the Michael Kuber Scholarship Fund
- d. Acceptance of a Donation to the Andres F. Romay Memorial Scholarship Fund
- e. Acceptance of a Donation to the Achievement in the Face of Adversity Scholarship Fund
- f. Acceptance of Donation to the Joseph Williams Memorial Scholarship Fund
- g. Acceptance of Funds and Increase the 2018/19 Budget for Participation in PTA Arts-in-Education
- h. Acceptance of Funds and Increase the 2019/20 Budget for the Summer Drivers' Education Program
- i. Approval of Transfer of Funds - June 2019
- j. Approval of Participation in the Joint Cooperative Bid Program with Nassau BOCES for the 2019/20 School Year
- k. Approval of Award of Bid - Reeds, Mouthpieces & Supplies
- l. Approval of Award of Bid - Musical Instruments
- m. Approval of Award of Bid - Chrome Book Repair Bid for the 2019/20 school year.
- n. Approval of Award of Bid - Music Equipment & Supplies
- o. Approval of Award of Bid to the Southeast Nassau Transportation Cooperative (SENTCO) for Transportation for Special Education and Parochial School Students for the 2019/20 School Year

- p. Approval of Award of Bid to the Southeast Nassau Transportation Cooperative (SENTCO) for Transportation for Special Education Students for Summer 2019
- q. Approval of Change Order #5 with Laser Industries, Inc. for Various Work Associated with the Athletic Complex at Howitt Middle School

II. Items for Action

- a. Approval of a Memorandum of Agreement with CSEA Clerical/Custodial Unit for Participation in the NYS Deferred Compensation Plan
- b. Approval of a Memorandum of Agreement with the Farmingdale Association of Administrators and Supervisors Unit for Participation in the NYC Deferred Compensation Plan
- c. Approval of a Memorandum of Agreement with the Registered Nurses Union for Participation in the NYS Deferred Compensation Plan
- d. Approval of a Memorandum of Agreement with the Farmingdale Federation of Teachers for Participation in the NYS Deferred Compensation Plan
- e. Disposal of Cast Ballots / May 15, 2018 Budget Vote and Election
- f. Certification of the Results of the Budget Vote and Election / May 21, 2019
- g. Approval of Appointments to Board of Registration
- h. Approval of Policy #6700-R.1, Purchasing Regulations - Uniform Guidance Compliance for Federal Awards
- i. Approval of the Districtwide Comprehensive School Safety Plan for 2019-2020
- j. Audit Committee Resignation Resolution
- k. Approval of the Deletion of Impartial Hearing Officers
- l. Approval of Textbook Adoption: Myers' Psychology for the AP Course
- m. Approval of a Repayment Agreement with Employee Named in Executive Session

III. Superintendent's Report

- a. Personnel Items -- Instructional
- b. Personnel Items -- Non-Instructional
- c. Approval of the Committee on Preschool Special Education Placements Report and Acceptance for File of Said Report
- d. Approval of the Committee on Special Education Placements Report and Acceptance for File of Said Report

IV. Items for Discussion and Action

Motion made by _____, seconded by _____ to accept and approve

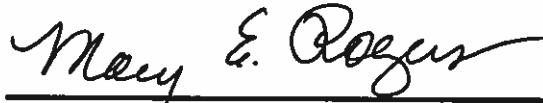
- 1. Authorization to Issue and Sell Revenue Anticipation Notes
- 2. Authorization to Issue and Sell Tax Anticipation Notes
- 3. Authorization to Transfer Excess Fund Balance in the General Fund for the Period Ending June 30, 2019
- 4. Approval of a Request for an Exemption to the Mandated School Zone Assignment
- 5. Approval of Preliminary Smart Schools Investment Plan Resolution

V. Items for Discussion

1. Draft Policy #9620, Child Abuse in an Educational Setting
2. Draft Policy and Regulation #5460, Child Abuse, Maltreatment or Neglect in a Domestic Setting

Public Participation

Adjournment

A handwritten signature in cursive script that reads "Mary E. Rogers". The signature is written in black ink and is positioned above a solid horizontal line.

Mary E. Rogers, District Clerk

Board of Education
50 Van Cott Ave
Farmingdale, NY 11735

Meeting: 06/05/19 08:00 PM
Department: Assistant to the Superintendent for Business
Category: Action Item
Prepared By: Ro Fullam
Initiator: Michael Motisi
Sponsors:
DOC ID: 5534

SCHEDULED

CONSENT ITEM (ID # 5534)

Authorization to Issue and Sell Revenue Anticipation Notes

REVENUE ANTICIPATION NOTE RESOLUTION DATED JUNE 5, 2019 **for the period July 1, 2019 through June 30, 2020**

A RESOLUTION DELEGATING TO THE PRESIDENT OF THE BOARD OF EDUCATION OF THE FARMINGDALE UNION FREE SCHOOL DISTRICT, NASSAU AND SUFFOLK COUNTIES, NEW YORK, THE POWER TO AUTHORIZE THE SALE AND ISSUANCE OF NOT TO EXCEED \$15,000,000 OF REVENUE ANTICIPATION NOTES OF SAID SCHOOL DISTRICT IN ANTICIPATION OF THE COLLECTION OF REVENUES TO BE RECEIVED AS STATE AID AND STAR PAYMENTS BY SAID SCHOOL DISTRICT FROM THE STATE OF NEW YORK IN THE 2019-2020 FISCAL YEAR OF SAID SCHOOL DISTRICT.

BE IT RESOLVED, by the Board of Education of Farmingdale Union Free School District, Nassau and Suffolk Counties, New York, as follows:

Section 1. The power to authorize the sale and issuance of not to exceed \$15,000,000 of revenue anticipation notes of the Farmingdale Union Free School District, Nassau and Suffolk Counties, New York, including renewals thereof, in anticipation of revenues to be received by said School District as State Aid and STAR payments from the State of New York during the 2019-2020 fiscal year of said School District, is hereby delegated to the President of the Board of Education, the chief fiscal officer. Such notes shall be of such terms, form and contents as may be determined by said President of the Board of Education, pursuant to the Local Finance Law.

Section 2. This resolution shall take effect immediately on July 1, 2019.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Suzanne D'Amico	VOTING _____
Mario Espinosa	VOTING _____
Anthony Giordano	VOTING _____
Kathy Lively	VOTING _____
Arlene Soete	VOTING _____
Ralph Morales	VOTING _____
Michael Goldberg	VOTING _____

Consent Item (ID # 5534)

Meeting of June 5, 2019

The resolution was thereupon declared duly adopted.

Board of Education
50 Van Cott Ave
Farmingdale, NY 11735

Meeting: 06/05/19 08:00 PM
Department: Assistant to the Superintendent for Business
Category: Business Report
Prepared By: Ro Fullam
Initiator: Michael Motisi
Sponsors:
DOC ID: 5535

SCHEDULED

CONSENT ITEM (ID # 5535)

Authorization to Issue and Sell Tax Anticipation Notes

TAX ANTICIPATION NOTE RESOLUTION DATED JUNE 5, 2019 **for the period July 1, 2019 through June 30, 2020**

A RESOLUTION DELEGATING TO THE PRESIDENT OF THE BOARD OF EDUCATION OF THE FARMINGDALE UNION FREE SCHOOL DISTRICT, NASSAU AND SUFFOLK COUNTIES, NEW YORK, THE POWER TO AUTHORIZE THE ISSUANCE OF AND TO SELL TAX ANTICIPATION NOTES OF SAID SCHOOL DISTRICT IN ANTICIPATION OF THE COLLECTION OF REAL ESTATE TAXES LEVIED OR TO BE LEVIED FOR THE FISCAL YEAR OF SAID SCHOOL DISTRICT COMMENCING JULY 1, 2019.

BE IT RESOLVED, by the Board of Education of Farmingdale Union Free School District, Nassau and Suffolk Counties, New York, as follows:

Section 1. The power to authorize the issuance of and to sell tax anticipation notes of the Farmingdale Union Free School District, Nassau and Suffolk Counties, New York, including renewals thereof, in anticipation of the collection of real estate taxes levied or to be levied for the fiscal year of said School District commencing July 1, 2019, is hereby delegated to the President of the Board of Education, the chief fiscal officer. Such notes shall be of such terms, form and contents as may be determined by said President of the Board of Education, pursuant to the Local Finance Law.

Section 2. The School District Treasurer or the School District Clerk of said School District is hereby authorized to execute such notes in the place of the chief fiscal officer if such chief fiscal officer of said School District shall so specify.

Section 3. This resolution shall take effect immediately on July 1, 2019.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Suzanne D'Amico	VOTING _____
Mario Espinosa	VOTING _____
Anthony Giordano	VOTING _____
Kathy Lively	VOTING _____

Consent Item (ID # 5535)

Meeting of June 5, 2019

Arlene Soete	VOTING _____
Ralph Morales	VOTING _____
Michael Goldberg	VOTING _____

The resolution was thereupon declared duly adopted.

Board of Education
50 Van Cott Ave
Farmingdale, NY 11735

Meeting: 06/05/19 08:00 PM
Department: Assistant to the Superintendent for Business
Category: Action Item
Prepared By: Ro Fullam
Initiator: Michael Motisi
Sponsors:
DOC ID: 5551

SCHEDULED

CONSENT ITEM (ID # 5551)

Authorization to Transfer Excess Fund Balance in the General Fund for the Period Ending June 30, 2019

RESOLVED, that upon the recommendation of the Superintendent, Farmingdale Union Free School District's Board of Education hereby authorizes the attached transfer of funds from the 2018/19 Excess Fund Balance in the General Fund.

**Farmingdale School District
General Fund Reserves - Period Ending June 30, 2019**

	G.M.L. or Ed. Law Section	Maximum Not-to-Exceed Transfer
Workers' Compensation Reserve Fund	G.M.L. 6-J	\$1,500
Employee Benefit Accrued Liability Reserve Fund	G.M.L. 6-P	\$1,500,000
Retirement Contribution Reserve Fund	G.M.L. 6-R	\$45,000
Unemployment Insurance Payment Reserve Fund	G.M.L. 6-M	\$7,500
Insurance Reserve Fund	G.M.L. 6-N	\$5,000
Capital Reserve Fund	Ed. Law 3651	*\$500,000

* The remaining balance permitted under Education Law 3651 to be allocated to the capital reserve as of June 30, 2018 is \$2,011,222.

Attachment: General Fund Reserves - (Period Ending June 30, 2019) - June 5, 2019 (5551 : Authorization to Transfer Excess Fund Balance in the

**FARMINGDALE UNION FREE SCHOOL DISTRICT
FUND BALANCE AND RESERVES PLAN (UPDATED JUNE 2019)**

Workers' Compensation Reserve Fund

Creation – This reserve was created on June 30, 1982 via Board of Education resolution. This reserve is considered *Restricted* fund balance.

Purpose – The purpose of this reserve fund is to pay for workers' compensation benefits and other expenses authorized by Article 2 of the Workers' Compensation Law, and for payment of expenses of administering this self-insurance program.

Funding Methods – This reserve was funded through fund balance over the course of several years.

Use of Reserve – The district plans to utilize the funds in this reserve to offset the costs associated with claims from when it was self-insured. A referendum is not required to expend moneys from this reserve.

Monitoring of Reserve – This reserve is monitored by the Assistant to the Superintendent for Business.

Funding Level – The current funding level has been deemed adequate to cover any and all costs that could result from when the district was self-funded. If at the end of any fiscal year, moneys in the fund exceed the amounts required to be paid for compensation, benefits and expenses, plus any additional amount required to pay all pending claims, the Board of Education, within 60 days of the close of such fiscal year, may elect to transfer all or part of the excess amount to certain other funds, or may apply all or part of the excess to the budget appropriation of the next succeeding fiscal year. Subsequent to being self-insured, money remaining in the fund may be transferred to certain other reserve funds, but only to the extent moneys in the fund exceed an amount sufficient to pay all authorized expenditures, both accrued and contingent.

6/30/18 Actual Balance: \$141,574, including interest

Maximum Not-to-Exceed Transfer into of \$1,500

6/30/19 Maximum Not-to-Exceed Value: \$143,074, including interest

Employee Benefit Accrued Liability Reserve Fund

Creation – This reserve was created on June 30, 2003 via Board of Education resolution. This reserve is considered *Restricted* fund balance.

Purpose – This reserve is for the cash payment of the monetary value of accumulated or accrued and unused sick leave, holiday leave, vacation leave, time allowance granted in lieu of overtime compensation and other forms of payment for accrued leave time and benefits due an employee upon termination for the employee's service with the district.

Funding Methods – This reserve was funded through fund balance over the course of several years.

Use of Reserve – This reserve is used to pay for accumulated leave upon an employee's retirement. Referendum is not required to expend moneys from this reserve.

Monitoring of Reserve – This reserve is monitored by the Assistant to the Superintendent for Business.

Funding Level – This reserve should be funded at 100% of the accrued liability for unused accumulated leave time. As of the fiscal year ended June 30, 2018, this reserve was not fully funded.

6/30/18 Actual Balance: \$2,041,856, including interest

Maximum Not-to-Exceed Transfer into of \$1,500,000

6/30/19 Maximum Not-to-Exceed Value: \$3,541,856, including interest

Attachment: General Fund Reserves - (Period Ending June 30, 2019) - June 5, 2019 (5551 : Authorization to Transfer Excess Fund Balance in the

Retirement Contribution Reserve Fund

Creation – This reserve was created on June 30, 2006 via Board of Education resolution. This reserve is considered *Restricted* fund balance.

Purpose – This reserve is used to pay for district expenses to the NYS Employees' Retirement System (ERS) only. Payments to the NYS Teachers' Retirement System (TRS) are not allowed from this reserve.

Funding Methods – This reserve was funded through fund balance over the course of several years.

Use of Reserve – The district may use this reserve to offset costs to the district portion of NYS ERS contributions. Beginning with the 2013-14 budget, increases in district required contributions are planned to be funded by The Reserve for Retirement Contributions. A portion of the funds may be transferred to another reserve fund established pursuant to section 3651 of the Education Law following a public hearing conducted in the manner set forth in the law. A referendum is not required to expend moneys from this reserve.

Monitoring of Reserve – This reserve is monitored by the Assistant to the Superintendent for Business.

Funding Level – General Municipal Law does not limit the funding level of this reserve.

6/30/18 Actual Balance: \$4,941,178, including interest, which is sufficient to pay for approximately 2 years of employer ERS expense

Maximum Not-to-Exceed Transfer into of \$45,000

6/30/19 Maximum Not-to-Exceed Value: \$2,451,488, including interest, which is sufficient to pay for approximately 1 year of employer ERS expense

Unemployment Insurance Payment Reserve Fund

Creation – This reserve was created on June 30, 1981 via Board of Education resolution. This reserve is considered *Restricted* fund balance.

Purpose – This reserve is used to reimburse the State for payments made to claimants where the district uses the benefit reimbursement method.

Funding Methods – This reserve was funded through fund balance over the course of several years.

Use of Reserve – This reserve is used to offset unemployment expenses paid by the district.

Monitoring of Reserve – This reserve is monitored by the Assistant to the Superintendent for Business.

Funding Level – This reserve was adequately funded at approximately two times the sum of the expense for the last five years.

6/30/18 Actual Balance: \$612,060, including interest

Maximum Not-to-Exceed Transfer into of \$7,500

6/30/19 Maximum Not-to-Exceed Value: \$219,560, including interest

Insurance Reserve Fund

Creation – This reserve was created on June 30, 2006 via Board of Education resolution. This reserve is considered *Restricted* fund balance.

Purpose – The purpose of this reserve is to fund certain uninsured losses, claims, actions, or judgments for which the local government is authorized or required to purchase or maintain insurance, with a number of exceptions. It may also be used to pay for expert or professional services in connection with the investigation, adjustment, or settlement of claims, actions, or judgments.

Funding Methods – This reserve was funded through fund balance over the course of several years. Future funding of this reserve is not planned at this time.

Use of Reserve – This reserve would be used to pay any allowable claims, as described in the purpose for this reserve.

Monitoring of Reserve – This reserve is monitored by the Assistant to the Superintendent for Business.

Funding Level – The current funding level of this reserve was established in connection with the outstanding lawsuits the district was engaged in over faulty building construction.

6/30/18 Actual Balance: \$406,251, including interest

Maximum Not-to-Exceed Transfer into of \$5,000

6/30/19 Maximum Not-to-Exceed Value: \$411,251, including interest

Capital Reserve Fund

Creation – This reserve was originally created on May 19, 2009 via voter approval. A new reserve was established via voter approval on May 19, 2015. This reserve is considered *Restricted* fund balance.

Purpose – This reserve may be used to finance all or part of the cost of construction, reconstruction, or acquisition of capital improvements and/or acquisition of equipment.

Funding Methods – Voter approval is required to establish and fund this reserve. In accordance with the approved proposition, this reserve is funded from fund balance.

Use of Reserve – This reserve is used to fund various district capital improvements. Use of this reserve requires voter approval.

Monitoring of Reserve – This reserve is monitored by the Assistant to the Superintendent for Business.

Funding Level – As stated in the approved proposition, this reserve was created with a maximum limit of \$20,000,000. Accumulation of funds into this reserve must cease at either \$20,000,000 or 10 years, whichever comes first, inclusive of interest.

6/30/18 Actual Balance: \$11,644,125, including interest

Maximum Not-to-Exceed Transfer into of \$500,000

6/30/19 Maximum Not-to-Exceed Value: \$20,000,000, plus interest

Note: Funds spent from this reserve cannot be replenished. As of 6/30/18, \$2,011,222 may be reserved before reaching the voter approved maximum of \$20,000,000.

Reserve Fund for Payment of Bonded Indebtedness

Creation – This reserve was created on June 30, 2010, via Board of Education resolution. This reserve is considered *Restricted* fund balance.

Purpose – This reserve is used to record and apply the amount of premium the district received due to the refinancing of bonds. This amount is amortized over the life of the new bonds and used to offset taxes in equal installments each year.

Funding Methods – Funded from the proceeds on premiums received as a result of bond refinancing.

Use of Reserve – A journal entry is done each year in conjunction with the closing of the books to properly draw down on this reserve.

Monitoring of Reserve – The reserve is monitored by the Assistant to the Superintendent for Business and the School Business Administrator.

Funding Level – Limited to premiums received on bond refinancing.

6/30/18 Actual Balance: \$498,930

6/30/19 Projected Balance: \$332,620

Note: This reserve will no longer be utilized for any newly refinanced bonds beginning in the 2012-2013 fiscal year due to the implementation of GASB No. 64 - *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*. The existing balance will continue to be utilized for bonds refinanced prior to June 30, 2012.

Unassigned Fund Balance

Creation – Retention of these funds are allowed by law.

Purpose – These funds are unrestricted and may be used for any valid purpose.

Funding Methods – This reserve is funded through prior year fund balance only.

Use of Funds – It is recommended that these funds not be used except for an emergency, unanticipated expense, or revenue shortfall, that cannot be handled either in the budget or with other available reserves.

Monitoring of Balance – These funds are monitored by the Assistant to the Superintendent for Business.

Funding Level – The maximum legal limit is 4% of the next fiscal year budget.

6/30/18 Actual Balance: \$6,628,297

6/30/19 Projected Balance: \$6,843,352

Assigned Fund Balance - Appropriated for Subsequent Years

Creation – These funds are actually fund balance that have been set aside for a particular purpose, namely to reduce the tax levy required to support an ensuing years budget.

Purpose – These funds are set aside and returned to the community by lowering the required tax levy to support the district's budget.

Funding Methods – These funds are fund balance that is assigned for a particular purpose.

Use of Funds – It is recommended that the practice of returning these funds continue each year, as budgets permit. In the future, tighter budgets may restrict the amount of excess available to be returned in a subsequent year.

Monitoring of Balance – The balance and use of these funds are monitored by the Assistant to the Superintendent for Business.

Funding Level – Over time, a planned amount of assigned fund balance will continue to be used to offset taxes.

6/30/18 Use of Funds for 2018/19 school year: \$5,500,000

6/30/19 Use of Funds for 2019/20 school year: \$7,000,000

Board of Education

50 Van Cott Ave
Farmingdale, NY 11735

Meeting: 06/05/19 08:00 PM
Department: Assistant to the Superintendent for Business
Category: Discussion and Action

Prepared By: Ro Fullam

Initiator: Michael Motisi

Sponsors:

DOC ID: 5607

SCHEDULED

DISCUSSION AND ACTION (ID # 5607)

Approval of a Request for an Exemption to the Mandated School Zone Assignment

Resolved, that the Farmingdale Union Free School District Board of Education approve an exemption to the mandated school zone assignment by reason of a demonstrated personal and/or family hardship in accordance with Board Policy 5110.

SCHOOL ATTENDANCE AREAS

The assignment of students to buildings is a matter completely within the discretion of the Board of Education. Therefore, in order to provide for proper housing, planning and administration of staff and students, the Board has established geographic elementary school attendance zones. Each student shall attend that school assigned as the receiving school for the zone in which he/she resides. The Board shall not consider transfer requests which are based solely upon the preferential, selective judgment of the parent. This policy will not apply to designated homeless students who opt for attendance in Farmingdale.

a*d

Adoption date: July 5, 1995

Attachment: Request for Exemption to Mandated School Zone - June 5, 2019 (5607 : Approval of Request for an Exemption to the Mandated

SCHOOL ATTENDANCE AREAS REGULATION

Assignment of Students to Buildings

The Board of Education has established geographic elementary school attendance zones as shown on official maps of the district. These school attendance zones are designated by letter or number as listed below. Each student shall attend that school assigned as the receiving school for the zone in which he/she resides. The official district map shall be kept on file in the Transportation Office where it may be examined by district residents.

Attendance Zones:

Students grades K-5 residing in Zones:

- a. L, M, N, P, Q, R, S, and 3 shall attend the Albany Avenue School.
- b. A, B, C, D, E, F, G, H (north of the Southern State Parkway), and J shall attend the Saltzman East Memorial School.
- c. T, 1, 2, 5, 6, 7 (north of Fulton Street), 8, and 9, shall attend the Northside School.
- d. 4, 7 (south of Fulton Street), U, V, W, X, Y, Z, K, and H (south of the Southern State Parkway), shall attend the Woodward Parkway School.

Exceptions

An exception to the above policy concerns the assignment of students with disabilities, as determined within the discretion of the District, Committee on Special Education and/or 504 Committee. In addition, the sibling(s) of a student with a disability may attend school outside his/her attendance zone, in the same school building as his/her disabled sibling with transportation, through the completion of all grades regularly offered at that school building, even if his/her disabled sibling has already graduated at the election of the parent or guardian.

The Board also recognizes that exceptions may be made in the following limited circumstances, as determined solely within the discretion of the District:

- a. In those cases where a shift in schools would be required by reason of a demonstrated personal and/or family hardship, the Board offers this avenue of appeal. In each instance of alleged hardship, the parent shall seek relief, via written application, submitted through the Superintendent to the Board. The application shall list specific reason for the hardship claim. Exception to the mandated zone assignment in this instance shall be only by approval of the Board.
- b. In those cases where a shift of schools is warranted for physical, mental or emotional reasons, the Superintendent, or his/her designee, may effect, upon proof of need, said transfer with notification to the Board. Said proof of need shall be in the form of a certificate from a psychiatrist or psychologist, or physician with input from and review by corresponding district personnel.
- c. When a family moves from one attendance zone to another zone within the district, the child shall be permitted, upon request to the Superintendent or his/her designee, to finish the school year. In such a case, transportation may be provided on the basis of availability. When existing transportation is not available, transportation shall become the responsibility of the parent.
The objective of such a waiver is to permit students to complete the school year at "their" school; however, all conditions under the waiver shall cease at the conclusion of the school year.
- d. In those cases where a shift in schools is necessary due to homelessness as determined within the discretion of the District.

The Board shall not consider transfer requests which are based solely upon the preferential, selective judgment of the parent.

Ref: Education Law §§ 1709; 2045; 3606

Cross-Ref: 5151, Homeless Children

a*d

Adoption date: July 5, 1995; Revised: February 1, 2017

Board of Education50 Van Cott Ave
Farmingdale, NY 11735

Meeting: 06/05/19 08:00 PM

Department: Assistant Superintendent for Innovation and Organizational Developpr

Category: Discussion and Action

Prepared By: Ellen Carrigan

Initiator: William Brennan

Sponsors:

SCHEDULED**DISCUSSION AND ACTION (ID # 5546)**

DOC ID: 5546

Approval of Preliminary Smart Schools Investment Plan Resolution

WHEREAS, the New York State Smart Schools Bond Act of 2014 requires that School Districts develop a Smart Schools Investment Plan for submission to the Smart Schools Review Board;

WHEREAS, initially, the District is required to develop a Preliminary Smart Schools Investment Plan which must be approved by the Board of Education; and

WHEREAS, after the Board of Education's approval of the Preliminary Smart Schools Investment Plan, such Plan is required to be posted on the District's website for at least thirty (30) days with an address to which any written comments on the Plan can be sent.

NOW THEREFORE, BE IT RESOLVED, that the Board of Education hereby approves the District's Preliminary Smart Schools Investment Plan, and directs that this Plan be posted on the District's website for at least thirty (30) days with an address to which any written comments on the Plan can be sent.

Board of Education

50 Van Cott Ave
Farmingdale, NY 11735

Meeting: 06/05/19 08:00 PM
Department: Assistant Supt for Human Resources and Admin

Category: Discussion
Prepared By: Marie Lovisa

Initiator: Glen A Zakian

Sponsors:

DOC ID: 5529

SCHEDULED

DISCUSSION ITEM (ID # 5529)

Draft Policy #9620, Child Abuse in an Educational Setting

**Renumbered and Renamed from:
#9135, Suspected Child Abuse by District Personnel
to comply with NYSSBA's Revised Section 9000**

CHILD ABUSE IN AN EDUCATIONAL SETTING

Board of Education recognizes that children have the right to an educational setting that does not threaten their physical and emotional health and development. Child abuse by school personnel and school volunteers violates this right and therefore is strictly prohibited.

Allegations of child abuse by school personnel and school volunteers shall be reported in accordance with the requirements of Article 23-B of the Education Law.

Required Reporters

Any person holding any of the following positions shall be required to promptly report written and oral allegations of child abuse by an employee or volunteer in an educational setting:

- school administrator
- teacher
- school nurse
- school guidance counselor
- school psychologist
- school social worker
- other school personnel required to hold a teaching or administrative license or certificate
- licensed and registered physical therapist,
- licensed and registered occupational therapist,
- licensed and registered speech-language pathologist,
- teacher aide,
- school resource officer,
- school board member, and
- any staff whose duties involve direct student contact and who is paid either by a school district or contracted to provide transportation services to children; or
- who is an employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the social services law.

For purposes of this policy, persons holding these positions shall be referred to as “required reporters.”

Definitions

"Administrator" or "school administrator" shall mean a principal of, or the equivalent title, in a public school, charter school or board of cooperative educational services, or other chief school officer.

"Child" means a person under the age of 21 enrolled in a school.

“Child abuse” means any one of the following acts committed in an educational setting by an employee or volunteer against a child:

“Educational setting” means the buildings and grounds of the school, the vehicles provided by directly or by contract the school for the transportation of students to and from school buildings, field trips, co-curricular and extra-curricular activities both on and off school grounds, all co-curricular and extra-curricular activity sites, and any other location where direct contact between an employee and volunteer and a child has allegedly occurred.

“Employee” means any person who is receiving compensation from a school district. Additionally, for the purpose of this policy, one whose duties involve direct student contact and is receiving compensation from any person or entity that contracts with a school to provide transportation services to children or is an employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the social services law, whereby such services performed by such person involve direct student contact.

“Law enforcement authorities” means any officer or office of municipal, sheriffs, or division of the state police department.

“Parent” means either both of a child’s parents or other persons legally responsible for the child.

“School” generally means any school district, public school, charter school, non-public school board of cooperative educational series or special act school district and additional entities as defined by section 1125(10) of Education Law.

“Volunteer” means any person, other than an employee, who has direct student contact and provides services to a school or school district which involve direct student contact and who provides services to any person or entity which contracts with a school to provide transportation services to children

Reporting Requirements

In any case where a written or oral allegation of child abuse by an employee or volunteer in an educational setting is made to a required reporter, the required reporter shall:

If the allegation involves a child who was allegedly abused by an employee or a volunteer of a school in another school district, the required reporter must promptly forward the report form to the Superintendent of the district of attendance and the Superintendent of the school district where the abuse allegedly occurred (if different).

If an allegation is made to a school bus driver employed by a person or entity that contracts with a school to provide transportation services to children that a child has been subjected to child abuse by an employee or volunteer in an educational setting, such driver shall promptly report to his or her supervisor.

If an allegation is made to a supervisor of a school bus driver employed by a person or entity that contracts with a school to provide transportation services to children, that a child has been subjected to child abuse by an employee or volunteer in an educational setting, such supervisor shall promptly complete a written report on the attached form (9620-E.1) and shall personally deliver it to the school district superintendent employed by the school district where the child abuse occurred.

If an allegation is made which involves a school that is not a school district or public school, the appropriate school administrator or administrators, in addition to any appropriate superintendent of schools, shall be notified if the allegation. Upon receiving a written report, the Principal shall determine whether there is reasonable suspicion to believe that an act of child abuse has occurred. In those circumstances where the Superintendent receives the written report directly, he or she will be responsible for making the reasonable suspicion determination.

In any case where the employee the allegation is being made against is the superintendent or the administrator, the report of such allegations shall be made to the Assistant Superintendent for Human Resources and Administration.

If the Principal/Superintendent determines there is reasonable suspicion to believe that an act of child abuse has occurred, he or she shall promptly notify the parent of the alleged child victim (assuming that the parent is not the person who originally reported the alleged abuse) that an allegation of child abuse in an educational setting has been made and promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Regulations of the Commissioner of Education.

If the person making the allegation of abuse is someone other than the child or the child's parent, the Principal/Superintendent shall contact the person making the report to learn the source and basis for the allegation.

The Principal shall also promptly provide a copy of the written report to the Superintendent and send a copy to the appropriate law enforcement authorities. In no event shall the Principal delay in sending the report to law enforcement because of an inability to contact the Superintendent.

The Superintendent shall send to the Commissioner of Education any written report forwarded to the local law enforcement authorities where the employee or volunteer alleged to have committed an act of child abuse holds a certification or license issued by the department.

Rights of Employees and Volunteers

Any employee or volunteer against whom an allegation of child abuse has been made and against whom the district intends to take adverse action shall be entitled to receive a copy of the report and to respond to the allegations. In addition, such persons are entitled to seek disclosure of reports involving them under the Freedom of Information Law.

Confidentiality

All reports, photographs, and other written material submitted pursuant to this policy and Article 23-B of the Education Law shall be confidential and may not be re-disclosed except to law enforcement authorities involved in investigating the alleged abuse or except as expressly authorized by law or pursuant to a court-ordered subpoena. The Principal and Superintendent shall exercise reasonable care to prevent unauthorized disclosure.

Willful disclosure of a written record required to be kept confidential to a person not authorized to receive or review such record is a class A misdemeanor.

Penalties

Willful failure of an employee to prepare and submit a written report of alleged child abuse required by Article 23-B of the Education Law shall be a class A misdemeanor.

Willful failure of any Principal or Superintendent to submit a written report of alleged child abuse to an appropriate law enforcement authority, as required by Article 23-B of the Education Law, shall be a class A misdemeanor. In addition, the Commissioner of Education may, following an administrative determination, impose a civil penalty of up to \$5,000 on any administrator who fails to submit a report of child abuse to an appropriate law enforcement authority.

The law further prohibits any Principal or Superintendent from agreeing to withhold from the appropriate law enforcement authorities, a superintendent or the Commissioner of Education, where appropriate, an allegation of child abuse in an educational setting on the part of any employee or volunteer as required by law, in return for the resignation or voluntary suspension of the alleged perpetrator. Violation of this prohibition can result in a class E felony charge and a civil penalty of up to \$20,000.

Record Retention

Any report of child abuse by an employee or volunteer that does not result in a criminal conviction shall be expunged from the records kept by the district with respect to the subject of the report after five years from the date the report was made.

Training

The Superintendent shall be responsible for establishing and implementing on an ongoing basis a training program for all current and new required reporters on the procedures required under Article 23-B. The program shall include at a minimum information regarding the physical and behavioral indicators of child abuse and maltreatment, reporting requirements including but not limited to, when and how a report must be made, what other actions the reporter is can and should take, the legal protections afforded reporters, and the consequences for failing to report, and any other elements as specified in Commissioner's regulations.

Further, all persons employed on or after July 1, 2019 as a school bus driver employed by any person or entity that contracts with a school to provide transportation services to children shall be required to complete two hours of coursework or training (from an approved provider) regarding the identification and reporting of child abuse and maltreatment. The coursework or training shall include information regarding the physical and behavioral indicators of child abuse and maltreatment, reporting requirements including but not limited to, when and how a report must be made, what other actions the reporter is can and should take, the legal protections afforded reporters, and the consequences for failing to report. Each employee in such titles shall provide the school administrator of the school with documentation showing that he or she completed the required training. In addition, each school bus driver shall provide such contracting person or entity with documentation showing that he or she completed the required training. The department shall be authorized to request such records on a periodic basis and may publish a list of any persons or schools who are not in compliance with this subdivision on its website.

The coursework or training required by this section shall not apply to those persons already required to undergo coursework or training regarding the identification and reporting of child abuse and maltreatment pursuant to sections three thousand three and three thousand four of this chapter.

Ref: Education Law §§1125-1133
Penal Law §§130, 235, 263
8 NYCRR §100.2 (hh) (Reporting of Child Abuse in an Educational Setting)
Appeal of S.S., 42 EDR 273 (2003)

Adoption Date: July 5, 1995; Revised:

**Renumbered and Renamed to:
#9620, Child Abuse in an Educational Setting
to comply with NYSSBA's Revised Section 9000**

SUSPECTED CHILD ABUSE BY DISTRICT PERSONNEL

The Board of Education recognizes that children have the right to an educational environment which does not threaten their physical and emotional health and development. Child abuse by school personnel violates this right and therefore is strictly prohibited.

The Superintendent of Schools is directed to ensure that all employees are informed of this policy, and every school employee who comes into contact with students shall be required to attend a training program concerning child abuse. Every school employee who suspects an incident of child abuse of a student by district personnel shall immediately report all information to the Building Principal or the Superintendent of Schools.

It shall be the responsibility of the Principal, with the assistance of the Superintendent, to promptly and thoroughly investigate and document any suspected incident of child abuse of students by district personnel. The Superintendent may prohibit unsupervised student contact by any district employee who is the subject of investigation of a suspected incident of child abuse.

The Superintendent shall promptly notify the parents or guardians of students who are suspected victims of child abuse. No school personnel or Board member, with the exception of the Superintendent or the Superintendent's designee, shall make any statements or release any information which identifies or could be used to identify a suspected victim or perpetrator of child abuse to the public, media, staff, or student body while an investigation is pending. The Superintendent and/or designee shall seek legal counsel concerning the nature of statements which are permissible in the particular case, prior to making any public statement on the case.

The Superintendent shall contact law enforcement authorities concerning a suspected incident of child abuse of a student by district personnel when the totality of the facts and circumstances warrant the intervention of law enforcement authorities. The district shall cooperate to the extent possible with the investigation and prosecution of suspected child abuse of a student by a district employee. The district recognizes that any individual may contact law enforcement authorities concerning a suspected incident of child abuse of a student.

The Superintendent shall report information indicating that an employee holding a teaching certificate has been convicted of a crime or has committed an act which raises a reasonable question as to his or her moral character to the State Education Department of New York. It shall be the policy of the district to construe an incident of student abuse as raising a reasonable question of the moral character of an employee holding a teaching certificate. The district recognizes that any individual may report information indicating that an employee holding a teaching certificate has been convicted of a crime or has committed an act which raises a reasonable question as to his or her moral character to the State Education Department of New York.

Attachment: DRAFT Policy #9135 BOE 6-5-19 (5529 : Draft Policy #9620, Child Abuse in an Educational Setting)

The Superintendent shall report cases of suspected child abuse to the New York Central Register for Child Abuse and Maltreatment, as appropriate.

Cross-ref:

5460, Suspected Child Abuse and Maltreatment

Ref:

Education Law §3209-a

Social Services Law §§41 *et seq.*

8 NYCRR §83.1

Adoption date: July 5, 1995

Attachment: DRAFT Policy #9135 BOE 6-5-19 (5529 : Draft Policy #9620, Child Abuse in an Educational Setting)

Board of Education50 Van Cott Ave
Farmingdale, NY 11735Meeting: 06/05/19 08:00 PM
Department: Assistant Supt for Human Resources and AdminCategory: Discussion
Prepared By: Marie Lovisa

Initiator: Glen A Zakian

Sponsors:

DOC ID: 5530

SCHEDULED**DISCUSSION ITEM (ID # 5530)**

**Draft Policy and Regulation #5460, Child Abuse, Maltreatment
or Neglect in a Domestic Setting**

CHILD ABUSE, MALTREATMENT OR NEGLECT IN A DOMESTIC SETTING

The Board of Education recognizes that because of their sustained contact with school-aged children, employees are in an excellent position to identify abused, maltreated or neglected children and refer them for treatment and protection. The Board further recognizes the specific dictates of law which require school officials to report suspected instances of child abuse, maltreatment (which includes neglect) in a domestic setting.

The purpose of mandatory reporting is to identify suspected abused and maltreated children as soon as possible, so that such children determined to be abused or maltreated can be protected from further harm and, where appropriate, can be offered services to assist him or her and his or her family.

School officials, who have reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment, must immediately report this to the New York State Central Register for Child Abuse and Maltreatment (Central Register), as required by law. No conditions may be imposed which limit their responsibility to report. A school official is defined as:

- Teacher
- Guidance counselor
- Psychologist
- Nurse
- Social Worker
- Full or part-time paid athletic coach
- Administrator
- Any school personnel required to hold a teaching or administrative license or certificate.

The school official will also report the matter to the Building Principal.

The report shall be made by telephone or by telephone facsimile machine on a form supplied by the Commissioner of Social Services. A written report shall be made within forty-eight hours to the appropriate local child protective service, and to the statewide Central Register.

School employees who are not school officials, as defined above, but who have reasonable cause to know or suspect that a child has been subjected to abuse or maltreatment are encouraged to report to the Central Register. However, the school employee must report the matter to the Building Principal. If the matter has not yet been reported to the Central Register, the Building Principal shall make the report, in accordance with state law. In being required to file such report, the Building Principal does not have discretion.

School employees or officials may not contact the child's family or any other person to determine the cause of the suspected abuse or maltreatment. It is not the responsibility of the school official or employee to prove that the child has been abused or maltreated.

Any school official or employee who has cause to suspect that the death of any child is a result of child abuse or maltreatment must report that fact to the appropriate medical examiner or coroner.

In accordance with the law, any school official who fails to report an instance of suspected child abuse or maltreatment may be guilty of a Class A misdemeanor and may be held liable for the damages caused by the failure to report. The law grants immunity to persons who, in good faith, report instances of child abuse from any liability.

School employees will not be subject to retaliatory action, as defined in state law, as a result of making a report when they reasonably suspect that a child has been abused or maltreated.

The Board recognizes that knowingly reporting a false claim of child abuse is a violation of state law and this policy acknowledges that it is a crime to do so. The district will make every reasonable effort to ensure the integrity of the district's child abuse reporting process and procedure.

School District Relationship with Local Social Service District

The school district will cooperate to the extent possible with authorized child protective services workers in investigations of alleged child abuse. The Superintendent, or his or her designee, will represent the district when collaborating with local social service agencies to address instances of abuse or maltreatment, and in the development of policy and procedures regarding abuse or maltreatment (including educational neglect). **In addition, the Superintendent will share a copy of the district's attendance policy, 5100, with the local social service district.**

Training Program and Dissemination of Information

The school district shall maintain an ongoing training program which will address the identification and reporting of child abuse and maltreatment, including the legal implications of reporting and not reporting. Attendance at sessions of this training program shall be required ~~and recorded.~~ **of all school officials. Attendance records shall be kept, and notations will be made in personnel files as to the dates of attendance.**

In addition, the policy and regulations will be included in all employee handbooks and distributed annually to all school officials who are not covered under existing handbooks. The Superintendent will prepare and implement all regulations as are necessary to accomplish the intent of this policy.

As required by state law and regulation, the district shall publicize the toll-free number for reporting child abuse and neglect to the Central Register (800-342-3720), and directions for

accessing the NYS Office of Children and Family Services website (<http://ocfs.ny.gov/main/cps/>), in both English and Spanish

Cross-ref:

Attendance, 5100

Ref:

Child Protective Services Act of 1973, [Social Services Law §§411 et seq.](#)

[Social Services Law §34-a](#)

[Family Court Act §1012](#)

Family Educational Rights and Privacy Act, [20 U.S.C. §1232g](#), [45 CFR §99.36](#)

[Education Law §§3209-a, 3036](#)

[Penal Law 240.50](#)

8 NYCRR § 100.2(nn)

Adoption date: July 5, 1995; Revised: April 2, 2008; Revised: July 1, 2015

CHILD ABUSE, MALTREATMENT OR NEGLECT IN A DOMESTIC SETTING REGULATION

New York State Law (Child Protective Service Act of 1973, as amended) provides for reporting of suspected cases of child abuse by school officials. These regulations are designed to implement this law within the district and to help protect students from the harmful effects of child abuse.

Definitions

The definition of child abuse and maltreatment is established by law.

Abused Child, according to Social Services Law and the Family Court Act, is a child less than 18 years of age whose parent or other person legally responsible for his or her care:

- a. inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ; or
- b. creates or allows to be created a substantial risk of physical injury to such a child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted impairment of physical or emotional health, or protracted loss or impairment of the function of any bodily organ; or
- c. commits, or allows to be committed, a sex offense against such child, as defined in the penal law, provided, however, that the corroboration requirements contained therein shall not apply to proceedings under this article.

Neglected or maltreated child, according to the Family Court Act, is a child less than 18 years of age:

- a. whose physical, mental, or emotional condition has been impaired or is in danger of becoming impaired as a result of the failure of his or her parents or other person legally responsible for his care to exercise a minimum degree of care:
 - (1) in supplying the child with adequate food, clothing, shelter, or education in accordance with provisions of Part One, Article 65 of the Education Law, or medical, dental, optometrical or surgical care though financially able to do so or offered financial or other reasonable means to do so; or

In order for a report of educational neglect to be accepted, three elements need to be established:

- a. Excessive absence from school by the child
- b. Reasonable cause to suspect that the parent is aware or should have been aware of the excessive absenteeism and the parent has contributed to the problem or is failing to take steps to effectively address the problem, and;

- c. Reasonable cause to suspect educational impairment or harm to the child or imminent danger of such impairment or harm.
- (2) in providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment; or by using a drug or drugs; or by using alcoholic beverages to the extent that he/she loses self-control of his/her actions; or by any other acts of a similarly serious nature requiring the aid of the court; or
- b. who has been abandoned by his/her parent(s) or other person legally responsible for his/her care.

Person legally responsible includes the child's custodian, guardian, or any other person responsible for the child's care at the relevant time. "Custodian" may include any person continually or at regular intervals found in the same household as the child when the conduct of such person causes or contributes to the abuse or neglect of the child.

Impairment of emotional health and impairment of mental or emotional condition includes a state of substantially diminished psychological or intellectual functioning in relation to, but not limited to, such factors as failure to thrive, control of aggressive or self-destructive impulses, ability to think and reason, or acting out of misbehavior, including incorrigibility, ungovernability, or habitual truancy; provided, however, that such impairment must be clearly attributable to the unwillingness or inability of the parent, guardian, or custodian to exercise a minimum degree of care toward the child.

Reporting procedures and related information:

1. All school officials must, when they have reasonable cause to suspect that a child is abused or maltreated, report it to the New York State Central Register for Child Abuse and Maltreatment (800-342-3720). A school official, under state law, is defined as:
 - Teacher
 - Guidance Counselor
 - Psychologist
 - Nurse
 - Social Worker
 - Full or Part-time athletic coach
 - Administrator
 - Any school personnel required to hold a teaching or administrative license or certificate.

Personnel have the right to request that information which would identify the individual making the report be withheld if furnishing such data might prove detrimental to the safety or interest of that individual.

2. The school official must also report the matter to the Building Principal who will determine if any additional steps need to be taken by the school district (for instance, contacting the school physician, social worker or other support services).
3. In the event that a school employee, who is not required to report under the law (such as a bus driver, custodian, cafeteria monitor, etc.), has reasonable cause to suspect that a child is abused or neglected, he/she is encouraged to make a report to the Central Register. The employee must, by district policy, report the matter to the Building Principal.
4. If the Building Principal is informed of a case of suspected child abuse or maltreatment that has not yet been reported to the Central Register, the Building Principal is required to:
 - (a) phone the New York State Central Register for Child Abuse and Maltreatment (800-342-3720) and inform them verbally of the problem; or
 - (b) contact the above agency by telephone facsimile machine on a form supplied by the Commissioner of Social Services; and
 - (c) file a written report with the local child protective services agency and the Central Register within forty-eight hours after the above report; and,
 - (d) determine if additional steps need to be taken by the school district, as outlined in step 2 above.
5. The Building Principal may take color photographs or cause photographs to be taken of the areas of visible trauma on the child, and/or, if medically indicated, cause a **radiological** examination to be performed **on the child**. Such actions may be performed at public expense if they will provide appropriate documentation when filing the report. Photographic equipment shall be kept at the school and be available for this purpose. **Any photographs or x-rays taken shall be sent to the child protective service at the time the written report is sent, or as soon thereafter as possible.**
6. The written report that must be filed shall include all information which the Commissioner of Social Services may require.
7. If it should be necessary for Child Protective Services to interview a child at school to ascertain whether he/she has been abused or maltreated, or to obtain documentation of such acts, the interview should be conducted in the presence of a school official, unless circumstances require otherwise. The school official shall examine and verify the credentials of Child Protective Services worker(s) before allowing such worker(s) to either interview the child or to examine the child's records.

If sexual abuse is indicated, the presence of a same-sex staff member during the interview is appropriate.

- 8. The Building Principal shall request a summary report of the investigation of a case referred to Child Protective Services so the district can take appropriate next steps.
- 9. The district shall maintain an ongoing training program which will address identification and reporting of child abuse and maltreatment. Attendance at sessions of this training program shall be required of all school officials.
- 10. Employee handbooks shall include a copy of these regulations and the related Board policy concerning child abuse and reporting requirements.
- 11. Only one report of any suspected abuse is required.
- 12. School personnel who, in good faith, make a report or take photographs of injuries and bruises have immunity from any liability, civil or criminal. The good faith of any person required to report cases of child abuse or maltreatment is presumed.
- 13. School personnel who have reasonable cause to suspect that a child has died as a result of child abuse or maltreatment shall report that fact to the appropriate medical examiner or coroner.
- 14. Any person required to report suspected cases of child abuse or maltreatment and who fails to do so may be found guilty of a class A misdemeanor and may be held civilly liable for the damages caused by this failure.
- 15. Any school employee who fails to comply with this policy is subject to discipline in accordance with collective bargaining agreements and/or policy and/or law.
- 16. The district shall post the toll-free number for the Central Register (800-342-3720) and directions for accessing the NYS Office of Children and Family Services (<http://ocfs.ny.gov/main/cps/>), in both English and Spanish, on the district website and in highly visible areas of school buildings so it is readily accessible to students and staff. The district shall also make such information available in district and school administrative offices, provide it to parents/persons in parental relationship at least once per school year (including electronically and/or sent home with students), and provide it to all teachers and administrators and all other mandated reporters.

Adoption date: July 5, 1995; Revised: April 2, 2008; Revised: July 1, 2015