

## Community Relations

**SUBJECT: USE OF SOUTHERN WESTCHESTER BOCES -OWNED EQUIPMENT AND OTHER PROPERTY BY BOARD MEMBERS/EMPLOYEES**

No employee or Board member may use SWBOCES facilities, equipment, tools, supplies, materials or any other property for the purpose of servicing, repairing, producing, creating or otherwise working on any personal property of any kind at any time.

Also, no employee or Board member may use SWBOCES facilities, equipment, tools, supplies, materials or any other property for the purpose of servicing, repairing, producing, creating or otherwise working on any personal property of any kind at any time for any other person whatsoever except and solely when such work involves students and is part of the students' regular instructional program.

Further, the Assistant Superintendents/designees shall retain monthly information regarding all services provided by any SWBOCES class for any other person(s) or organization. Such information shall include the name of the teacher and course, the name of the person or organization for whom the work was done, the date(s) when the work was performed and the nature of the work performed.

## Community Relations

**SUBJECT: SERVICING OR REPAIRING OF PERSONAL PROPERTY BY STUDENTS**

Students are permitted to work on, service, or repair personal property as part of the students' regular instructional program.

The Program Director shall ensure that appropriate procedures are developed for administering, working on, servicing or repairing personal property by students.

**SUBJECT: EMPLOYEE REIMBURSEMENT**

The SWBOCES shall reimburse administrators, and staff for reasonable out-of-pocket expenses actually and necessarily incurred in the performance of their official duties, as well as attendance and participation at conferences, workshops, and meetings which are professionally appropriate, directly related to the person's responsibilities, and which fall within budget restrictions.

The District Superintendent or designee shall determine, in the first instance, whether attendance by staff at any conference or professional meeting is in the best interest of the SWBOCES and eligible for reimbursement of expenses under this policy.

SWBOCES staff who incur expenses in carrying out authorized duties will be reimbursed upon submission of a properly filled out and approved voucher and such supporting receipts as required by the Business Office.

Upon approval of the Assistant Superintendent for Business and Administrative Services or designee, the SWBOCES will reimburse payment of actual and necessary travel expenses, including meals and lodging, of an applicant for any office or position in the service of the SWBOCES.

All reimbursements shall be in accordance with administrative guidelines and with applicable statutes and the opinions interpreting such statutes as issued by the State Comptroller.

General Municipal Law Sections 77-b and 77-c

NOTE: Refer also to Policies #1560 -- Reimbursement of Expenses for Board of Education Members  
#4412 -- Meals and Refreshments

Adopted: 6/23/10

**SUBJECT: MEALS AND REFRESHMENTS**

The Board recognizes that from time to time at SWBOCES meetings and/or events which are being held for educational purposes, it is appropriate to provide meals and/or refreshments that are not covered under the SWBOCES Employee Expense Reimbursement Policy (#4411). Refreshments include coffee, tea, soda, punch, cookies, pastries, cake, fruit and other food provided in quantities that are not considered to be a meal. Any expenditure on such refreshments and/or meals must be made and approved in advance by the center's Director or Assistant Superintendent. Requests must include: the purpose of the meeting, meeting date and time, those in attendance, the estimated number of people expected, and the reason(s) why food and/or refreshments are necessary to conduct SWBOCES business.

Meal requests may be approved when:

- a) The SWBOCES is faced with business of an immediate nature and meetings of SWBOCES employees and/or Board members are essential at mealtime;
- b) Staff members are participating in SWBOCES events such as Superintendent conference day, grading of standardized tests, orientation sessions or staff meetings where the length of the event is consistent with the employee's normal work day;
- c) Staff development seminars for SWBOCES-only employees are at least four hours in length;
- d) SWBOCES-coordinated professional development conferences or workshops are conducted for primarily outside district personnel where the fee charged includes the cost of the meal;
- e) Board meetings begin during usual dinner hours;
- f) The Board wishes to annually recognize the services of volunteers and/or individuals retiring from the organization during the current school year.

Refreshment requests may be approved when:

- a) The Board holds its regularly scheduled work/business/executive session meetings;
- b) Occasional staff meetings are conducted;
- c) SWBOCES district-wide committee meetings are held;
- d) Meetings with non-district personnel are conducted;
- e) Student graduation ceremonies are held.

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**SUBJECT: MEALS AND REFRESHMENTS (Cont'd.)**

Meals and/or refreshments will **not** be paid by the SWBOCES for the following:

- a) "Working meals" in which the only attendees are SWBOCES employees;
- b) Birthday cakes, congratulatory, or celebrations for SWBOCES employees;
- c) Coffee and tea consumed in the normal course of business that are covered under the Coffee/Tea Regulations;
- d) Holiday luncheons or dinners for employees;
- e) Office parties.

The actual expenditures for refreshments and/or meals must be appropriately documented and supported by an itemized bill or receipt and contain a list of attendees.

NOTE: Refer also to Policy #4411 -- Employee Reimbursement

**SUBJECT: CASH IN SCHOOL BUILDINGS AND PETTY CASH FUNDS****Cash in School Buildings**

Division Directors and Building Principals will follow established procedures, in cooperation with the Business Office, to safeguard all cash received in their programs.

**Petty Cash Funds**

The Board authorizes the establishment of petty cash funds at the annual reorganization meeting.

Petty cash funds shall be established at the Reorganization Meeting by the Board for the purchase of materials, supplies, or services under conditions requiring immediate payment up to twenty-five dollars (\$25).

Petty cash should not be used for the following:

- a) Travel expense reimbursements or travel advances.
- b) Payment for items that are to be purchased through the purchasing system according to the purchasing policy.
- c) Payments to vendors for invoices submitted directly to the department where a purchase order was issued.

The Board, upon the recommendation of the District Superintendent or designee, shall appoint a custodian for each petty cash fund who shall administer and be responsible for such fund. The appointed custodian should take appropriate security measures over petty cash funds.

Receipts and cash-on-hand must always total the authorized fund amount. All disbursements from such funds are to be supported by receipted bills, signed paid voucher slips or other evidence documenting the expenditure. By June 20 of each fiscal year, all remaining cash and receipts should be sent to the Business Office for closing.

The SWBOCES Treasurer shall have the authority to make periodic audits of all petty cash funds, making reports to the Board at least annually.

8 New York Code of Rules and Regulations (NYCRR) Section 170.4

Adopted: 6/23/10

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)****School Food Service Program (Lunch and Breakfast)**

The Board has entered into an agreement with the New York State Education Department to participate in the National School Lunch Program, School Breakfast Program and/or Special Milk Program to receive commodities donated by the Department of Agriculture and to accept responsibility for providing free and reduced price meals to elementary and secondary students in the schools of the SWBOCES.

The District Superintendent or his/her designee shall have the responsibility to carry out the rules of the School Lunch and Breakfast Programs. The determination of which students are eligible is the responsibility of the Reviewing Official and Verification Official. Appeals regarding eligibility should be submitted to the Hearing Official of the SWBOCES.

Free or reduced price meals may be allowed for qualifying students attending SWBOCES schools upon receipt of a written application from the student's parent or guardian or a "Direct Certification" letter from the New York State Office of Temporary and Disability Assistance (OTDA). Applications will be provided by the SWBOCES to all families.

Procedures for the administration of the free and reduced price meal program of this SWBOCES will be the same as those prescribed in current state and federal laws and regulations.

**SUBJECT: COMPLAINTS AND GRIEVANCES BY EMPLOYEES**

In accordance with the provisions of General Municipal Law and the collective bargaining agreements, all SWBOCES personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination or reprisal. SWBOCES shall provide at least two procedural stages settlement of any grievance.

Complaints or grievances not covered under employee contracts shall be handled and resolved, whenever possible, as close to their origin as possible. The District Superintendent is responsible for implementing regulations for the redress of complaints or grievances through proper administrative channels.

**Prohibition of Retaliatory Behavior**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

**Civil Rights Compliance Officer**

Additionally, the Board shall ensure compliance with Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act (ADA). The District Superintendent shall designate a SWBOCES employee as the Title IX/Section 504/ADA Coordinator (i.e., the "Civil Rights Compliance Officer"), and regulations and procedures shall be implemented to resolve complaints of discrimination based on sex or disability.

Prior to the beginning of each school year, the SWBOCES shall issue an appropriate public announcement which advises students, parents/guardians, employees and the general public of SWBOCES' established grievance procedures for resolving complaints of discrimination based on sex or disability. Included in such announcement will be the name, address and telephone number of the Civil Rights Compliance Officer.

The Civil Rights Compliance Officer also shall be responsible for handling complaints and grievances regarding discrimination based on race, color, creed, religion, national origin, political affiliation, membership in the Boy Scouts or other designated youth groups, sexual orientation, age, military status, veteran status, marital status, predisposing genetic characteristics, or use of a recognized guide dog, hearing dog or service dog.

Age Discrimination in Employment Act, 29 United States Code (USC) Section 621.  
Americans With Disabilities Act, 42 United States Code (USC) Section 12101 et seq.  
Prohibits discrimination on the basis of disability.

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# POLICY

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Personnel

## **SUBJECT: COMPLAINTS AND GRIEVANCES BY EMPLOYEES (Cont'd.)**

Genetic Information Nondiscrimination Act of 2008 (GINA) Public Law 110-233

Prohibits discrimination in the workplace based upon genetic information.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.

Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.

Prohibits discrimination on the basis of race, color or national origin.

Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e, et seq.

Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.

Prohibits discrimination on the basis of sex.

Civil Rights Law Section 40-c

Prohibits discrimination on the basis of race, creed, color, national origin, sex, marital status, sexual orientation or disability.

Executive Law Section 290 et seq.

Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, or marital status, predisposing genetic characteristics or use of a recognized guide dog, hearing dog or service dog.

Military Law Sections 242 and 243

Boy Scouts of America Equal Access Act, part of the No Child Left Behind Act of 2001, which prohibits denial of access to or other discrimination against the Boy Scouts or other Title 36 U.S.C. youth groups in public elementary schools, public secondary schools, local education agencies, and state education agencies that have a designated open forum or limited public forum.

**NOTE:** Refer also to Policy #1440 -- Non-Discrimination

Adopted: 8/6/14

## **PAYROLL PROCEDURES**

The Board of Education recognizes the importance of the payroll function to the effective administration of the district. The Board of Education directs the District Superintendent or designee to establish procedures to reasonably ensure the accuracy and integrity of the payroll system.

A certified payroll is one that has been examined and approved by the Assistant Superintendent for Business and Administrative Services or designee. It shall be the responsibility of the Assistant Superintendent for Business and Administrative Services and his/her staff to prepare all payrolls.

The Assistant Superintendent for Business and Administrative Services will initiate an annual test to verify the accuracy and appropriateness of the district payroll. This test shall be conducted by the Business Office on an annual basis. The test shall confirm that selected individuals listed on the payroll are currently employed by the district. These tests shall be done on a site by site basis. The tests will consist of having employees sign for each paycheck or payroll stub. The names of those employees whose checks or stubs have not been signed for will be confirmed by the Supervisor as employees of the site. The Superintendent or his/her designee will evaluate the results of the tests and determine if improvements need to be made.

The Board of Education will approve the hiring and initial salary and/or rates of pay for all personnel in the district. The initial payroll amount for a new hire will be calculated by the Human Resources Office and will match the amount stated in the Board minutes for each person hired. That amount will be confirmed by the Payroll Office when the payroll is prepared. All actions of the Board of Education which affect the payroll amount of an employee will be initiated by Human Resources and confirmed by Payroll. Employees that are hired full time for a twelve month year will have their daily rate of pay determined by contractual provisions. Where no contractual provisions exist related to the calculation of daily rates of pay, employees will earn a daily rate of pay calculated by dividing the annual salary by the number of weekdays (Monday through Friday inclusive of holidays or any other days SWBOCES is closed) from July 1 to June 30 for the applicable year. Employees that are hired on a full time basis for less than twelve months per year will have their daily rate of pay calculated based on applicable contractual and/or statutory provisions.

The Board of Education, at a scheduled meeting, will approve rates of pay for employees for items that include the following: hourly rate assignments, daily rate assignments, additional assignments, substitutes and stipends.

A payday schedule shall be established to provide uniform paydays for all regular employees. Pay schedules shall be established to ensure that employees are paid only for salary or time actually earned.

Both Human Resources and Payroll will check to see that a hire is appropriately classified according to the Internal Revenue Service regulations as an employee or an independent contractor. The minutes of the Board of Education meeting will reflect the correct classification. Human Resources will make the status determination of exempt or non-exempt from overtime in accordance with Fair Labor Standards Act provisions. Overtime will be paid in accordance with applicable laws and bargaining unit / terms and conditions of employment provisions.

Payroll procedures will also be reviewed periodically by the SWBOCES internal auditor. The internal auditor will report findings and recommendations to the Audit Committee with a report issued to the Board of Education. It is the intention of the Board of Education to take reasonable and necessary steps to safeguard the district's payroll.

## Students

**SUBJECT: ADMINISTERING MEDICATION**

Students who are required to take medication during school hours must provide the building administrator with a written parental/guardian request accompanied by written authorization by a licensed physician indicating frequency and dosage for such medication. Such written consent shall be on file with the school authorities. Medication is to be brought to the school health office in its original labeled container and stored in a locked cabinet. Unless the student is properly designated, in accordance with State Education Department Guidelines, as being able to self-administer his/her own medication, students are to use the approved medication under direct supervision of a designated staff member.

Procedures for taking medications off school grounds or after school hours while participating in a school-sponsored activity will be in accordance with State Education Department Guidelines.

There is no unauthorized medication, such as aspirin, etc., available to students. Staff members are not to dispense their own personal medication to students at any time.

**Emergency Medication**

The administration of emergency medication (injectable, including "epi-pens," and/or oral) to a student for extreme hypersensitivity may be performed by any school staff member responding to the emergency. Such a response would fall under the Good Samaritan exemption for rendering emergency care during a life threatening situation.

**The Use of Inhalers in Schools**

In accordance with law, the SWBOCES must permit students who have been diagnosed by a physician or other duly authorized health provider as having a severe asthmatic condition to carry and use a prescribed inhaler during the school day. Prior to permitting such use, the school health office must receive the written permission of the prescribing physician or other duly authorized health care provider, and parental consent, based on such physician's or provider's determination that the student is subject to sudden asthmatic attacks severe enough to debilitate that student. In addition, upon the written request of a parent or person in parental relation, the Board shall allow such pupils to maintain an extra inhaler in the care and custody of the school's registered professional nurse.

A record of such physician or health care provider/parental permission shall be maintained in the School Office.

Health Office personnel will maintain regular parental contact in order to monitor the effectiveness of such self-medication procedures and to clarify parental responsibility as to the daily monitoring of their child to ensure the medication is being utilized in accordance with the physician's/health care provider's instructions. School personnel will work cooperatively with the parents and the student regarding self-care management.

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**SUBJECT: ADMINISTERING MEDICATION (Cont'd.)**

Students who self-administer medication without proper authorization, under any circumstances, will be referred for counseling by school nursing personnel. Additionally, school administration and parents will be notified of such unauthorized use of medication by the student, and school administration will also be involved in determining the proper resolution of such student behavior, which could result in suspension or other disciplinary actions deemed appropriate.

**Blood Glucose Monitoring**

Children with diabetes have the right to care for their diabetes at school in accordance with the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 which provide protection against discrimination for children with disabilities, including diabetes.

Accordingly, blood glucose monitoring must be allowed in the school setting at any time, within any place, and by anyone necessitating such testing. Children must receive assistance if needed with the procedure.

The school nurse shall oversee any arrangements that need to be made for testing and a system to report the results to the nurse as needed. Proper arrangements should be made for the disposal of sharps.

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446 Section 614(a)]  
Individuals with Disabilities Education Act (IDEA), 20 United States Code (USC) Sections 1400 et seq.  
Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.  
Education Law Sections 916, 6527(4)(a) and 6908(1)(a)(iv)  
Public Health Law Section 3000-a

Students

**SUBJECT: EQUAL EDUCATIONAL OPPORTUNITY**

Each student attending SWBOCES programs shall have equal access to educational opportunities and will not be excluded or prevented from participating in or having admittance to the educational courses, programs or activities; school services; and extracurricular events on the basis of race, color, creed, religion, national origin, political affiliation, membership in the Boy Scouts or other designated youth groups, sex, sexual orientation, age, marital status, military status, veteran status, disability, or use of a recognized guide dog, hearing dog or service dog.

Administration shall establish grievance procedures that provide for the prompt and equitable resolution of complaints pertaining to discrimination on the basis of race, color, national origin, ethnicity, religion, creed, sex, gender (including gender identity and gender expression), sexual orientation, disability, age, citizenship status, marital status, partner status, genetic information, predisposing genetic characteristics, weight, military status or service, political affiliation, or domestic violence victim status.

Sexual orientation is defined as or perceived sexual orientation; the sex to which a person is sexually attracted. Someone attracted to primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual.

The term "military status" means a person's participation in the military service of the United States or the military service of the state, including but not limited to, the armed forces of the United States, the army national guard, the air national guard, the New York naval militia, the New York guard, and such additional forces as may be created by the federal or state government as authorized by law.

The District Superintendent shall designate one or more SWBOCES employees as Civil Rights Compliance Officer(s) whose responsibility will be to ensure compliance with the various federal and state statutes and regulations prohibiting discrimination in educational programs, including Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act (ADA).

The SWBOCES shall take appropriate annual and continuing steps to notify students and their parents or guardians of this policy of non-discrimination. This shall include provision for the publication and dissemination, internally and externally, of this policy to ensure its availability to interested citizens and groups. Included in this notification shall be the name(s), address(es) and telephone number(s) of the Compliance Officer(s) responsible for handling complaints regarding discrimination, and a description of the SWBOCES established grievance procedures.

**Prohibition of Retaliatory Behavior**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

Students

**SUBJECT: EQUAL EDUCATIONAL OPPORTUNITY (Cont'd.)**

Age Discrimination in Employment Act, 29 United States Code Section 621

Americans With Disabilities Act, 42 United States Code (USC) Section 12101 et seq.

Prohibits discrimination on the basis of disability.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.

Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.

Prohibits discrimination on the basis of race, color or national origin.

Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.

Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.

Prohibits discrimination on the basis of sex.

Civil Rights Law Section 40-c

Prohibits discrimination on the basis of race, creed, color, national origin, sex, marital status, sexual orientation or disability.

Executive Law Section 290 et seq.

Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, marital status, or use of a recognized guide dog, hearing dog or service dog.

Boy Scouts of America Equal Access Act, part of the No Child Left Behind Act of 2001, which prohibits denial of access to or other discrimination against the Boy Scouts or other Title 36 U.S.C. youth groups in public elementary schools, public secondary schools, local education agencies, and state education agencies that have a designated open forum or limited public forum.

Age Discrimination Act of 1975

Students

**SUBJECT: COMPLAINTS AND GRIEVANCES BY STUDENTS**

SWBOCES students shall be afforded opportunity to present complaints and grievances free from interference, coercion, restraint, discrimination or reprisal. Administration shall be responsible for:

- a) Establishing rules and regulations for the redress of complaints or grievances through proper administration channels;
- b) Developing an appeals process;
- c) Ensuring students have full understanding and access to these regulations and procedure; and
- d) Providing prompt and equitable consideration and determination of student complaints and grievances.

The District Superintendent is responsible for ensuring that appeal procedures are incorporated into discipline codes, explained to all students, and provided to all parents on an annual basis.

SWBOCES staff will notify appropriate officials at a student's home district when a complaint or grievance is filed and keep the home district informed of the status of the complaint or grievance.

**Prohibition of Retaliatory Behavior**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

**Complaints and Grievances Officer**

Additionally, the Board shall ensure compliance with Civil Rights Law and implementing regulations. The District Superintendent shall designate Civil Rights Compliance Officer(s); regulations and procedures shall be implemented to resolve complaints of discrimination.

**Annual Notification**

Prior to the beginning of each school year, the SWBOCES shall publish a notice which advises students, parents/guardian, employees and the general public of the SWBOCES' established grievance procedures for resolving complaints of discrimination. Included in such announcement will be the name, title, address, telephone number and email address person(s) designated to coordinate Civil Rights activities.

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Students

**SUBJECT: COMPLAINTS AND GRIEVANCES BY STUDENTS (Cont'd.)**

The Civil Rights Compliance Coordinators shall be responsible for handling complaints and grievances regarding discrimination based on race, color, creed, religion, national origin, sex, disability, political affiliation, membership in the Boy Scouts or other designated youth groups, sexual orientation, age, military status, marital status, or use of a recognized guide dog, hearing dog or service dog, or other protected groups.

The public notice shall also be included in announcements, bulletins, catalogues, and applications made available by the SWBOCES.

Age Discrimination Act of 1975

Americans With Disabilities Act, 42 United States Code (USC) Section 12101 et seq.

Prohibits discrimination on the basis of disability.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.

Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.

Prohibits discrimination on the basis of race, color or national origin.

Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.

Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.

Prohibits discrimination on the basis of sex.

Civil Rights Law Section 40-c

Prohibits discrimination on the basis of race, creed, color, national origin, sex, marital status, sexual orientation or disability.

Executive Law Section 290 et seq.

Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, marital status, or use of a recognized guide dog, hearing dog or service dog.

Boy Scouts of America Equal Access Act, part of the No Child Left Behind Act of 2001, which prohibits denial of access to or other discrimination against the Boy Scouts or other Title 36 U.S.C. youth groups in public elementary schools, public secondary schools, local education agencies, and state education agencies that have a designated open forum or limited public forum.

## Instruction

**SUBJECT: CONTINUING EDUCATION****Objectives of the Instructional Program**

The general objectives of the SWBOCES Continuing Education Program shall be to provide adults with the means for economic improvement or cultural development. Members of the community are encouraged to participate in continuing education courses. The learning process for every individual is a life-long process and, thus, the activities offered by SWBOCES should be utilized by each individual in the community to the fullest.

**Instructional Arrangements**

A course may be given only when the number of interested adults is sufficient to form a class of proper size, when a qualified teacher, adequate facilities and appropriate supervision can be made available.

**Size of Classes**

A course will be given only when registration is sufficient to make the course self-supporting. Discretion as to the maximum size of individual classes shall be exercised by the Director of Adult Education.

**Scheduling of Classes**

Scheduling of adult education classes shall not interfere with the operation of the secondary occupational education program.

**External Funding**

Maximum utilization of non-tuition, categorical and other funds available to assist in defraying the cost of Adult Education programs must be made. Applications for these funds must be made where appropriate.

**Equal Opportunity**

The SWBOCES affirms the right of all qualified persons to participate in SWBOCES programs without regard to race, color, creed, age, marital status, military status, veteran status, political affiliation, sexual orientation, sex, religion, national origin, disability, or use of a recognized guide dog, hearing dog or service dog.

**Fees and Refunds**

Tuition fees shall be due and payable at the time of registration. No refunds shall be granted after classes begin unless the class is canceled because of insufficient registration.

Education Law Section 1950(4)

Adopted: 6/23/10

## Instruction

**SUBJECT: COMPUTER SOFTWARE COPYRIGHT**

The SWBOCES will adhere to the provisions of copyright laws in the area of microcomputer programs. To discourage violation of copyright laws and to prevent such illegal activities:

- a) The ethical and practical problems caused by software piracy will be taught in SWBOCES buildings.
- b) SWBOCES employees will be expected to adhere to the provisions of Public Law 96-517, Section 7(b) which amends Section 117 of Title 17 of the United States Code to allow for the making of a back-up copy of computer programs. This states that "... it is not an infringement for the owner of a copy of a computer program to make or authorize the making of another copy or adaptation of that computer program provided:
  - 1. That such a new copy or adaptation is created as an essential step in the utilization of the computer program in conjunction with a machine and that it is used in no other manner, or
  - 2. That such a new copy and adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful."
- c) When software is to be used on a disk sharing system, efforts will be made to secure this software from copying.
- d) Illegal copies of copyrighted programs may not be made or used on school equipment.
- e) The legal or insurance protection of the SWBOCES will not be extended to employees who violate copyright laws.
- f) The Deputy Superintendent or designee is responsible for establishing practices which will enforce this policy at each SWBOCES location.

## Instruction

**SUBJECT: THE CHILDREN'S INTERNET PROTECTION ACT: INTERNET CONTENT  
FILTERING/SAFETY POLICY**

In compliance with The Children's Internet Protection Act (CIPA) and Regulations of the Federal Communications Commission (FCC), the SWBOCES has adopted and will enforce this Internet safety policy that ensures the use of technology protection measures (i.e., filtering or blocking of access to certain material on the Internet) on all SWBOCES computers with Internet access. Such technology protection measures apply to Internet access by both adults and minors with regard to visual depictions that are obscene, child pornography, or, with respect to the use of computers by minors, considered harmful to such students. Further, appropriate monitoring of online activities of minors, as determined by the building/program supervisor, will also be enforced to ensure the safety of students when accessing the Internet.

Further, the Board's decision to utilize technology protection measures and other safety procedures for staff and students when accessing the Internet fosters the educational mission of the SWBOCES including the selection of appropriate teaching/instructional materials and activities to enhance SWBOCES' programs; and to help ensure the safety of personnel and students while online.

However, no filtering technology can guarantee that staff and students will be prevented from accessing all inappropriate locations. Proper safety procedures, as deemed appropriate by the applicable administrator/program supervisor, will be provided to ensure compliance with the CIPA.

In addition to the use of technology protection measures, the monitoring of online activities and access by minors to inappropriate matter on the Internet and World Wide Web *may* include, but shall not be limited to, the following guidelines:

- a) Ensuring the presence of a teacher and/or other appropriate SWBOCES personnel when students are accessing the Internet including, but not limited to, the supervision of minors when using electronic mail, chat rooms, and other forms of direct electronic communications. As determined by the appropriate building administrator, the use of e-mail and chat rooms may be blocked as deemed necessary to ensure the safety of such students;
- b) Monitoring logs of access in order to keep track of the web sites visited by students as a measure to restrict access to materials harmful to minors;
- c) The dissemination of the SWBOCES' Acceptable Use Policy and accompanying Regulations to parents and students in order to provide notice of the school's requirements, expectations, and student's obligations when accessing the Internet. Parental and/or student consent, as may be applicable, shall be required prior to authorization for student use of SWBOCES computers. In compliance with this Internet

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## Instruction

**SUBJECT: THE CHILDREN'S INTERNET PROTECTION ACT: INTERNET CONTENT FILTERING/SAFETY POLICY (Cont'd.)**

Safety Policy as well as The Southern Westchester BOCES' Acceptable Use Policy, unauthorized access (including so-called "hacking") and other unlawful activities by minors are prohibited by the SWBOCES; and student violations of such policies may result in disciplinary action; and

- d) Appropriate supervision and notification to minors regarding the prohibition as to unauthorized disclosure, use and dissemination of personal information regarding such students.

The determination of what is "inappropriate" for minors shall be determined by the SWBOCES and/or designated school official(s). It is acknowledged that the determination of such "inappropriate" material may vary depending upon the circumstances of the situation and the age of the students involved in online research. In using the computer network and Internet, minors are not permitted to reveal personal information such as home addresses, telephone numbers, their real last names or any other information which might allow someone they are communicating with online to locate them. No minor may arrange a face-to-face meeting with someone he/she "meets" on the computer network or Internet without his/her parent's permission.

The terms "minor," "child pornography," "harmful to minors," "obscene," "technology protection measure," "sexual act," and "sexual contact" will be as defined in accordance with CIPA and other applicable laws/regulations as may be appropriate and implemented pursuant to the SWBOCES' educational mission.

Under certain specified circumstances, the blocking or filtering technology measure(s) may be disabled for adults engaged in bona fide research or other lawful purposes. The power to disable can only be exercised by an administrator, supervisor, or other person authorized by the SWBOCES.

The SWBOCES shall provide certification, pursuant to the requirements of CIPA, to document the SWBOCES' adoption and enforcement of its Internet Safety Policy, including the operation and enforcement of technology protection measures (i.e., blocking/filtering of access to certain material on the Internet) for all SWBOCES computers with Internet access.

The SWBOCES has provided reasonable public notice and has held at least one (1) public hearing or meeting to address the proposed Internet Content Filtering/Safety Policy prior to Board adoption. Furthermore, appropriate actions will be taken to ensure the ready availability to the public of the Southern Westchester BOCES' Internet Content Filtering/Safety Policy, as well as any other SWBOCES policies relating to the use of technology.

47 United States Code (USC) Sections 254(h) and (l)  
47 Code of Federal Regulations (CFR) Part 54

Adopted: 6/23/10