

WEST BABYLON UNION FREE SCHOOL DISTRICT
WEST BABYLON, NEW YORK

REGULAR MEETING

BOARD OF EDUCATION
BOARD ROOM - ADMINISTRATION BUILDING

WEDNESDAY – NOVEMBER 12, 2014

AGENDA

The order of business at all regular meetings shall be as follows:

1. Call to order by presiding officer
2. Pledge of Allegiance to the Flag

[7:00 P.M. - Meeting Convenes Followed by Student
Presentation(s) and/or Executive Session]

[8:00 P.M. - Public Session Resumes Beginning with Item #3]

3. Approval of minutes of previous meeting(s): Regular Meeting: October 28, 2014
4. Statement of the Board and/or Superintendent
5. Statement of West Babylon Teachers' Association Representatives
6. Statement of School Administrators' Association Representatives
7. Statement of C.S.E.A. Representatives
8. Statement of Student Association Representatives
9. Statement of PTA Council Representatives
10. Statement of Residents re: agenda items [15 minutes-limited to 3 minutes per speaker]*
11. Report of the Superintendent and/or Educational Presentation:
 - A. External Auditor's Report
Mr. Peter Rodriguez, CPA, Cullen & Danowski, LLP
 - B. Year End Summary
Mrs. Michele Psarakis, CPA, Executive Director for Finance & Operations
12. Business Agenda [****Consent Agenda Items**]
 - A. **BOARD OF EDUCATION**
 - ** (R) Approval of Agreement with J.C. Broderick & Associates, Inc. for Professional Consulting Services relating to the Proposed Bond Project (Res. #BE-1)
 - ** (R) Acceptance of the Independent External Auditor's Report for the Fiscal Year ending June 30, 2014 (Res. #BE-2)
 - ** (R) Approval of Service Agreement with Positive Behavior Support Consulting & Psychological Resources, P.C. to provide Clinical Consultation for West Babylon School District Resident Students during the 2014-2015 School Year (Res. #BE-3)

B. PERSONNEL

- ** (R) 14-P-5 Board of Education
- ** (R) 14-P-9 Professional Personnel
- ** (R) 14-C-9 Civil Service Personnel (Res. #PE-1)

C. FINANCE

- ** (R) Approval of the Corrective Action Plan (CAP) in Response to the Findings and Recommendations contained in the June 2014 Internal Audit Risk Assessment Report (Res. #FI-1)
- ** (R) Approval of the Corrective Action Plan (CAP) in Response to the Findings and Recommendations contained in the June 2014 Internal Audit Information Technology Environment Report (Res. #FI-2)
- ** (R) Approval of the Inter-municipal Agreement for Cooperative Transportation Services with the North Babylon Union Free School District for the 2014-2015 School Year (Res. #FI-3)
- ** (R) Adoption of the 2015-2016 Budget Calendar (Res. #FI-4)
- ** (R) Acknowledgement of Receipt of Claims Auditor's Reports and Recommendations (Res. #FI-5)
- ** (R) Acceptance of Donations (Res. #FI-6 through Res. #FI-7)
- ** (R) Approval of the Eastern Suffolk BOCES Multi-Year Service Agreement relating to Instructional Technology Project #WB-WBAB-68-101614-2014-2020 (Res. #FI-8)

D. FACILITIES

- ** (R) Declaration of Obsolete Equipment (Res. #FA-1)
- ** (R) Acceptance of Donation (Res. #FA-2)

- 13. Policy Review:
 - A. Board Review-Student Records (First Time Reading) (File:5500)
 - B. Board Review-Student Records – Regulations (Revision) (File:5500-R)
 - C. Board Review-Student Records – Exhibits 1 through 4 (Revision) (File:5500-E.1-E.4)
- 14. Board of Education Committee Reports
- 15. Old Business
- 16. New Business
- 17. Follow-Up to Residents' Statements
- 18. Statements of Residents re: other district items [15 minutes-limited to 3 minutes per speaker]*
- 19. Adjournment [This should take place by 11:00 P.M.]

Please Note:



District Capital Project Bond Vote -- Tuesday, January 13, 2015 – 7:00 A.M. to 9:00 P.M.
(Administration Building and Santapogue School)

*Per Board Policy 1230: The Board of Education encourages participation of residents at open Board meetings. The President of the Board shall ask for brief statements from residents and set a time limit (three minutes per resident) on such statements. To allow for public participation, a period not to exceed 15 minutes shall be set aside during the first and last part of each Board meeting. The President shall be responsible for the orderly conduct of the meeting and shall rule on such matters as the time to be allowed for public discussion and the appropriateness of the subject being presented. The President shall have the right to discontinue any presentation which violates this policy. Residents wishing to speak should identify themselves, their address, any organization they may be representing at the meeting, and the topic they wish to discuss. Statements during the first part of the meeting will relate to agenda items. Statements during the second part of the meeting will relate to other district matters.

Follow-Up to Residents' Unanswered Questions

Date	Residents' Questions	Responses
October 28, 2014	-----	-----
October 14, 2014	-----	-----
September 23, 2014	Why wasn't Senator Boyle's money used for turf fields?	Senator Boyle earmarked the money (\$125,000) for the restoration of clubs and sports.
September 8, 2014	-----	-----
August 26, 2014	-----	-----
August 12, 2014	-----	-----
July 22, 2014	-----	-----
July 8, 2014	-----	-----
June 24, 2014	-----	-----

WEST BABYLON UNION FREE SCHOOL DISTRICT
WEST BABYLON, NEW YORK
REGULAR MEETING
BOARD OF EDUCATION
BOARD ROOM - ADMINISTRATION BUILDING
WEDNESDAY – NOVEMBER 12, 2014
RESOLUTIONS

BOARD OF EDUCATION

****#BE-1**

RESOLVED: that the West Babylon Board of Education approves the Agreement with J.C. Broderick and Associates, Inc., for professional consulting services, in regards to the proposed Bond project.

****#BE-2**

RESOLVED: that the West Babylon Board of Education accepts the Independent External Auditor's Report, for the fiscal year ending June 30, 2014, as presented to the Audit Committee by Mr. Peter Rodriguez, CPA, from the firm of Cullen and Danowski, LLP.

****#BE-3**

RESOLVED: that the West Babylon Board of Education approves the following service agreement to provide clinical consultation for the period November 10, 2014 through June 30, 2015 to West Babylon School District resident students:

Positive Behavior Support Consulting & Psychological Resources, P.C.

PERSONNEL

***PE-1

RESOLVED: that the following schedules, as attached, are approved:

<u>14-A-5</u>	Board of Education
<u>14-P-9</u>	Professional Personnel
<u>14-C-9</u>	Civil Service Personnel

FINANCE

****#FI-1**

RESOLVED: that the West Babylon Board of Education approves the corrective action plan (CAP) in response to the findings and recommendations made in the June 2014 Internal Audit Risk Assessment Report. The Executive Director for Finance and Operations will file a copy of the CAP with the State Education Department pursuant to NYCRR Section 170.12(e)(4).

****#FI-2**

RESOLVED: that the West Babylon Board of Education approves the corrective action plan (CAP) in response to the findings and recommendations made in the June 2014 Internal Audit Information Technology Environment Report. The Executive Director for Finance and Operations will file a copy of the CAP with the State Education Department pursuant to NYCRR Section 170.12(e)(4).

****#FI-3**

RESOLVED: that the West Babylon Board of Education approves the inter-municipal agreement for cooperative transportation services with the North Babylon Union Free School District for the 2014-2015 school year. Both districts desire to cooperate in the provision of bus transportation services of students for the purpose of receiving cost savings. These students are residents of the parties' respective school districts, but attend non-public schools currently serviced by both school districts.

****#FI-4**

RESOLVED: that the West Babylon Board of Education adopts the 2015-2016 budget calendar.

****#FI-5**

RESOLVED: that the West Babylon Board of Education acknowledges receipt of the July, August and September 2014 claims auditor's reports and recommendations.

***FI-6

RESOLVED: that the West Babylon Board of Education gratefully accepts a donation, in the amount of \$687.97, from Target's "Take Charge of Education" Program. The donation will be deposited into the Senior High School's Trust and Agency account.

***FI-7

RESOLVED: that the West Babylon Board of Education gratefully accepts a donation, in the amount of \$80.99, from Stop & Shop's "A+ Rewards" Program. The donation will be deposited into the Senior High School's Trust and Agency account.

***FI-8

WHEREAS, the West Babylon Union Free School District (District) and the Board of Cooperative Educational Services, First Supervisory District of Suffolk County (BOCES), desire, pursuant to §109-b and §119-o of the General Municipal Law, and Section 1950(4)(aa) of the Education Law, to undertake a Technology Project consisting of the acquisition and installation of computer equipment, related software, and other services as indicated in said Technology Project, and

WHEREAS, the cost of the Instructional Technology Project# WB-WBAB-68-101614-2014-2020 to be paid in equal installments over a five-year period.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the District as follows:

The President of the Board of Education and the Superintendent of Schools are hereby authorized, on behalf of the District, to execute and deliver the Eastern Suffolk BOCES Multi-Year Service Agreement; the execution thereof by the President of the Board of Education and Superintendent of Schools, to constitute conclusive evidence of such approval.

The officers, employees and agents of the District are hereby authorized and directed, for and in the name and on behalf of the District, to do all acts and things required or provided for by the provisions of the Eastern Suffolk BOCES Multi-Year Service Agreement, including all acts and things necessary to ensure the payments due thereunder, and deliver all additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officers, employees or agents acting, desirable and proper to effect the purpose of the foregoing resolution and to cause compliance by the District with all of the terms, covenants and provisions of the Eastern Suffolk BOCES Multi-Year Service Agreement, binding upon the District.

FACILITIES

***#FA-1

RESOLVED: that the West Babylon Board of Education declares the following technology equipment obsolete:

Bldg.	Item	Model No.	Serial Number	WB UFSD
FA	Projector	UF55	B012BE1800447	
FA	Projector	UF55	B012BF0600572	
FA	Projector	UF55	B012CE27A0491	
JFK	Projector	NEC VT590	7600123ED	20100197
JFK	Projector	UF55	B012CE16A1267	
JFK	Projector	UF55	B012CE16A1259	
JFK	Projector	UF55	B012BF0100164	
JFK	Smart Projector	UF65	B012DE18J0666	
JHS	Dell computer	GX270	66FTP51	20070057
JHS	Dell computer	GX270	GG9CP51	
JHS	Dell computer	GX270	G9NPP31	
JHS	Dell laptop	Inspiron 1100	2KC9P31	none
JHS	Dell laptop	Latitude D600	B3D2H51	none
JHS	Dell monitor	1703FPs	MX-02Y311-47605-3AV-D5TH	none
JHS	Dell monitor	E771mm	CN-05E532-47803-482-CWDE	none
JHS	Dell monitor	E771mm	CN-05E532-47803-4AF-C3P1	none
JHS	Dell monitor	E771mm	CN-05E532-47803-398-CV7P	none
JHS	HP Printer	LaserJet 8150N	JPBLL45384	20071231

JHS	Projector	UF55	B012CD27A0258	
JHS	Projector	UF55	B012CD29A0203	
JHS	Projector	UF55	B012CD29A0211	
JHS	Projector	UF55	B012CE16A1246	
JHS	Projector	UF55	B012BH1000261	
JHS	Sharp Typewriter	ZX-426	18044479	
SA	HP Printer	5550	MY3691S0HG	none
SA	HP Printer	990cxi	MY25G1C2G3	none
SA	Samsung 14" tube TV	TCC1340	3WEDC04086	none
SB	Dell monitor	P17St	CN-0C730C-71623-046-5494	none
SHS	Acer monitor	7254E	91716043210	
SHS	Dell computer	GX260	7WML821	20070981
SHS	Dell computer	GX270	7ZH7N51	
SHS	Dell computer	GX270	C9GYQ51	20071756
SHS	Dell computer	GX270	1BGYQ51	20071757
SHS	Dell computer	GX280	FKJ7G61	20072368
SHS	Dell computer	GX60	DM77N51	20071459
SHS	Dell computer	GX60	2N77N51	20071736

Continued

Bldg.	Item	Model No.	Serial Number	WB UFSD
SHS	Dell monitor	E771MM	CN-05ES32-47803-54K-C80N	
SHS	Dell monitor	E771MM	CN-05ES32-47803-54K-C80N	
SHS	Dell monitor	E771MM	CN-05ES32-47803-54K-C80N	
SHS	Dell monitor	E771MM	CN-05E532-47803-47V-CUB5	
SHS	Dell monitor	E771P	MX-0419TG-47801-17Q-H0NA	
SHS	Dell monitor	E771P	MX-0419TG-47801-17Q-H1R7	
SHS	Dell monitor	M783S	MY-0X3782-47603-44Q-BJFD	
SHS	Dell Server	POWEREDGE 2800	5TJWBB1	20071788
SHS	HP printer	LaserJet 2100	USGZ041063	20072321
SHS	HP printer	LaserJet 2300	CNBHD56383	
SHS	HP printer	LaserJet 2100	USGZ041063	none
SHS	HP printer	LaserJet 2300	CNBHD56383	none
SHS	HP printer	LaserJet 6P	C3980A	20072553
SHS	Infocus Projector	X2	AMMC42100723	
SHS	Smart Projector	UF55	B012BF2300810	
SHS	Smart Projector	UF55	B012CD29A0692	
SHS	Smart Projector	UF55	B012CF03A0334	
SHS	Smart Projector	UF55	B012BF0500107	
SHS	Smart Projector	UF55	B012CD29A0690	
SHS	Smart Projector	UF55	B012BJ23A0680	
SHS	Smart Projector	UF55	B012CD29A0680	
SHS	Smart Projector	UF65	B012DG09J0396	
SHS	Toshiba Projector	TDP-SB20	82638601	
SHS	Toshiba Projector	TDP-SB20	82638607	
SHS	Dell computer	GX150	22G2S01	
SHS	Dell computer	GX270	FBNPP31	20071419
TA	APC battery backup	350	BB0332032671	
TA	APC battery backup	500	PB9945111935	
TA	APC battery backup	Backups CS350	JB0245038558R	
TA	APC battery backup	BP1400	QB0225221104	20070583
TA	APC battery backup	RS1500	8B0724R07655	
TA	Brother Intellifax	1270E	U60302T7K459646	
TA	Delineascope	model 3525	3032	
TA	Dell computer	GX270	39NPP31	20070242
TA	Dell computer	GX280	F9ZY721	20070471
TA	Dell computer	GX280	7BNNY61	20071384
TA	Dell computer	GX280	DBNNV6	20071365
TA	Dell Laptop	8600	HG0BP31	
TA	Dell Laptop	Latitude D505	HQWRV61	
TA	Dell Laptop	XPS M1710	5PF25D1	
TA	Dell monitor	D1625-LS	90627T1B1UC5	
TA	Dell PowerEdge	600SC	BBQY721	20070699

Continued

Bldg.	Item	Model No.	Serial Number	WB UFSD
TA	Emerson TV	M2550RDA	121-9X21524	
TA	Gateway 2000	P5-90	3348429	
TA	IOMega Zip drive	external	RBBG48M150	
TA	IPAD	32GB	DN6FL0JQDFHY	20101026
TA	Dell monitor	E771MM	cn-05e532-47803-511-ccjy	
TA	Dell monitor	E771MM	cn-05e532-47803-62G-cj8f	
TA	Dell monitor	E771P	mx-0419tg-4780-17q-h0df	
TA	Dell monitor	E771P	mx-0419TG-4780-17q-18R	
TA	Dell monitor	P793	mx-04d025-47605-2CK-DLDN	
TA	NEC Projector	VT590	7500618ED	20100165
TA	NEC Projector	VT590	7500392ED	20100140
TA	NEC Projector	VT590	6Z00688FC	20071197
TA	NEC Projector	VT590	6Z00696FC	20071197
TA	Dell computer	GX260	3WML821	20071338
TA	Dell computer	GX260	GS2FR11	20071177
TA	Dell computer	GX260	6m6R121	20072016
TA	Dell computer	GX260	6N2FR11	20070419
TA	Dell computer	GX260	3T2FR11	20071178
TA	Dell computer	GX260	7T2FR11	20071180
TA	Dell computer	GX260	4VML821	20072278
TA	Dell computer	GX260	HTML821	20070398
TA	Dell computer		3B3S01	20070435
TA	Pelco cctv	PMM901	9804021474	
TA	Projector	UF55	b012bh0500382	
TA	Projector	UF55	B012BF0500104	
TA	Projector	uf55	B012CC17A1566	
TA	Samsung VCR	VR5559	6VBK907306W/XAA	
TA	Samsung VCR	VR8360	6VAW303638F	
TA	Samsung VCR	VR8803	61BDB00842	
TA	Sharp TV	13K-M150	513329	
TA	Sony VCR	SLV-N750	4B-0328110	
TA	Sony VCR	SLV-N750	A3LKHANHIFI	
TA	Tripp lite	BC pro	JT3BD	
TA	Tripp Pro	BC1566	D02176280	

**#FA-2

RESOLVED: that the West Babylon Board of Education gratefully accepts the following donation, from Mr. Thomas Perretti, Junior High School parent, to the Junior High School Art Department:

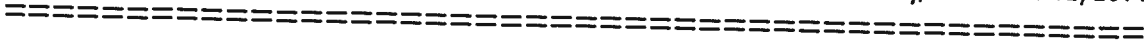
Five (5) Quartet No. 41 Tripod Oak Easels

WEST BABYLON UNION FREE SCHOOL DISTRICT

REGULAR MEETING - BOARD OF EDUCATION - WEDNESDAY - NOVEMBER 12, 2014

PERSONNEL

(R) Schedules:	<u>14-A-5</u>	Board of Education
	<u>14-P-9</u>	Professional Personnel
	<u>14-C-9</u>	Civil Service Personnel



BOARD OF EDUCATION SCHEDULE

- I. Board of Education Schedule 14-A-5**
 - A. 2014-2015 Chief Inspectors/Election Inspectors

PROFESSIONAL PERSONNEL SCHEDULE

- II. Professional Personnel Schedule 14-P-9**
 - A. Family Medical Leave
 - B. Hourly Rate Adjustment
 - C. 2014-2015 AEHS Appointment
 - D. 2014-2015 Club & Advisor/HS
 - E. Fall, 2014 Adult Education Instructor
 - F. A.C.T. Proctors
 - G. Spring, 2015 Intern

CIVIL SERVICE PERSONNEL SCHEDULE

- III. Civil Service Personnel Schedule 14-C-9**
 - A. Retirement
 - B. Probationary Appointment
 - C. Priority List Recalls
 - D. 2014-2015 Adult Ed/AEHS Appointment
 - E. 2014-2015 Per Diem Substitutes

=====

I. BOARD OF EDUCATION APPOINTMENTS

2014-2015

=====

Chief Inspectors/Election Inspectors: 1/13/15

Chief Election Inspectors: \$16./hr.

Romano, Mary Ann
Benvenuto, Stephen

Election Inspectors: \$10./hr.

Benvenuto, Charles
Burrows, Frances
Calcaterra, Edward
Culpepper, Estelle
DiStasio, Patricia
Kelleher, Utilia
Kinlan, Patricia
Lubrano, Dawn
Mastromatteo, Katherine
Mastrosimone, Nancy
Meo, Grace
Necco, Linda
Pagano, Agatha
Pernal, Rosa
Regina, Katherine
Regina, Suzanne
Scelza, Brittany
Scelza, Louise
Scottaline, Edwin
Scottaline, Marie
Valente, Marie
Wood, Noreen

SCHEDULE 14-P-9 Professional Personnel Schedule

Date of Meeting: November 12, 2014

Page 2 of 3 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Mostransky, Elissa	Reading Tchr.	SB		9/5/14 -	Family Medical Leave
<u>Adjusted Hourly Rate:</u>					
Daly, Adair	Screenings/Physicals		\$50.79/hr.	Summer, 2014	6 hrs.
"	Before/After School Program		\$50.79/hr.	2014 - 2015	
<u>Alternative Evening High School:</u>					
Axelsson, Gregory	Health		\$34.85/hr.	11/18/14 - 6/30/15	
<u>Club & Advisor:</u>					
Kilgus, Colleen	Work Study Program	HS	\$3,441.	2014 - 2015	
<u>Adult Education Instructor:</u>					
Smith, Daniel	Italian		\$25./hr.	Fall, 2014	[repl. N. Krieg]
<u>A.C.T. Proctors:</u>					
Dombo, Stephen			\$22.47/hr.	10/25/14	5.5 hrs.
Hickey, Susan					5.5 hrs.
Ruiz, Lawrence					5.5 hrs.
Amaya, Idalia					6 hrs.
Iaquinto, Christine					6 hrs.
McArdle, Patrick					6 hrs.
Shaffer, Donna					6.5 hrs.
Satriano, Paul					7.5 hrs.
Thomas, Stephanie	ACT Coordinator				7.5 hrs.
<u>Guidance Intern:</u>					
Vladychack, Anastasiya		JH		Spring, 2015	

SCHEDULE 14-C-9 Civil Service Personnel Schedule

Date of Meeting: November 12, 2014

Page 3 of 3 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Brower, Kevin	Custodial Wrkr. I	FA		3/24/14	Resignation to Retire
Frink, Susann	Paraprofessional (special ed. aide)	FA		11/6/14	Resignation
Errante, Joseph	Head Custodian	JK	Step 5/ \$60,088. +1,075. Longevity (prorate)	11/13/14	Probationary Appt. C.S. List of Eligibles #12-8005-194
Errante, Joseph	Custodial Wrkr. I	SB		11/13/14 - 5/13/15	Leave of Absence

The following probationary Custodial Worker I is being recalled from the Priority List:

Bianco, Jonathan	Custodial Wrkr. I	SB	Step 1/ \$36,541. (prorate)	11/13/14	
------------------	-------------------	----	-----------------------------------	----------	--

The following probationary Paraprofessionals are being recalled from the Priority List:

Orkwis, Barbara	Paraprofessional (special ed. aide)	TA	Step 2/ \$14.02/hr.	11/13/14	
Caputo-Mallahan, Lisa	Paraprofessional (special ed. aide)	TA	Step 2/ \$14.02/hr.	11/13/14	

Adult Education/Alternative Evening High School:

Lilly, Carolyn	Paraprofessional (pt/clerk typist)	HS	Step 3/ \$14.29/hr.	11/13/14 - 6/30/15	[5 hrs. max./week]
----------------	---------------------------------------	----	------------------------	--------------------	--------------------

Per Diem Substitutes:

Cataldi, Salliann		DW	\$9./hr.	2014 - 2015	
Frink, Susann					Clerical/Paraprofessional Paraprofessional

WEST BABYLON UNION FREE SCHOOL DISTRICT
REGULAR MEETING - BOARD OF EDUCATION - WEDNESDAY - NOVEMBER 12, 2014

POLICY

- A. Board Review-Student Records (First Time Reading) (File:5500)
- B. Board Review-Student Records – Regulations (Revision) (File:5500-R)
- C. Board Review-Student Records – Exhibits 1 through 4 (Revision) (File:5500-E.1-E.4)

STUDENT RECORDS

The Board of Education recognizes its legal responsibility to maintain the confidentiality of student records. As part of this responsibility, the Board will ensure that eligible students and parents/guardians have the right to inspect and review education records, the right to seek to amend education records and the right to have some control over the disclosure of information from the education record. The procedures for ensuring these rights shall be consistent with state and federal law, including the Family Educational Rights and Privacy Act of 1974 (FERPA) and its implementing regulations.

The Board also recognizes its responsibility to ensure the orderly retention and disposition of the district's student records in accordance with Schedule ED-1 as adopted by the Board in policy 1120.

The district will use reasonable methods to provide access to student educational records only to those authorized under the law and to authenticate the identity of the requestor. *Furthermore, pursuant to Chapter 56 of the Laws of 2014, the district will execute agreements with third party contractors who collect, process, store, organize, manage or analyze student personally identifiable information (PPI) to ensure that the contractors comply with the law in using appropriate means to safeguard data.*

The Superintendent of Schools shall be responsible for ensuring that all requirements under law and the Commissioner's regulations are carried out by the district.

Definitions

Authorized Representative: an authorized representative is any individual or entity designated by a State or Local educational authority of a Federal agency headed by the Secretary, the Comptroller General to carry out audits, evaluations, or enforcement or compliance activities relating to educational programs.

Education Record: means those records, in any format, directly related to the student and maintained by the district or by a party acting on behalf of the district, except:

- (a) records in the sole possession of the individual who made it and not accessible or revealed to any other person except a substitute;
- (b) records of the district's law enforcement unit;
- (c) records of treatment created or maintained by a physician, psychiatrist, psychologist or other professional/paraprofessional acting that capacity.

Eligible student: a student who has reached the age of 18 or is attending postsecondary school.

Legitimate educational interest: a school official has a legitimate educational interest if they need to review a student's record in order to fulfill his or her professional responsibilities.

Personally identifiable information: is information that would allow a reasonable person in the school or its community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. Such data might include social security number, student identification number, parents' name and/or address, a biometric record, etc.

School official: a person who has a legitimate education interest in a student record who is employed by the district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a member of the Board of Education; a person or company with whom the district has contracted to perform a special task (such as attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as disciplinary or grievance committee, or assisting another school official performing his or her tasks.

***Third Party Contractor:** is any person or entity, other than an educational agency, that receives student data or teacher or principal data from an educational agency pursuant to a contract or other written agreement for purposes of providing services to such educational agency, including but not limited to data management or storage services, conducting studies or audit or evaluation of publicly funded programs.*

Annual Notification

At the beginning of each school year, the district will publish a notification that informs parents, guardians and eligible students currently in attendance of their rights under FERPA and New York State Law and the procedures for exercising those rights. *A "Parents' Bill of Rights for Data Privacy and Security" will be posted on the district's website and included in any agreements with third party contractors. (see 5500-E.4)* This notice and "Bill of Rights" may be published in a newspaper, handbook or other school bulletin or publication. This notice and "Bill of Rights" will also be provided to parents, guardians, and eligible students who enroll during the school year.

The notice and "Bill of Rights" will include a statement that the parent/guardian or eligible student has a right to:

1. inspect and review the student's education records;
2. request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy rights;
3. consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent; and
4. file a complaint with the United States Department of Education alleging failure of the district to comply with FERPA and its regulations; *and/or file a complaint regarding a possible data breach by a third party contractor with the district and/or the New York State Education Department's Chief Privacy Officer for failure to comply with state law.*

The annual notice and "Bill of Rights" will inform parents/guardians and eligible students:

1. that it is the district's policy to disclose personally identifiable information from student records, without consent, to other school officials within the district whom the district has determined to have legitimate educational interests.
2. that, upon request, the district will disclose education records without consent to officials of another school district in which a student seeks to or intends to enroll or is actually enrolled.
3. that, upon request, the district will disclose a high school student's name, address and telephone number to military recruiters and institutions of higher learning unless the parents or eligible student exercise their right to prohibit release of the information without prior written consent.
4. *that the district, at its discretion, releases directory information (see definition below) without prior consent, unless the parent/guardian or eligible student has exercised their right to prohibit release of the information without prior consent. The district will not sell directory information.*
5. *that, upon request, the district will disclose a high school student's name address and telephone number to military recruiters and institutions of higher learning unless the parent or secondary school student exercises their right to prohibit release of the information without prior written consent.*
6. of the procedure for exercising the right to inspect, review and request amendment of student records.
7. *that the district will provide information as a supplement to the "Parents' Bill of Rights" about third parties with which the district contracts that use or have access to personally identifiable student data.*

The district will provide translations of this notice, where necessary, to parents, guardians and eligible students in their native language or dominant mode of communication.

In the absence of the parent or eligible student exercising their right to opt out of the release of information to the military, the district is required to, under federal law, release the information indicated in number three (3) above.

Directory Information

The district has the option under FERPA of designating certain categories of student information as “directory information.” The Board directs that “directory information” include; student’s name, date of birth, place of birth, major course of study, participation in school activities or sports, weight and height if a member of an athletic team, dates of attendance, degrees and awards received, most recent school attended, grade level photograph, and enrollment status.

Social security numbers, student identification numbers or other personally identifiable information will not be considered directory information. *Students who opt out of having directory information shared are still required to display their student ID cards.*

Once the proper FERPA notification is given by the district, a parent/guardian or eligible student will have 14 days to notify the district of any objections they have to any of the “directory information” designations. If no objection is received, the district may release this information without prior approval of the parent/guardian or eligible student for the release. Once the eligible student or parent/guardian provides the “opt-out,” it will remain in effect after the student is no longer enrolled in the school district.

The district may elect to provide a single notice regarding both directory information and information disclosed to military recruiters.

Cross-ref: 1120, School District Records, 4321, Programs for Students with Disabilities Under IDEA and Part 89 and 5550, Student Privacy

Ref: Family Educational Rights and Privacy Act, 20 USC 1232g; 34 CFR Part 99
No Child Left Behind Act, 20 USC §7908 10 USC §503 as amended by §544 of the National Defense Reauthorization Act for FY 2002 Education Law § 225, Public Officers Law §87(2)(a)
Arts and Cultural Affairs Law, Article 57-A (Local Government Records Law)
8 NYCRR 185.12 (Appendix I) Records Retention and Disposition, Schedule ED-1 for Use by School Districts and BOCES

“Guidance for Reasonable Methods and Written Agreements,”

http://www2.ed.gov/policy/gen/guid/fpco/pdf/reasonablemtd_agreement.pdf

Parents’ Bill of Rights for Data Privacy and Security, July 29, 2014:

<http://www.p12.nysed.gov/docs/parents-bill-of-rights.pdf>

Family Policy Compliance Office website:

<http://www2.ed.gov/policy/gen/guid/fpco/index.html>

Adoption date: 10/25/11

Revised: 7/10/12

STUDENT RECORDS REGULATION**5500-R**

It is recognized that the confidentiality of student records must be maintained. The terms used in this regulation are defined in the accompanying policy. The following necessary procedures have been adopted to protect the confidentiality of student records.

Section 1. Pursuant to the Family Educational Rights and Privacy Act (FERPA) it shall be the policy of this school district to permit parents/guardians and “eligible students” to inspect and review any and all official records, files and data directly related to that student, including all materials that are incorporated into each student's cumulative record folder.

The rights created by FERPA transfer from the parents/guardians to the student once the student attains eligible student status. However, districts can disclose information to parents of eligible students under certain circumstances, including when the student is a dependent under the IRS tax code, when the student has violated a law or the school's rules regarding alcohol or substance abuse (and the student is under 21); when the information is needed to protect the health or safety of the student or other individuals.

Section 2. Parents/guardians or the eligible student will have an opportunity for a hearing to challenge the content of the student's school records, to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

Section 3. A letter shall be sent annually to parents/guardians of students currently in attendance and eligible students currently in attendance informing them of their rights pursuant to FERPA. See Exhibit 5500-E.1. The district shall provide translations of this notice, where necessary, to parents/guardians and eligible students in their native language or dominant mode of communication. (See Policy 5500 for further information on the notice requirements.)

Section 4. To implement the rights provided for in sections 1 and 2, the following procedures are adopted:

1. A parent/guardian or an eligible student who wishes to inspect and review student records shall make a request for access to the student's school records, in writing, to the Building Principal. Upon receipt of such request, arrangements shall be made to provide access to such records within 45 days after the request has been received. If the record to which access is sought contains information on more than one student, the parent/guardian or eligible student will be allowed to inspect and review only the specific information about the student on whose behalf access is sought.
2. A parent/guardian or an eligible student who wishes to challenge the contents of the student's school records shall submit a request, in writing, to the Building Principal identifying the record or records which they believe to be inaccurate, misleading or otherwise in violation of the privacy or other rights of the student together with a statement of the reasons for their challenge to the record.
3. Upon receipt of a written challenge, the Building Principal shall provide a written response indicating either that he/she:
 - a. finds the challenged record inaccurate, misleading or otherwise in violation of the student's rights and that the record will be corrected or deleted; or
 - b. finds no basis for correcting or deleting the record in question, but that the parent/guardian or eligible student will be given an opportunity for a hearing. The written response by the Building Principal shall be provided to the parent/guardian or eligible student within 14 days after receipt of the written challenge. The response shall also

- outline the procedures to be followed with respect to a hearing regarding the request for amendment.
4. Within 14 days of receipt of the response from the Building Principal, a parent/guardian or eligible student may request, in writing, that a hearing be held to review the determination of the Building Principal.
 5. The hearing shall be held within 10 days after the request for the hearing has been received. The hearing will be held by the Superintendent of Schools, unless the Superintendent has a direct interest in the outcome of the hearing, in which case the Superintendent will designate another individual who does not have a direct interest in the outcome of the hearing to hold the hearing.
 6. The parent/guardian or eligible student shall be given a full and fair opportunity to present evidence at the hearing. The parent/guardian or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
 7. The Superintendent or other individual designated by the Superintendent will make a decision in writing within 14 days after the hearing.
 8. After the hearing, if the Superintendent or the individual designated by the Superintendent decides not to amend the record, the district will inform the parent/guardian or eligible student that they have the right to place a statement in the record commenting on the contested information or stating why he/she disagrees with the decision of the district. Any statement placed in the record will be maintained with the contested part of the student record for as long as the record is maintained. Further, the statement will be disclosed by the district whenever it discloses the portion of the record to which the statement relates.

Section 5. Except to the extent that FERPA authorizes disclosure of student records without consent, student records, and any material contained therein which is personally identifiable, are confidential and will not be released or made available to persons other than parents/guardians or eligible students without the prior written consent of the parents/guardians or eligible student.

Exceptions to FERPA's prior consent requirement include, but are not limited to disclosure:

1. To other school officials within the district who have been determined to have legitimate educational interests.
2. To officials of another school, school system or post secondary institution where the student seeks or intends to enroll.
3. To authorized representatives of the Comptroller General of the United States, the U.S. Secretary of Education, or state and local education authorities in connection with an audit or evaluation of a federal- or state-supported education program or in compliance with legal requirements related to those programs.
4. In connection with the student's application for or receipt of financial aid.
5. To state and local officials or authorities in compliance with state law that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are being released.
6. To organizations conducting studies for, or on behalf of, education agencies or institutions, in order to develop tests, administer student aid, or improve instruction.
7. To accrediting organizations to carry out their accrediting functions.
8. To parents of a dependent student, as defined by the Internal Revenue Code.

9. To comply with a judicial order or lawfully issued subpoena, including ex parte court orders under the USA Patriot Act. Prior to complying with a judicial order or subpoena, the district will make a reasonable effort to notify the parent/guardian or eligible student, unless the district has been ordered not to disclose the existence or content of the order or subpoena.
10. In connection with a health or safety emergency, the district will disclose information when, taking into account the totality of circumstances, a determination is made that there is an articulate and significant threat to the health or safety of the student or other individuals.
11. To teachers and school officials in other schools who have legitimate educational interests in the behavior or the student when the information concerns disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.
12. To provide information that the district has designated as "directory information."
13. To provide information from the school's law enforcement unit records.
14. *To a court, when the district is involved in legal action against a parent or student, those records necessary to proceed with the legal action.*
15. *To the US Secretary of Agriculture, its authorized representatives from the Food and Nutrition Service, or contractors acting on its behalf, to monitor, evaluate and measure performance of federally-subsidized school food programs, subject to certain privacy protections.*
16. *To any caseworker or representative of a state or local child welfare agency or tribal organization who has the right to access a student's case plan, where the agency or organization is legally responsible for the care and protection of that student, not to be re-disclosed except as permitted by law.*

The District will use reasonable methods to provide access to student educational records to only those authorized under the law and to authenticate the identity of the requestor. The district will use an array of methods to protect records, including physical controls (such as locked cabinets), technological controls (such as role-based access controls for electronic records, *password protection, firewalls, encryption*) and administrative procedures. *The district will document request for and release of records, and retain documentation in accordance with law.*

If the district enters into a contract with a third party that calls for receipt of student PII by the contractor, the agreement shall include a data security and privacy plan that includes a signed copy of the Parents' Bill of Rights and addresses the following, among other contractual elements:

1. *training of vendor employees regarding confidentiality requirements;*
2. *limiting access to education records to those individuals who have a legitimate educational interest;*
3. *prohibiting the use of education records for any purpose other than those authorized under the contract;*
4. *maintaining reasonable administrative, technical and physical safeguards to protect PII;*
5. *using encryption technology to protect data while in motion or in its custody to prevent unauthorized disclosure;*
6. *breach and notification procedures.*

The district will, via written agreements, designate authorized representatives who have access to educational records. The written agreement will specify how the work falls within the exception, what personally identifiable information is to be disclosed, how the educational record will be used, and that the records will be destroyed by the authorized representative once they are no longer needed for that purpose or the agreement expires.

Section 6. Whenever a student record or any material contained therein is to be made available to third persons, other than those covered by the exceptions authorized by FERPA, the parent/guardian or eligible student must file a written consent to such action. The written consent must specify the records to be released, the reasons for such release, and to whom. If the parent or eligible student so requests, the district will provide him or her with a copy of the records disclosed. In addition, if the parent of a student who is not an eligible student so requests, the district will provide the student with a copy of the records disclosed.

Section 7. Unless specifically exempted by FERPA, all persons requesting access to such records will be required to sign a written form which indicates the legitimate educational interest that such person has in inspecting the records. Such form will be kept with the student's file and will be maintained with the student's file as long as the file is maintained.

Additional Rights Under New York State Law Related to the Protection of Student Data and Third Party Contractors

New York State Law offers parents additional rights beyond FERPA in regard to third party contractors and student PII. The district shall post on its website and distribute a 'Parents' Bill of Rights for Data Privacy and Security.' The 'Parents' Bill of Rights' shall establish the following:

- *Educational purpose: The use of student personally identifiable information (PII) is for educational or related purposes only.*
- *Transparency: Disclosure of third party contracts and their privacy provisions.*
- *Authorization: Assurance that proper authorization will be secured prior to the release of PII.*
- *Security: A description of the measures in place to protect PII, without compromising the security plan.*
- *Data Breach Notification: An explanation of the procedures in the event of a data breach.*
- *Complaint Procedure: The district offers a complaint procedure in the event that a parent suspects a breach of student data by a third party contractor and provides information about lodging a complaint with the New York State Education Department's Chief Privacy Officer.*

Retention and Disposition of Student Records

The Board has adopted the Records Retention and Disposition Schedule ED-1 issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, which contains the legal minimum retention periods for district records. The Board directs all district officials to adhere to the schedule and all other relevant laws in retaining and disposing of student records. In accordance with Article 57-A, the district will dispose of only those records described in the schedule after they have met the minimum retention periods set forth in the schedule. The district will dispose of only those records that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond the established legal minimum periods.

Promulgated: 10/25/11

Revised: 7/10/12

**FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)
NOTICE REGARDING ACCESS TO STUDENT RECORDS AND STUDENT INFORMATION**

Dear Parent or Eligible Student:

This is to advise you of your rights with respect to student records pursuant to the Family Educational Rights and Privacy Act (FERPA). FERPA is a federal law designed to protect the privacy of student records. The law gives parents and students over 18 years of age (referred to in the law as “eligible students”) the following rights:

1. The right to inspect and review the student’s education records within 45 days of the day the district receives a request for access. Parents or eligible students should submit to the Building Principal a written request that identifies the records they wish to inspect. The Principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student’s education records that the parent or eligible student believes is inaccurate or misleading *or otherwise in violation of the student’s privacy under FERPA*. Parents or eligible students may ask the district to amend a record that they believe is inaccurate or misleading by writing the Principal, clearly identifying the part of the record they want changed, and specifying why it is inaccurate or misleading.

If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. *The right to provide written consent before the district discloses personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent .* [The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.] *The exceptions, [One exception] which permit disclosure without consent, include disclosure to school officials with legitimate educational interests or an authorized representative. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.*

An authorized representative is any individual or entity designated by a State or local educational authority or a Federal agency headed by the Secretary, the Comptroller General or the Attorney General to carry out audits, evaluations, or enforcement or compliance activities relating to educational programs.

Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

For a complete list of exceptions to FERPA's prior consent requirements see regulation 5500-R, Section 5.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Attached to this notice are three other important documents related to student data privacy: 5500-E.2, Notification of Directory Information Designations; 5500-E.3, Opt Out of Release of Directory Information Form; and, 5500-E.4, Parents' Bill of Rights for Data Privacy and Security. If you have questions about these notices, please contact me at (insert contact information)

Sincerely,

{Insert Building Principal's Name Here}

Adoption date:

NOTIFICATION OF DIRECTORY INFORMATION DESIGNATIONS

In addition to the rights outlined above, FERPA also gives the school district the option of designating certain categories of student information as "directory information." Directory information includes a student's name, date and place of birth, major course of study, participation in school activities or sports, weight and height if a member of an athletic team, dates of attendance, degrees and awards received, most recent school attended, class schedule, photograph, and class roster.

You may object to the release of any or all of this "directory information." However, you must do so in writing within 10 business days of receiving this notice. If we do not receive a written objection, we will be authorized to release this information without your consent. For your convenience, you may note your objections to the release of directory information on the enclosed form and return it to the Building Principal.

Sincerely,

{Insert Building Principal's Name Here}

SAMPLE FORM

5500-E.2

Dear Parent or Eligible Student:

5500-E.2

NOTIFICATION OF DIRECTORY INFORMATION DESIGNATIONS

In addition to the rights outlined in the accompanying letter (5500-E.1), FERPA also gives the school district the option of designating certain categories of student information as "directory information." Directory information includes student:

- *Name*
- *Date and place of birth*
- *Major course of study*
- *Participation in school activities or sports*
- *Weight and height if a member of an athletic team*
- *Dates of attendance*
- *Degrees and awards received*
- *Most recent school attended*
- *Class Schedule*
- *Photograph*
- *Class Roster*

You may object to the release of any or all of this "directory information." However, you must do so in writing within 10 business days of receiving this notice. If we do not receive a written objection, we will be authorized to release this information without your consent. For your convenience, you may note your objections to the release of directory information on the enclosed form (5500-E.3) and return it to the Building Principal.

DRAFT

Revision 11/12/14

5500-E.3

Dear Parent or Eligible Student:

Pursuant to the No Child Left Behind Act, the school district must disclose to military recruiters and institutions of higher learning, upon request, the names, addresses and telephone numbers of high school students. The district must also notify parents of their right and the right of their child to request that the district not release such information without prior written parental consent.

Parents (or students 18 years of age or older) wishing to exercise their option to withhold their consent to the release of the above information to military recruiters and/or institutions of higher learning must sign and return the attached form to the Building Principal by **{Insert Date of Return Here}**

SAMPLE RETURN FORM

Reservation of Consent for the Release of Certain Student Information under the No Child Left Behind Act

____ Please do not release the name, address and telephone number of

_____ to:
(Name of student)

____ Military recruiters and/or
____ Institutions of higher learning

(Parent/Guardian or Eligible Student Signature)

(Date)

5500-E.4

**PARENTS' BILL OF RIGHTS FOR STUDENT
DATA PRIVACY AND SECURITY**

The West Babylon School District, in recognition of the risk of identity theft and unwarranted invasion of privacy, affirms its commitment to safeguarding student personally identifiable information (PII) in educational records from unauthorized access or disclosure in accordance with State and Federal law. The West Babylon School District establishes the following parental bill of rights:

- *Student PII will be collected and disclosed only as necessary to achieve educational purposes in accordance with State and Federal Law.*
- *A student's personally identifiable information cannot be sold or released for any commercial purposes by a third party contractor. The district will not sell student personally identifiable information and will not release it for commercial purposes, other than directory information released by the district in accordance with district policy;*
- *Parents have the right to inspect and review the complete contents of their child's education record (for more information about how to exercise this right, see 5500-R);*
- *State and federal laws protect the confidentiality of personally identifiable information. Safeguards associated with industry standards and best practices, including but not limited to, encryption, firewalls, and password protection, must be in place when data is stored or transferred;*
- *A complete list of all student data elements collected by the State Education Department is available for public review at <http://www.p12.nysed.gov/irs/sirs/>.*
- *Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed to the Executive Director for Curriculum and Instruction, 10 Farmingdale Road, West Babylon, NY 11704 – ctona@wbschools.org – 631 376-7020. Complaints can also be directed to the New York State Education Department by writing to the Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, NY 12234 or by email to CPO@mail.nysed.gov.*
- *In the event that the District engages a third party provider to deliver student educational services, the contractor or subcontractors will be obligated to adhere to State and Federal Laws to safeguard student PII. Parents can request information about third party contractors by contacting to the Executive Director for Curriculum and Instruction, 10 Farmingdale Road, West Babylon, NY 11704 – ctona@wbschools.org – 631 376-7020 or can access the information on the district's website www.wbschools.org*

**PARENT BILL OF RIGHTS FOR STUDENT
DATA PRIVACY AND SECURITY
THIRD PARTY CONTRACTOR SUPPLEMENT**

The _____ has been engaged by the West Babylon UFSD to provide services. In
(Name of Contractor)
this capacity, the company may collect, process, manage, store or analyze student personally
identifiable information (PII).

The _____ will provide the district with _____
(Name of Contractor) (describe specific purpose for which the student PII will be used).

The _____ will ensure that subcontractors or others, with which the company shares PII,
(Name of Contractor)
abide by data protection and security requirements by _____
(describe methods/procedures to safeguard data use by subcontractors).

Parents may challenge the accuracy of PII held by _____, by contacting the Executive
(Name of Contractor)
Director for Curriculum and Instruction, 10 Farmingdale Road, West Babylon, NY 11704 –
ctona@wbschools.org – 631 376-7020.

The _____ will take reasonable measures to ensure the confidentiality of student PII by
(Name of Contractor)
implementing the following:

- Password protections
- Administrative procedures
- Encryption
- Firewalls

The contractor's agreement with the district ends on _____ date. Once the contractor has completed
its service to the district, records containing student PII will be destroyed by _____ date.