



Western Suffolk BOCES
Organizational Meeting - Central Administrative
Offices
July 12, 2022

- 1 Roll Call – (Attendees Noted by District Clerk)
- 2 Call to Order - (District Clerk)
- 3 Pledge of Allegiance - (District Clerk)
- 4 Administration of Oath of Office to Chief Operating Officer for the 2022-2023 School Year
- 5 Administration of Oath of Office to Newly Elected Board Members – Mrs. Ilene Herz, Esq., Mr. Brian J. Sales and Mrs. Maryann Zumpano
- 6 Election of Officers for 2022-2023 School Year – President and Vice President/Administration of Oaths
- 7 Appointment of Officers for 2022-2023 School Year
- 8 Other Appointments
- 9 Approval of Excess Fidelity Limits - All Western Suffolk BOCES Employees Covered for \$2,000,000
- 10 Designation of Depositories for 2022-2023 School Year
- 11 Approval for Re-adoption of Policy #4210 - Cash Management & Investment Policy
- 12 Designation of Official Newspapers for the Agency
- 13 Authorization for Chief Operating Officer to Approve Professional Conferences
- 14 Authorization for Board President and Chief Operating Officer to Sign, as needed, Assurances of Compliance and Applications to Receive Special State and Federally Aided Program Grants
- 15 Establishment of Petty Cash Accounts
- 16 Approval of Board Memberships for 2022-2023
- 17 Approval for Re-adoption of Policy #4310 - Purchasing Procedures and Regulations
- 18 Approval for Re-adoption of Policy #4420 - Personal Property Accountability
- 19 Approval for Re-adoption of Policy #4423 – Acceptance of Gifts, Grants and Bequests to WS BOCES
- 20 Adjournment

(Encl. 7)
7/12/22

Appointment of Officers for 2022-2023 School Year

| <u>Appointment of Officers for 2022-2023 School Year</u> | | <u>Annual Stipend</u> |
|--|------------------------|---|
| 1. Clerk | Ms. Joanne Klein | (as per Managerial & Confidential Schedule) +\$8,100 |
| 2. Deputy Clerk | Ms. Laura Mercorelli | |
| 3. Treasurer | Mr. Anthony Oliva | (as per Managerial & Confidential Schedule) +\$2,800 |
| 4. Deputy Treasurer | Ms. Christina Anderson | (as per Managerial & Confidential Schedule) +\$1,500 |

(Encl. 8)
7/12/22Other Appointments

REVISED

Other Appointments

- | | | |
|---|---|---|
| 1. Claims Auditor | Ms. Mary Ann Mattessich Dr. Hugh Gigante | (as per Managerial & Confidential Schedule) |
| 2. Counsel | | |
| a) General Counsel | Van Nostrand & Martin | (as per Retainer rate: \$42,000.00) |
| b) Labor Relations Counsel | Lamb & Barnosky, LLP | (as per Retainer rate: \$62,500 and contract hourly rate: \$280/hr attorneys & \$180/hr legal assistants/legal interns) |
| 3. Independent Auditors | | |
| a) External Audit of School Fiscal Year 2022-2023 (ending 6/30/23) | Bonadio and Co. LLP | \$44,000 |
| b) Internal Auditor | Nawrocki & Smith | \$26,000 |
| 4. School Physicians | | |
| a) Student Physician & Student Exams | Dr. Harvey Miller | \$2,500 |
| 5. Payroll Certification Officers | Mr. Michael Flynn Mr. Warren Taylor | |
| 6. School Purchasing Agent | Ms. Lorraine Hein | |
| a) Assistant School Purchasing Agent | Ms. Mary Bradley | |
| 7. Freedom of Information Officer | Ms. Nancy Fischetti | |
| 8. Records Management Officer | Ms. Nancy Fischetti | |

(Encl. 8)
7/12/22

- | | |
|---|----------------------|
| 9. Title IX and Section 504 of the Rehabilitation Act of 1973 Compliance Officer and Anti-Harassment/Non-Discrimination Officer | Dr. Hugh Gigante |
| 10. Designated Educational Officer | Ms. Nancy Wilson |
| 11. Designated Liaison for Education of Homeless Children and Youth | Ms. Nancy Wilson |
| 12. Designated Wellness Coordinator | Ms. LouAnn Criscuolo |
| 13. Extra-Curricular Activities Treasurer | Ms. Sandra Samuels |
| 14. Data Protection Officer | Mr. Russell Dickson |

(Encl. 9)
7/12/22

Authorization for Excess Fidelity Limits

WHEREAS, there are no statutory requirements for excess fidelity limits for Western Suffolk BOCES staff and,

WHEREAS, the Western Suffolk BOCES Board desires that such coverage be obtained through the agency's insurance carrier then,

THEREFORE, BE IT RESOLVED, that excess fidelity limits for all Western Suffolk BOCES employees be authorized for \$2,000,000 during the 2022-2023 school year.

(Encl. 10)
7/12/22

DESIGNATION OF DEPOSITORIES

RESOLVED, that the following banks be designated as depositories for the funds of the Board for the 2022/23 school year as indicated below:

| | CAPITAL ONE * | JP MORGAN CHASE * | VALLEY NATIONAL BANK * | TD BANK * |
|------------------|------------------|----------------------|------------------------------|-----------|
| FUND | | | | |
| GENERAL | MM | PRIMARY/MM | MM | MM |
| Clearing | | PRIMARY | | |
| Reserves | MM | MM | MM | MM |
| SCHOOL LUNCH | MM | PRIMARY/MM | MM | MM |
| SPECIAL AID | MM | MM | PRIMARY/MM | MM |
| CAPITAL PROJECTS | MM | PRIMARY/MM | MM | MM |
| CUSTODIAL | PRIMARY/MM | MM | MM | MM |
| Payroll | | PRIMARY | | |
| EXTRACLASSROOM | | PRIMARY | | |

*Any changes to the established depositories will be approved by the Board at a regularly scheduled meeting. No accounts are established without a certified copy of the appropriate bank resolution bearing the signature of the District Clerk and the seal of the BOCES.

INCOME FUNDS

4210

Non-Instructional/Business Operations

Cash Management and Investments

The objectives of this policy are to safeguard the funds of Western Suffolk BOCES, Second Supervisory District of Suffolk County, to minimize risk to these funds, to ensure that cash is available as required to finance operations and to insure a competitive rate of return on cash balances, while conforming with all applicable federal and state legal requirements.

- In accordance with these objectives, the Treasurer is authorized to invest and/or deposit the funds of Western Suffolk BOCES in the following instruments:
- Demand Deposits, Certificates of Deposit, Savings Accounts or Money Market Savings Accounts of a bank or trust company
- Direct obligations of the United States Government
- Direct obligations of the State of New York
- Revenue notes or Tax Anticipation Notes of other School Districts (with the approval of the Comptroller of the State of New York)
- Repurchase Agreements involving the purchase and sale of Treasury bonds, bills or notes which are direct obligations of the United States.
- Irrevocable letters of credit issued by a Federal Home Loan Bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized rating organization.
- All investments and deposits of funds shall, to the extent possible, be placed through solicitation of at least three (3) quotations.

In addition, the following conditions shall prevail:

- Collateral securities meeting the requirements of the Comptroller shall be required for all deposits discussed above. Collateral shall be delivered to a custodial bank or deposited into a segregated account at the time of deposit of Western Suffolk BOCES funds and shall not be transferred or substituted without the authorization of the Treasurer or Deputy Treasurer.
- The market value of the collateral shall at all times exceed the funds on deposit.
- Collateral shall be held in the form of Federal, New York State Obligations, political subdivisions within New York State and Federal Government Securities.

- All instructions and agreements between Western Suffolk BOCES and its depository banks, custodial banks and trading partners shall be in written form.
- Repurchase agreements shall be permissible only with banks and dealers published by the Federal Reserve System. Repurchase agreements shall not exceed a term of more than thirty (30) days. The substitution of securities shall not be permitted.
- All repurchase agreements must be entered into subject to a Master Repurchase Agreement. Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States. In the event of a repurchase agreement, the Treasurer's report to the Board will provide detailed information regarding such investments.
- The written contracts, agreements or forms shall be reviewed by counsel prior to implementation.
- The independent auditors shall audit the investments and investment proceeds of the Board of Cooperative Educational Services, Western Suffolk BOCES, Second Supervisory District for compliance with the provisions of this investment policy.
- Monthly reports of investments shall be submitted to the Board at each monthly meeting.

Within 120 days of the end of the fiscal year, the District Superintendent shall have prepared and submitted to the Board of Cooperative Educational Services an annual investment report.

General Municipal Law Section 39
Educational Law Section 1604-a and
1723(a)
Local Finance Law Section 165

Revised and Adopted 8/29/95

Readopted annually at the Organizational Meeting 1996-2009, 2012

Revised and Adopted 4/3/12

Readopted at the Organizational Meeting 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022

(Encl. 12)
7/12/22

Designation of Official Newspapers for the Agency

Designation of Official Newspapers for the Agency - Western Suffolk BOCES Board of Education hereby designates Newsday as the official newspaper for the agency for 2022-23. The Board further authorizes the administration to place legal ads in The Beacon and The Long Islander if administration deems it appropriate.

(Encl. 13)
7/12/22

Authorization for Chief Operating Officer to Approve Professional Conferences

THEREFORE, BE IT RESOLVED, authorization for Chief Operating Officer to approve, at his discretion, attendance of members of the Western Suffolk BOCES staff at professional conferences and membership in professional organizations during the 2022-2023 school year with expenses to be paid by BOCES.

(Encl. 14)
7/12/22

Authorization for Board President and Chief Operating Officer to Approve Grant Programs

THEREFORE, BE IT RESOLVED, authorization for Board President and Chief Operating Officer to sign, as needed, assurances of compliances and applications to receive special state and federally aided program grants for the 2022-2023 school year.

(Encl. 15)
Organization Meeting

WESTERN SUFFOLK BOCES

2022-23 Petty Cash

| <u>Custodian</u> | <u>Initial Amount</u> |
|------------------|-----------------------|
| Anthony Oliva | \$100.00 |
| Nancy Kelsey | \$100.00 |
| Nancy Wilson | \$100.00 |
| LouAnn Criscuolo | |
| JEA-DH | \$50.00 |
| JEA-MEL | \$65.00 |
| Taukomas | \$30.00 |
| WT-DH | \$90.00 |
| Brennan | \$50.00 |
| Manor Plains | \$15.00 |
| Total | \$600.00 |

(Encl. 16)
7/12/22

Approval for Board Memberships 2022-23

| | |
|---|-----------|
| 1) Nassau-Suffolk School Boards Association | \$ 3,975. |
| 2) New York State School Boards Association | \$13,500. |
| 3) National School Boards Association | \$ 5,000. |
| • NSBA Black Caucus | \$ 75. |
| • NSBA Hispanic Caucus | \$ 75. |
| 4) REFIT (Reform Educational Financing Inequities Today) | \$ 600. |
| 5) The Council of School Superintendents (Cabinet) – New York State | \$ 1,273. |
| 6) BOCES Educational Consortium | \$ 1,600. |
| 7) The Council of School Superintendents (Superintendent) – NYS | \$ 1,840. |
| 8) NYS Caucus of Black School Board Members, Inc. | \$ 500. |



Second Supervisory District of Suffolk County
507 Deer Park Road
Huntington Station, New York 11746

Board Policy

4310
Page 1 of 1

Purchasing

Purchasing Objectives: *The Board approves and supports the following objectives governing all purchases to be made using Agency resources:*

1. The Purchasing procedures and decisions shall be made in compliance with all existing, applicable laws and regulations of New York State, including New York State General Municipal Law and the Regulations of Commissioner of Education.
2. The requirements for procurements using Federal awards are contained in the Uniform Guidance as follows:
 - a. - 2 CFR Part 200, Subparts A-F (Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards) (hereinafter "Uniform Guidance") requires organizations receiving Federal awards to establish and maintain effective internal controls when procuring goods and services needed to carry out such Federal awards. WSBOCES shall comply with all legislation, Federal awarding agency regulations, and the terms and conditions of the award for such Federal grants. WSBOCES will procure such items related to Federal grants subject to NYS General Municipal Law, Uniform Guidance Requirements for Federal grants, and all applicable legislation related to Uniform Guidance.
3. Purchases should be consistent with the educational or programmatic needs of the Agency, both as to quality and timeliness.
4. Purchases should be made at the lowest prices and/or the best value consistent with the objectives above. To the extent practical, competition should be utilized in an effort to achieve the lowest prices and/or the best value. **General Municipal Law §103 permits the award of purchase contracts on the basis of best value.**
5. Purchasing practices shall include adequate internal controls.
6. Purchasing will be centralized in the Business Office under the general supervision of the Purchasing Agent and Assistant Purchasing Agent appointed by the Board of Education at the annual organization meeting.
7. The Purchasing Agent shall be Lorraine Hein and the Assistant Purchasing Agent shall be Mary Bradley, or such other persons designated by the Chief Financial Officer.
8. The Chief Financial Officer shall develop and disseminate appropriate regulations and procedures to assure compliance with the purchasing objectives above.
9. The Chief Financial Officer may make reasonable exceptions to regulations where necessary to assure the health and safety of staff or students, the safety and integrity of BOCES facilities, or when vendor availability or other circumstances may delay or result in unnecessary administrative costs.

References:

- [NYS Education Law §1950](#)
- [NYS GML §103, 104-b](#)
- [NYS State Finance Law §163](#)
- Administrative Regulation 4310R.1 Purchasing Non-Instructional/Business Operations

Adopted 7/10/2018
Amended: 7/12/2022



Second Supervisory District of Suffolk County
507 Deer Park Road
Huntington Station, New York 11746

| | |
|----------------------|--|
| 4Policy | 4310 Purchasing |
| Regulation(s) | 4310R.1 Purchasing Rules & Regulations |
| Department | Purchasing Office |

Purchasing Rules & Regulations

Purpose:

Procurement of Goods and Services

Procurement of goods and services that are not required by law to be procured pursuant to competitive bidding must be procured in a manner to assure the prudent and economical use of public moneys in the best interest of the taxpayers; to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances or to a responsive and responsible offeror on the basis of "best value" ("competitive offering"), instead of to the lowest responsible bidder; and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these goals, the following regulations govern all procurements of goods and services.

Rules:

Purchases or Contracts Subject to Competitive Bidding

All purchase contracts for materials, equipment, or supplies and all public works contracts (material and labor) involving an annual expenditure in excess of the established bidding limits in General Municipal Law shall be awarded on the basis of public advertising and competitive bidding and a contract (if any) awarded to the lowest responsible bidder or to a responsive and responsible offeror on the basis of "best value" ("competitive offering"), instead of to the lowest responsible bidder or as may otherwise be defined under GML §103.

For this purpose, the term "purchase contract" includes contracts for service work, but excludes contracts necessary for the completion of a public works contract covered by prevailing wage provisions of article 8 of the Labor Law. The term "public works contract" applies to those items or projects involving labor or both material and labor. Included in this category is construction, paving, printing, repair contracts, etc. "Best value" is defined for this purpose as a basis for awarding contracts "to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors" or as may otherwise be defined under GML §103 or State Finance Law §163(1)(j).

Western Suffolk BOCES shall comply with the requirements of NYS GML §103-g which prohibits, with few exceptions, competitive bidding contracts with entities that invest significantly in the Iranian energy sector (§165-A State Finance Law).

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

Procurement of goods and services for Western Suffolk BOCES is subject to competitive bidding based upon the following:

1. The aggregate cost to the Western Suffolk BOCES of an item or commodities (custodial supplies, audio-visual equipment, etc.) is considered for purchases in a fiscal year.
2. The following are also subject to competitive bidding and other legal requirements:
 - Lease/rental of personal property (§1725 of NYS Education Law);
 - "Lease Purchasing" agreement for instructional equipment (§1725-A of NYS Education Law);and
 - "Installment Purchase" of equipment, machinery and apparatus (§109-b of NYS General Municipal Law) *Note – See addendum Executive Bulletin, March 1989; and
 - Cooperative Bid Arrangements (§119-0 of NYS General Municipal Law) must be in accordance with §103 of the NYS General Municipal Law.

- Procurement of Goods and Services using Best Value Method of Procurement in accordance with §103 of the NYS General Municipal Law.
3. Purchase of Standardized Equipment and Material Standardization (§103 of NYS General Municipal Law) makes it possible for a governing board to standardize a particular type of material or equipment. This does not eliminate the necessity to conform to the competitive bidding requirement. The only exception is that there is no longer a need for the inclusion of the term “or equivalent” after make or model.
 4. Transportation contracts and cafeteria contracts covered by “NYS Education Law” are subject to same dollar limits as “Purchase Contracts” under §103 of NYS General Municipal Law (§305, Subdivision 14, NYS Education Law).

Western Suffolk BOCES may elect to bid items even though they fall below the bid limit.

Purchases or Contracts Not Subject to Competitive Bidding Requirements and/or Below Bid Limits (amounts below refer to estimated total annual purchases within a single category)

Competitive bidding is not required by law for the following and the suggested documentation to support this determination is indicated:

1. For purchases under \$2,500 – one quotation shall be required;
2. For purchases between \$2,501 and \$4,999,999 - a minimum of three (3) fax, e-mail, or informal written quotations must be solicited and attached to the purchase requisition and the following must be provided:
 - A. The name, address, and telephone number of the vendor;
 - B. The name of the contact person at the company, and
 - C. The item(s) to be purchased, specifying quantity, brand name, and model number.
3. For purchases from \$5,000,000 up to the bid limits established under General Municipal Law- a minimum of three (3) formal written, e-mail or fax quotations shall be solicited for each such purchase and attached to the purchase requisition;
4. “Emergency purchase” – in the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property, the life, health, safety or property of the inhabitants of a political subdivision require immediate action which cannot await competitive bidding or competitive offering, contracts may be let by the board and/or appropriate officers designated herein. (§103(4) of NYS General Municipal Law);
5. For public works purchases from \$5,000,000 through \$35,000, a minimum of three (3) formal written, email, or fax quotations shall be solicited for each such purchase and attached to the purchase requisition;
 6. Purchases from Government Contracts:

State Contracts, County Contracts, Municipal and Cooperative Agreements, BOCES Cooperative Purchasing Agreements, Corcraft (New York Prison System), Industries for the Blind, or Industries for the Disabled may be used whenever feasible for purchases that are not required to be bid. The CFO may authorize exceptions to the requirements for quotations in situations where health and safety, vendor availability or other circumstances would generate unacceptable delay or unnecessary administrative costs.

 - A. New York State Contracts (§104 of NYS General Municipal Law);
 - B. County Contracts (§408-A of NYS County Law; §103(3) of NYS General Municipal Law);
 - C. Federal General Services Administration (GSA) Contracts for information technology and telecommunications hardware, software and professional services; GSA Schedule 70, information and technology and consolidated schedule contracts that shall comply with Federal schedule ordering procedures as provided in Federal Acquisition Regulation 8.405-1 or 8.405-2 or successor regulations;
 - D. Certain Other Government Contracts (Piggybacking) – the district may purchase apparatus, materials, equipment and supplies, and contract for services related to the installation, maintenance or repair of those items, through the use of contracts let by the United States or any agency thereof, any state and any county, political subdivision or district of any state therein, provided the contract was let in a manner that constitutes competitive bidding “consistent with state law, and is made available for use by other governmental entities”. NYS GML §103(16); ~~Note: Piggybacking expires 7/31/2019 unless extended by legislation;~~
~~Note: Piggybacking expires 7/31/2019 unless extended by legislation~~
 - E. BOCES cooperative bids and BOCES services;
 - F. Municipal Agreements; and
 - G. Surplus and second-hand supplies, material or equipment purchased from the Federal government, the State of New York, or any other political subdivision within the State of New

York (NYS General Municipal Law, §103-[6]; 21 Opinions of the State Comptroller, 1965, p. 615).

7. Purchases from Preferred Sources:
 - A. Industries for the Blind of NYS;
 - B. NYS Industries for the Disabled (§162 & 163of NYS Finance Law); and
 - C. Corcraft - prison-made goods (Article 7, §184 of NYS Correction Law).
8. Purchases from Sole Source Providers
Competitive bidding is not required under §103 of General Municipal Law where the object of the contract is controlled by a sole source provider, such as in the case of natural gas and electric utilities. Should particular supplies or materials be obtainable only directly from a specific manufacturer (sole source), the purchase would not be subject to bidding requirements. However, should there be a possibility of purchasing the item from two or more suppliers, the purchase may fall under the bid requirements. Supporting documentation will be required for all sole source purchases.
9. Insurance
Insurance contracts do not require competitive bidding, although periodically RFP's should be considered as a method to foster competition.

Purchases or Contracts Exempt from Bid Requirements

1. Contracts for Professional Services, software licenses and support agreements, and computer services requiring specialized expertise, use of professional judgment, and/or a high degree of creativity, such as, but not limited to, architectural services, claims management, engineering services, insurance, investment management, IT consultants, legal services, medical services, pharmaceutical services, property appraisals, public relation services, and experts in specific educational areas, are exempt from bidding. However, the **Director of Purchasing** may decide if the solicitation of Request for Proposals (may include multiple vendors to be awarded for the same professional service) is in the best interest of Western Suffolk BOCES.
2. Contracts for State-mandated operations that require certification of contracts, such as inspection of underground fuel tanks, may be awarded without the solicitation of proposals by Western Suffolk BOCES; and
3. Contracts for the acquisition of products for testing evaluation purposes. Such testing must be coordinated and documented.
4. Independent Audit Financial Statements. The use of competitive RFP process is required by law when contracting for the annual independent audit of the financial statements of the agency. The maximum period over which the audit engagement may extend is limited to five (5) years.

The awarding of professional service contracts without solicitation of alternate proposals or quotations would be in the best interest of the subject defined based on some of the following criteria:

- Continuity of service
- Confidentiality of service
- Cost effectiveness of the service
- Confidence of the expertise of the provider of the services being rendered
- Knowledge of district's needs
- Ability to meet the district's needs on a timely basis

It is within the Board's right to award professional service contracts based on the above. The Board may also determine from time to time that it may be in best interest of the agency to solicit Requests for Proposals for some or all of the above services.

Unintentional Failure to Comply

The unintentional failure to fully comply with the provisions of General Municipal Law §104-b or Western Suffolk BOCES policies regarding procurement will not be grounds to void action taken nor give rise to a cause of action against Western Suffolk BOCES or any officer or employee thereof.

Special Situations

The following special situations are subject to regulations and procedures on file with the **Purchasing Office**:

- Purchasing Procedures (4310P.1)
- Open Purchase Orders (4310P.2)
- Anticipated Expenditure Purchase Orders (4310P.3)

- Agreements for Subscriptions, Software Licenses and/or Professional Service Contracts (4310P.4)
- Apple iPad Applications (4310P.5)
- Signing Authority (4310P.6)
- Sample Materials for vendors (4310P.7)
- Petty Cash Fund (4310P.8)
- Refreshments for Meetings Regulation (4310R.2)

References:

- Board Policy 4310 – Purchasing
- Board Policy 4440 – Cash in School Buildings and Petty Cash Funds
- Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195)
- Federal Acquisition Regulation 8.405-1 and 8.405-2
- NYS Education Law §§1725, 1725-a, 1950
- NYS General Municipal Law §§102, 103,103-g, 104, 104-b and 109-a, 109-b; 800 *et seq.*
- NYS General Municipal Law §119-O
- NYS Finance Law §§ 163, 163-b, 165-a,
- NYS Correction Law Article 7, §184
- NYS County Law §408-a(2)
- NYS Office of the State Comptroller memorandum dated November 2012 – *New “Piggybacking” Law – Exception to Competitive Bidding*

Promulgated: 8/5/2013

Reviewed: 09/17/2013

Adopted at the Organizational Meeting 2014

Revised: 6/18/2015

7/10/2018

7/12/2022

(Encl. 18)

7/12/22



Board Policy

4420
Page 1 of 2

Second Supervisory District of Suffolk County
507 Deer Park Road
Huntington Station, New York 11746

WS BOCES Personal Property/Capital Assets Accountability – Inventories

1. **Personal property** shall be defined as all tangible personal property of the WSBOCES, including but not limited to equipment, supplies, parts, vehicles and materials, provided that such items shall not include buildings or other real property or equipment which is permanently affixed to real property or leases, notes or other written instruments.
2. **Capital assets** shall be defined as personal property which has a unit resale value of at least \$10,000 for Buildings and Improvements, \$1,000 for Furniture, Machinery and Equipment and \$500 for Technology items and Critical Assets.
3. **Critical assets** shall be any item placed in perpetual inventory, which is non-consumable, with a value of less than \$500 and with a useful life of more than one year. Due to the desirability and general utility, critical assets include, but are not limited to, cameras, cell phones, computers, graphing calculators, laptops, iPods, iPads, televisions, projectors, printers (valued over \$350), digital microscopes and hand-held communication radios.
4. **Surplus personal property** shall be defined as personal property which has no known, immediate or currently foreseeable use to the WSBOCES and/or are obsolete.
5. **Acquisition of Personal Property** shall be in accordance with all laws, established policies and regulations pertaining to purchasing policy 4310.
6. **Acceptance of gifts, grants and bequests** to WSBOCES shall be in accordance with policy 4423 and established regulations.
7. **A physical inventory** shall mean determining the actual existence, and condition, of real and personal property in the records by visually examining the property in question. The Chief Financial Officer shall develop regulations for physical inventory of capital assets in accordance with the BOCES auditor's recommendations.
8. BOCES shall maintain systems for the continuing inventory of property and equipment to conform to recognized standards for capital assets. Such systems shall include all donated equipment and materials.
9. **Disposition of Surplus Property:**
 - a) **Disposition.** It shall be the policy of the Board to dispose of surplus or obsolete materials, supplies, or equipment no longer required to accomplish the mission of BOCES. Surplus or obsolete items shall be recommended to the District Superintendent or his designee by the Executive Director and approved by the Board.
 - b) **Disposal.** Disposal of such items shall be the responsibility of the Purchasing Agent after approval by the Board.
 - c) **Authorization.** No staff member will dispose of any school property without specific authorization to do so by the District Superintendent or his designee.
10. **Accountability of Officers and Employees for Violating the Personal Property Policy**
 - a) **Penalty for violation.** Any officer or employee who engages in the unauthorized use, theft, or conversion of personal property belonging to WSBOCES, or who otherwise violates this policy, shall be subject to removal from office and/or such other discipline or penalties as authorized by law.
 - b) **Complaints.** Any complaint concerning an alleged violation of this policy shall be submitted to the District Superintendent, Chief Operating Officer, Chief Financial Officer, or designee and such person(s) shall cause an investigation to be conducted and a report shall be filed in his or her office at the completion of the investigation.
 - c) **Dissemination of policy.** The District Superintendent, Chief Operating Officer, Chief Financial Officer, or designee shall be responsible for the enforcement of this policy and shall take such action

as is necessary to communicate this policy to all officers and employees of WSBOCES including but not limited to, the publication of this policy in WSBOCES Policy Manual. This policy will be included on the agenda of faculty and administrative meetings at least annually. The District Superintendent is responsible for and shall take such action as is necessary for the enforcement of this policy.

11. Review and Amendment of the Policy

- a) **Review.** WSBOCES shall review its policy on personal property accountability annually at the Organizational meeting and make amendments it deems necessary.
- b) **Amendments.** WSBOCES shall submit its amended policy, within 30 days of its adoption, to the Commissioner of Education for approval.

References:

- [Regulations of the Commissioner of Education § 170.3](#)
- [NYS Education Law §1950 \(18\)](#)
- [Board Policy 4310 – Purchasing](#)
- [Board Policy 4423– Acceptance of Gifts, Grants & Bequests to WSBOCES](#)

Adopted: 12/10/1996 (Replacing: 4420; 4421; 4422)

Modified and Adopted: 2/4/1997

Modified and Adopted: 2/2/1998

Modified and Adopted: 4/2/1998

Readopted at the Annual Organizational Meeting 1999-2006, 2008

Modified and Adopted: 3/13/2007

Modified and Adopted: 4/2/2009

Readopted Annually at Organizational Meeting 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017

Amended: 7/10/2018

Readopted: 7/9/19, 7/14/20, 7/13/21, 7/12/22

(Encl. 19)

7/12/22

4423

Page 1 of 1



Board Policy

Acceptance of Gifts, Grants and Bequests to WSBOCES

Second Supervisory District of Suffolk County
507 Deer Park Road
Huntington Station, New York 11746

It shall be the policy of the Board that all donations of equipment, materials, and property shall be presented to the Board for acceptance.

1. The Board may accept gifts and donations of real and personal property for the benefit of Western Suffolk BOCES if the Board believes the donation adds to the value of WSBOCES and enhances the educational outcomes of WSBOCES.
2. The Board is not required to accept all gifts and a donation offered, and accepts gifts and donations solely at its discretion. Furthermore, the Board will not accept any gift, grant, or bequest which constitutes a conflict of interest and/or gives the appearance of impropriety.
3. The Board authorizes the District Superintendent, Chief Operating Officer, Chief Financial Officer or designee to receive gifts of real and/or personal property if the donor requires immediate delivery of the property. The District Superintendent, Chief Operating Officer, Chief Financial Officer, or designee is also authorized to sign any required agreements for the receipt of such real and/or personal property and will report such receipt to the Board at its next regular meeting. A resolution ratifying the actions of the District Superintendent, Chief Operating Officer, Chief Financial Officer, or designee shall be presented to the Board for its consideration and action.
4. At the same time, the Board will safeguard WSBOCES, its employees, and students from commercial exploitation, from special interest groups, and the like.
5. The Board will not accept any gifts or grants which will place encumbrances on future Boards or result in unreasonable additional or hidden costs to WSBOCES.
6. It shall be the policy of the Board not to appraise the items being donated. In accordance with Internal Revenue Service Publication 526, the donor shall be responsible for determining the value of non-cash contributions.
7. The Board is prohibited, in accordance with the New York State Constitution, from making gifts/charitable contributions with WSBOCES funds.
8. Gifts and/or grants of money to WSBOCES shall be accounted for under the appropriate account in the bank designated by the Board. The Chief Financial Officer shall establish procedures for such donations.
9. The Chief Financial Officer shall establish a procedure for the acceptance and distribution of donations intended to provide scholarship opportunities for WSBOCES students.
10. All gifts, grants, and/or bequests shall become WSBOCES property and will be subject to the same controls and regulations as are other properties of the Agency.
11. All physical items shall be entered into the perpetual physical inventory of WSBOCES in the same method as purchased personal property and consistent with the provisions of this policy and policy 4420 - WSBOCES Personal Property/ Capital Assets Accountability – Inventories.
12. Any property donated shall be for the use of WSBOCES, and no employee shall benefit personally from such donation.
13. All gifts shall become the sole property of WSBOCES and shall be identified in the perpetual inventory as a donation.
14. It shall be the responsibility of the President of the Board, District Superintendent, Chief Operating Officer, Chief Financial Officer, or designee to acknowledge, in writing, the receipt of the gift or donation on behalf of the Board.
15. If the gift or donation is not specific to a program, its use shall be determined by the District Superintendent, Chief Operating Officer, Chief Financial Officer, or designee.

References:

- [Internal Revenue Service Publication 526](#)
- [NYS Education Law §1950\(4\)\(v\)](#)
- [NYS Education Law §1709\(12\), \(12-a\), and §1718\(2\)](#)
- [NYS Constitution 8, §1](#)
- [NYS General Municipal Law §805-a \(1\)](#)
- [Board Policy 4420 – WSBOCES Personal Property/ Capital Assets Accountability - Inventories](#)
- Administrative Regulation 4423R.1 – Acceptance of Gifts, Grants and Bequests to WSBOCES

Adopted: 7/10/18, 7/9/19, 7/14/20, 7/13/21, 7/12/22