

BOARD OF COOPERATIVE EDUCATIONAL SERVICES
SECOND SUPERVISORY DISTRICT
COUNTIES OF MONROE AND ORLEANS

There will be a Regular Meeting of the Board of Cooperative Educational Services on Wednesday, January 20, 2021 at 6:30 p.m. in the Board Room of the Richard E. Ten Haken Educational Services Center, 3599 Big Ridge Road, Spencerport, New York 14559.

BOARD MEMBERS

Dennis Laba, President

R. Charles Phillips, Vice President

John Abbott

Kathleen Dillon

Gerald Maar

Michael May

Constance Rockow

Elizabeth VenVertloh

AGENDA

1. Call the Meeting to Order
2. Pledge of Allegiance
3. Agenda Item(s) Modifications
4. Approval of Minutes: December 16, 2020 Regular Meeting Minutes
5. Public Interaction
6. Financial Reports
 1. Resolution to Accept Treasurer's Report
 2. Resolution to Accept WinCap Report
 3. Internal Claims Exception Log
 4. Quarterly Extra Class Report
 5. Quarterly Contractor Report
7. Old Business
 1. Capital Project Update and Cost Report (Campus Construction)
 2. Space Update (Steve Roland)
8. Board Presentation: Center for Workforce Development Budget and Program Update (Thomas Schulte)
9. New Business
 1. Resolution to Accept Single Audit Report for Year Ended June 30, 2020. No action plan is required, as there were no findings or questionable costs
 2. First Reading Policy #5261, which references ED-1 retention schedule
 3. Resolution to Add Five Star Bank as an official bank depository
 4. Resolution to Accept Donation of dental lab supplies from Johnson & Lund Co., Inc.
 5. Resolution to Accept Donation of sheet metal car panels LKQ/Keystone
 6. Annual Meeting Preparation
 7. Information Exchange input for MCSBA
10. Personnel and Staffing
 1. Resolution to Approve Personnel and Staffing Agenda

11. Bids/Lease Purchases

1. Resolution to Accept Cooperative Health and Safety Supplies Bid
2. Resolution to Accept Cooperative Custodial Supplies Bid
3. Resolution to Accept Cooperative Printer and Copier Supplies Bid

12. Executive Officer's Reports

1. Albany D.S. Report
2. Local Update

13. Committee Reports

- Labor Relations Committee (J. Abbott)
- Legislation Committee (D. Laba/K. Dillon)
- Information Exchange Committee (R. Charles Phillips/L. VenVertloh)

14. Upcoming Meetings/Calendar Events

- | | |
|---------------|---|
| January 20 | Noon MCSBA Labor Relations Committee (TBD)
6:30pm Board Meeting (ESC, PDC 1&2) |
| January 24-26 | NSBA Advocacy Institute- Washington, D.C. (RESCHEDULED TO JUNE 2021) |
| January 27 | Noon MCSBA Steering Committee (Remote) |
| February 3 | Noon Board Officer Agenda Review (RCC)
Noon MCSBA Legislative Committee (Remote)
5:45pm MCSBA Board Presidents Meeting (Remote) |
| February 6 | 9:00am MCBSA Legislative Breakfast CANCELLED |
| February 9 | 7pm Hilton CSD Board Meeting (225 West Ave, Hilton 14468, Board Room) (Abbott) |
| February 10 | Noon MCSBA Information Exchange Committee (TBD)
4:30 p.m. Board-Cabinet Budget Study Session, 6:30 p.m. Regular Board Meeting |

15. Other Items

16. Adjournment

1. Call the Meeting to Order

2. Pledge of Allegiance

3. Agenda Item(s) Modifications

4. Approval of Minutes: December 16, 2020 Regular Meeting Minutes

BOARD OF COOPERATIVE EDUCATIONAL SERVICES
SECOND SUPERVISORY DISTRICT
COUNTIES OF MONROE AND ORLEANS

Minutes of the Regular Meeting of the Board of Cooperative Educational Services, Second Supervisory District of Monroe and Orleans Counties, held on December 16, 2020 at 6:30 p.m. at the Richard E. Ten Haken Educational Services Center, Spencerport, New York 14559.

Due to COVID-19, Video conference was used (accord Executive Order 202.1) for some board members to participate via Zoom. Public participation via Zoom was available by using the link below:
<https://e2ccb-gst.zoom.us/j/99556629176> Webinar ID: 995 5662 9176 Passcode: 725126

Members Present:

Dennis Laba, President
R. Charles Phillips, Vice President
John Abbott
Kathleen Dillon

Gerald Maar (Remote)
Michael May
Constance Rockow
Elizabeth VenVertloh (Remote)

Members Absent:

John Heise

Staff Present:

Jo Anne Antonacci
Karen Brown, Esq.
Steve Dawe
Timothy Dobbertin
Gary Manuse
Barbara Martorana

Kelly Mutschler
Dr. Marijo Pearson
Steve Roland
Dr. Michelle Ryan

Guests:

Joseph Pallatto

1. Call the Meeting to Order
The meeting was called to order by President Laba at 6:30 p.m.
2. Pledge of Allegiance
3. Agenda/Items(s) Modifications
There were no agenda modifications.
4. Approval of Minutes
Resolved: To approve the November 10, 2020 Special Meeting Minutes and the November 20, 2020 Regular Meeting Minutes as presented.
Moved by C. Rockow, seconded by K. Dillon; passed unanimously.
5. Public Interaction
There was no public interaction.
6. Financial Reports
S. Roland reported on Treasurer's Report, WINCAP Report, and Internal Claims Exception Log.

Resolved: To approve the Treasurer's and WINCAP Reports as presented.

Motion by Kathy Dillon, seconded by M. May; passed unanimously.

Resolved: To approve the Internal Claims Log as presented.

Motion by Kathy Dillon, seconded by M. May; passed unanimously

7. Old Business

1. Joseph Pallatto from Campus Construction gave a capital project update. He left the meeting at 6:35 p.m.

8. Board Presentations: Preschool Program and Budget Update (Barbara Martorana)

Barbara Martorana and Gary Manuse gave an update on the Preschool program and budget. The board asked questions and thanked her for her presentation. B. Martorana and G. Manuse left the meeting at 6:45 p.m.

9. New Business

1. First Reading of First Reading of Revision to Policy # 4570 – Records Management

Resolved: To waive Second reading and approve Revision to Policy #4570.

Motion by M. May, seconded by C. Phillips; passed unanimously.

2. Conflict of Interest Disclosure Memorandum

There were no questions or discussion about this item

3. Resolution to Accept Extra Classroom Activity Funds Financial Report for year ended June 30, 2020.

Motion by J. Abbott, seconded by K. Dillon; passed unanimously

4. Resolution to Accept Corrective Action Plan for the Year Ended June 30, 2020

Motion by J. Abbott, seconded by K. Dillon; passed unanimously

5. Resolution to approve Precision Properties, LLC Lease Amendment

Motion by K. Dillon, seconded by J. Abbott; passed unanimously

6. Resolved: To accept donation of Solar Panel Roof System, Ironridge, Inc.

Moved by; M. May, seconded by K. Dillon passed unanimously.

7. Resolved: To accept donation of asphalt shingles, B and L Wholesale Supply

Motion by M. May, seconded by K. Dillon; passed unanimously.

8. Resolved: To accept donation of drywall cart, Lowes Home Improvement Center.

Motion by M. May, seconded by K. Dillon; passed unanimously.

10. Personnel and Staffing

1. Resolved: To approve the Personnel and Staffing Agenda as presented.

Motion by J. Abbott, seconded by K. Dillon; passed unanimously.

11. Bids/Lease Purchases

Resolved: To accept the bid recommendations and awarding of the following bids and lease purchases as presented:

1. Cooperative School Lunch Paper and Plastic Supplies Bid
2. Cooperative Electrical, Plumbing and Building Supplies Bid
3. Cooperative Multimedia Audio Visual Equipment Bid

Motion by M. May, seconded by K. Dillon; passed unanimously.

12. Executive Officer's Report

State: District Superintendent meeting was held remotely in November and will also be remote in December. Continuity of Learning continues to be a focus. Some parents have shared concerns with SED about the length and quality of instruction. A digital equity survey is being conducted statewide to get a better handle on regional needs. Dr. Marijo Pearson and her Professional Development staff have designed more accessible virtual additional options for teachers and administrators.

BOCES4Science is being monitored closely by the four District Superintendents. There have been some service requests reductions. Steve Montemarano, (Director), Dr. Pearson and BOCES4Science staff are implementing innovative ways for teachers and students to participate remotely. In some cases students have been given manipulatives to use during remote instruction.

Local: We had a remote DS Forum today. Most questions from staff were regarding COVID -19. District Superintendent answered questions and gave staff a BOCES 2 and Department of Health update.

COVID related communication with staff and families is ongoing for our Director of Human Resources, Karen Brown, and her administrative assistant. One challenge is that there are differences among counties. BOCES 2 has had to put a few classes on remote learning. In-person instruction in those classes is anticipated to resume January 4, 2021.

District Superintendent Antonacci facilitated a School Health and Safety, Part II roundtable. The panelists include Commissioner of Public Health Dr. Michael Mendoza, Greece Superintendent Kathleen Graupman and East Irondequoit Superintendent Mary Grow. Viewers can watch this segment and previous ones on ACT for Education website.

<https://actforeducation.org/live>

Despite the pandemic, our charitable holiday activities continue. The Santa Breakfast event was a hit as students drove by to drop off their letters to Santa into a clever mailbox made by our CTE students. Students and families were given a craft package from SEPTO. The West Central Kiwanis donated to this year's activity, even though they were unable to sponsor Breakfast with Santa. Holiday Connections met the wishes of 38 families -more than any other year. Our staff filled 7 large boxes of toys for the Toys for Tots drive. We made the best of our modified Employee Recognition event. The video of the event will be posted on the BOCES 2 website in the near future. Jo Anne expressed pride in how the remarks staff, notably, Jill Slavny, Executive Principal and Rick Muscarella, Crystal Apple 2020 recipient, conveyed their passion for their work at Monroe 2-Orleans BOCES.

13. Committee Reports

Labor Relations Committee (J. Abbott/J. Heise) –

Legislation Committee (D. Laba/K. Dillon) –

Information Exchange Committee (R. Charles Phillips)–

14. Upcoming Meetings/Events

The various meetings for the upcoming month were listed on the agenda.

15. Other Items

Litigation update discussion

Dennis thanked Jo Anne and asked her to convey to the whole staff the Board's appreciation and admiration for their commitment especially given the challenges of the year.

CTE Criminal Justice program needs an external board member on the advisory committee. Kathy Dillon volunteered.

16. At 7:11 p.m., a motion was made by M. May to adjourn the meeting, seconded by K. Dillon; passed unanimously.

Respectfully submitted,

Kelly Mutschler
Clerk of the Board

5. Public Interaction

6. Financial Reports

1. Resolution to Accept Treasurer's Report
2. Resolution to Accept WinCap Report
3. Internal Claims Exception Log
4. Quarterly Extra Class Report
5. Quarterly Contractor Report

Monroe #2-Orleans BOCES**Treasurer's Report**

Period Ending November 30, 2020

<u>GENERAL FUND</u>		<u>MONTHLY</u>	
CASH	BEGINNING BALANCE:	18,935,780.03	<u>18,935,780.03</u>
RECEIPTS:	CHARGES FOR SERVICES	4,601,902.87	
	NON-CONTRACT CHARGES	55,800.31	
	INTEREST EARNED	463.85	
	TRANSFERS FROM SPECIAL AID	0.00	
	TRANSFERS FROM TRUST AND AGENCY	0.00	
	TRANSFERS FROM UNEMPLOYMENT	0.00	
	STATE AID DUE DISTRICTS	0.00	
	MISCELLANEOUS RECEIPTS	45,375.89	
	TOTAL RECEIPTS:	4,703,542.92	<u>4,703,542.92</u>
DISBURSEMENTS:	PAYROLL	3,368,943.21	
	WARRANTS	3,538,665.85	
	TRANSFERS TO:		
	- Special Aid	0.00	
	- Trust & Agency	2,476,802.69	
	- Unemployment Reserve	0.00	
	- Capital	0.00	
	RAN PAYMENT	0.00	
	MISCELLANEOUS DISBURSEMENTS	0.00	
	TOTAL DISBURSEMENT:	9,384,411.75	<u>(9,384,411.75)</u>
	GENERAL FUND CHECKING	13,987,483.83	
	GENERAL FUND SAVINGS	267,427.37	
CASH	ENDING BALANCE:	14,254,911.20	<u>14,254,911.20</u>

Monroe #2-Orleans BOCES**Treasurer's Report**

Period Ending November 30, 2020

<u>SPECIAL AID FUND</u>		<u>MONTHLY</u>	
CASH	BEGINNING BALANCE:	2,197,436.23	<u>2,197,436.23</u>
RECEIPTS:	INTEREST EARNED	21.24	
	TRANSFER FROM GENERAL	0.00	
	TRANSFER FROM TRUST AND AGENCY	0.00	
	STATE, FEDERAL & LOCAL SOURCES	750,372.32	
	MISCELLANEOUS RECEIPTS	10,657.19	
	TOTAL RECEIPTS:	761,050.75	<u>761,050.75</u>
DISBURSEMENTS:	WARRANTS	84,334.18	
	TRANSFER TO TRUST & AGENCY	0.00	
	TRANSFER TO GENERAL	0.00	
	MISCELLANEOUS DISBURSEMENTS	0.00	
	TOTAL DISBURSEMENTS:	84,334.18	<u>(84,334.18)</u>
CASH	ENDING BALANCE:	2,874,152.80	<u>2,874,152.80</u>

<u>RISK RETENTION FUND</u>		<u>MONTHLY</u>	
CASH	BEGINNING BALANCE:	1,584,046.61	<u>1,584,046.61</u>
RECEIPTS:	INTEREST EARNED	118.67	
	TRANSFER FROM GENERAL	0.00	
	MISCELLANEOUS RECEIPTS	0.00	
	TOTAL RECEIPTS:	118.67	<u>118.67</u>
DISBURSEMENTS:	WARRANTS	0.00	
	CD-INVESTMENTS	0.00	
	TRANSFER TO GENERAL	0.00	
	TRANSFER TO TRUST & AGENCY	0.00	
	TOTAL DISBURSEMENTS:	0.00	<u>0.00</u>
	CASH- LIABILITY RESERVE	19,340.58	
	CASH- UNEMPLOYMENT RESERVE	278,537.03	
	CD-LIABILITY RESERVE	1,159,686.93	
	CD-UNEMPLOYMENT RESERVE	126,600.74	
CASH	ENDING BALANCE:	1,584,165.28	<u>1,584,165.28</u>

Monroe #2-Orleans BOCES**Treasurer's Report**

Period Ending November 30, 2020

<u>TRUST AND AGENCY FUND</u>		<u>MONTHLY</u>	
CASH	BEGINNING BALANCE:	164,896,576.06	<u>164,896,576.06</u>
RECEIPTS:	INTEREST EARNED	210.60	
	PAYROLL	2,158,010.38	
	TRANSFER FROM GENERAL	2,476,802.69	
	TRANSFER FROM SPECIAL AID	0.00	
	RASHP I	1,092,157.50	
	RASHP II	19,261,784.98	
	MISCELLANEOUS RECEIPTS	1,571,513.86	
	TOTAL RECEIPTS:	26,560,480.01	<u>26,560,480.01</u>
DISBURSEMENTS:	WARRANTS	3,773,539.05	
	PAYROLL	2,158,010.38	
	RASHP I	1,853,643.68	
	RASHP II	26,951,635.01	
	TRANSFER TO GENERAL FUND	0.00	
	TRANSFER TO SPECIAL AID	0.00	
	MISCELLANEOUS DISBURSEMENTS	597,645.08	
	TOTAL DISBURSEMENTS:	35,334,473.20	<u>(35,334,473.20)</u>
	CASH-CHECKING	855,984.48	
	CASH-PAYROLL	12,775.37	
	CASH-RASWC	5,692,138.64	
	CASH-WC WFL	304,993.93	
	CASH-FSA	46,279.58	
	CASH-RASHP I	3,250,808.35	
	CASH-RASHP II	71,623,131.61	
	CASH-SELF FUNDED DENTAL	390,600.15	
	CASH-STUDENT ACCIDENT	3,889.85	
	CASH-GIFT FUNDS	105,440.61	
	CASH-JOHN T. KLOCK SCHOLARSHIP	2,834.52	
	MONEY MARKET / INVESTMENTS - RASHP II	38,731,714.95	
	MONEY MARKET - RASHP II - M&T	461,083.92	
	CERTIFICATE OF DEPOSIT-RASWC	21,960,311.38	
	CERTIFICATE OF DEPOSIT/SAVINGS - RASHP	12,680,595.53	
	CERTIFICATE OF DEPOSIT - RASHP II	0.00	
CASH	ENDING BALANCE:	156,122,582.87	<u>156,122,582.87</u>

Monroe #2-Orleans BOCES

Treasurer's Report

Period Ending November 30, 2020

<u>CAPITAL FUND</u>		<u>MONTHLY</u>	
CASH	BEGINNING BALANCE	2,778,573.18	<u>2,778,573.18</u>
RECEIPTS:	INTEREST EARNED	120.19	
	TRANSFER FROM GENERAL	0.00	
	COMPONENT REVENUE	0.00	
	MISCELLANEOUS REVENUE	200.00	
	TOTAL RECEIPTS	320.19	<u>320.19</u>
DISBURSEMENTS:	WARRANTS	200,599.02	
	MISCELLANEOUS DISBURSEMENTS	0.00	
	TRANSFER TO:		
	- General Fund	0.00	
	- Equipment Reserve	0.00	
	TOTAL DISBURSEMENTS	200,599.02	<u>(200,599.02)</u>
	CAPITAL FUND CHECKING	1,676,128.74	
	CAPITAL FUND SAVINGS	109,182.52	
	CAPITAL FUND CTE EQUIPMENT RESERVE	792,983.09	
CASH	ENDING BALANCE:	2,578,294.35	<u>2,578,294.35</u>

MONROE 2 - ORLEANS BOCES

Budget Status Report As Of: 12/31/2020

Fiscal Year: 2021

Fund: A GENERAL FUND

Budget Account	Description	Initial Appropriation	Adjustments	Current Appropriation	Year-to-Date Expenditures	Encumbrance Outstanding	Unencumbered Balance
0 Administration							
100 SALARIES		1,146,030.00	0.00	1,146,030.00	574,781.60	543,849.66	27,398.74
200 EQUIPMENT		15,650.00	-90.00	15,560.00	598.05	714.29	14,247.66
300 SUPPLIES		19,550.00	-180.00	19,370.00	6,752.02	7,184.49	5,433.49
400 CONTRACTUAL		2,618,415.00	-33,300.36	2,585,114.64	1,118,566.70	1,173,586.89	292,961.05
700 INTEREST ON REVENUE NOTES		15,000.00	-445.80	14,554.20	0.00	0.00	14,554.20
800 EMPLOYEE BENEFITS		579,927.00	-4,554.20	575,372.80	237,305.14	220,444.41	117,623.25
899 Oth Post Retirement Benft		5,652,488.00	0.00	5,652,488.00	1,700,627.55	0.00	3,951,860.45
910 TRANSFER TO CAPITAL FUND		500,000.00	0.00	500,000.00	500,000.00	0.00	0.00
950 TRANSFER FROM O & M		66,746.00	0.00	66,746.00	0.00	0.00	66,746.00
960 TRANSFER CHARGE		257,217.00	38,570.36	295,787.36	38,570.36	0.00	257,217.00
Subtotal of 0 Administration		10,871,023.00	0.00	10,871,023.00	4,177,201.42	1,945,779.74	4,748,041.84
1 Career Education							
100 SALARIES		3,861,872.00	0.00	3,861,872.00	1,415,685.12	2,373,036.42	73,150.46
200 EQUIPMENT		35,000.00	334,161.04	369,161.04	351,653.37	17,452.69	54.98
300 SUPPLIES		354,750.00	87,033.11	441,783.11	259,923.35	85,834.20	96,025.56
400 CONTRACTUAL		291,250.00	-15,939.73	275,310.27	167,578.00	67,561.71	40,170.56
490 SCH DIST AND OTHER BOCES		18,120.00	4,055.20	22,175.20	8,315.70	0.00	13,859.50
800 EMPLOYEE BENEFITS		1,809,119.00	0.00	1,809,119.00	676,411.19	857,339.60	275,368.21
950 TRANSFER FROM O & M		1,294,189.00	5,187.63	1,299,376.63	5,187.63	0.00	1,294,189.00
960 TRANSFER CHARGE		553,852.00	4,446.10	558,298.10	4,446.10	0.00	553,852.00
970 TR CREDs FR SERVICE PROGR		0.00	-2,197.78	-2,197.78	-2,197.78	0.00	0.00
990 TRANS CREDs FR OTHER FUND		-6,000.00	0.00	-6,000.00	0.00	0.00	-6,000.00
Subtotal of 1 Career Education		8,212,152.00	416,745.57	8,628,897.57	2,887,002.68	3,401,224.62	2,340,670.27
2 Special Education							
100 SALARIES		6,859,672.00	149,642.03	7,009,314.03	2,338,303.16	4,159,228.67	511,782.20
200 EQUIPMENT		78,014.00	94,100.03	172,114.03	120,527.42	1,711.02	49,875.59
300 SUPPLIES		141,931.00	-15,787.24	126,143.76	45,562.17	8,145.15	72,436.44
400 CONTRACTUAL		1,472,937.00	698,623.45	2,171,560.45	172,382.01	95,922.98	1,903,255.46
490 SCH DIST AND OTHER BOCES		5,920,930.00	405,474.36	6,326,404.36	3,066,040.47	0.00	3,260,363.89
800 EMPLOYEE BENEFITS		3,563,530.00	500,347.87	4,063,877.87	1,583,600.87	1,915,913.09	564,363.91
950 TRANSFER FROM O & M		335,806.00	0.00	335,806.00	0.00	0.00	335,806.00
960 TRANSFER CHARGE		16,023,321.00	275,221.15	16,298,542.15	3,420.15	0.00	16,295,122.00
970 TR CREDs FR SERVICE PROGR		0.00	-1,591.21	-1,591.21	-1,591.21	0.00	0.00
Subtotal of 2 Special Education		34,396,141.00	2,106,030.44	36,502,171.44	7,328,245.04	6,180,920.91	22,993,005.49
3 Itinerent Services							
100 SALARIES		12,240,392.00	120,047.44	12,360,439.44	3,995,392.91	7,216,659.27	1,148,387.26
200 EQUIPMENT		206,415.00	12,580.01	218,995.01	121,397.11	0.00	97,597.90
300 SUPPLIES		43,601.00	-2,098.59	41,502.41	13,742.03	3,872.97	23,887.41
400 CONTRACTUAL		802,831.00	413,012.74	1,215,843.74	62,328.82	105,146.76	1,048,368.16

MONROE 2 - ORLEANS BOCES

Budget Status Report As Of: 12/31/2020

Fiscal Year: 2021

Fund: A GENERAL FUND

Budget Account	Description	Initial Appropriation	Adjustments	Current Appropriation	Year-to-Date Expenditures	Encumbrance Outstanding	Unencumbered Balance
490 SCH DIST AND OTHER BOCES		50,903.00	574,561.44	625,464.44	230,911.84	0.00	394,552.60
800 EMPLOYEE BENEFITS		6,176,059.00	-205,325.11	5,970,733.89	2,207,310.13	2,750,515.64	1,012,908.12
950 TRANSFER FROM O & M		7,938.00	16,565.34	24,503.34	16,565.34	0.00	7,938.00
960 TRANSFER CHARGE		1,209,309.00	24,830.10	1,234,139.10	1,346.10	0.00	1,232,793.00
970 TR CREDITS FR SERVICE PROGR		-11,766,756.00	4,184.00	-11,762,572.00	0.00	0.00	-11,762,572.00
Subtotal of 3 Itinerent Services		8,970,692.00	958,357.37	9,929,049.37	6,648,994.28	10,076,194.64	-6,796,139.55
4 General Instruction							
100 SALARIES		1,868,356.00	-312,778.62	1,555,577.38	727,803.97	572,671.70	255,101.71
200 EQUIPMENT		5,600.00	827.44	6,427.44	1,577.52	0.00	4,849.92
300 SUPPLIES		11,375.00	5,291.50	16,666.50	1,860.39	2,723.26	12,082.85
400 CONTRACTUAL		684,335.00	390,095.21	1,074,430.21	323,611.34	121,723.04	629,095.83
490 SCH DIST AND OTHER BOCES		69,747.00	205,929.45	275,676.45	242,449.94	0.00	33,226.51
800 EMPLOYEE BENEFITS		722,170.00	-52,639.49	669,530.51	241,431.17	216,915.30	211,184.04
950 TRANSFER FROM O & M		127,696.00	0.00	127,696.00	0.00	0.00	127,696.00
960 TRANSFER CHARGE		178,964.00	3,583.56	182,547.56	2,166.56	0.00	180,381.00
970 TR CREDITS FR SERVICE PROGR		-16,290.00	0.00	-16,290.00	0.00	0.00	-16,290.00
990 TRANS CREDITS FR OTHER FUND		-2,025.00	0.00	-2,025.00	0.00	0.00	-2,025.00
Subtotal of 4 General Instruction		3,649,928.00	240,309.05	3,890,237.05	1,540,900.89	914,033.30	1,435,302.86
5 Instruction Support							
100 SALARIES		6,032,367.00	100,780.61	6,133,147.61	2,521,042.42	3,012,091.01	600,014.18
200 EQUIPMENT		3,116,595.00	3,362,142.67	6,478,737.67	3,546,045.99	824,149.83	2,108,541.85
300 SUPPLIES		737,361.00	108,607.19	845,968.19	306,431.98	83,037.84	456,498.37
400 CONTRACTUAL		4,673,400.00	934,841.57	5,608,241.57	3,007,386.01	769,447.42	1,831,408.14
490 SCH DIST AND OTHER BOCES		358,709.00	22,197.88	380,906.88	180,879.67	0.00	200,027.21
800 EMPLOYEE BENEFITS		2,819,990.00	19,630.58	2,839,620.58	1,137,038.12	1,240,163.27	462,419.19
950 TRANSFER FROM O & M		647,258.00	723.08	647,981.08	723.08	0.00	647,258.00
960 TRANSFER CHARGE		1,045,444.00	8,738.91	1,054,182.91	1,543.91	0.00	1,052,639.00
970 TR CREDITS FR SERVICE PROGR		-2,695,110.00	-84,303.65	-2,779,413.65	-9,599.65	0.00	-2,769,814.00
990 TRANS CREDITS FR OTHER FUND		-80,302.00	-589.18	-80,891.18	-589.18	0.00	-80,302.00
Subtotal of 5 Instruction Support		16,655,712.00	4,472,769.66	21,128,481.66	10,690,902.35	5,928,889.37	4,508,689.94
6 Other Services							
100 SALARIES		2,321,226.00	-42,090.29	2,279,135.71	1,108,613.55	1,062,799.43	107,722.73
200 EQUIPMENT		435,385.00	140,987.93	576,372.93	160,436.39	80,025.14	335,911.40
300 SUPPLIES		39,875.00	-2,416.71	37,458.29	7,148.77	7,863.19	22,446.33
400 CONTRACTUAL		3,471,936.00	223,060.90	3,694,996.90	1,220,190.80	1,657,184.50	817,621.60
490 SCH DIST AND OTHER BOCES		6,106,003.00	495,454.45	6,601,457.45	4,725,706.48	0.00	1,875,750.97
800 EMPLOYEE BENEFITS		1,084,227.00	-24,683.91	1,059,543.09	425,281.37	469,896.72	164,365.00
950 TRANSFER FROM O & M		117,445.00	15,782.49	133,227.49	15,782.49	0.00	117,445.00
960 TRANSFER CHARGE		98,636.00	3,627.74	102,263.74	3,627.74	0.00	98,636.00
970 TR CREDITS FR SERVICE PROGR		-1,699,387.00	-55,541.18	-1,754,928.18	-55,541.18	0.00	-1,699,387.00

MONROE 2 - ORLEANS BOCES

Budget Status Report As Of: 12/31/2020

Fiscal Year: 2021

Fund: A GENERAL FUND

Budget Account	Description	Initial Appropriation	Adjustments	Current Appropriation	Year-to-Date Expenditures	Encumbrance Outstanding	Unencumbered Balance
990 TRANS CRED FR OTHER FUND		-105,190.00	-90.00	-105,280.00	-90.00	0.00	-105,190.00
Subtotal of 6 Other Services		11,870,156.00	754,091.42	12,624,247.42	7,611,156.41	3,277,768.98	1,735,322.03
7 Undefined							
100 SALARIES		3,076,171.00	172,199.76	3,248,370.76	1,513,547.77	1,440,141.91	294,681.08
200 EQUIPMENT		58,500.00	61,481.72	119,981.72	62,115.19	473.89	57,392.64
300 SUPPLIES		223,280.00	132,069.74	355,349.74	265,882.89	88,899.16	567.69
400 CONTRACTUAL		1,920,437.00	-95,896.68	1,824,540.32	1,072,385.21	538,620.94	213,534.17
800 EMPLOYEE BENEFITS		1,457,658.00	49,812.93	1,507,470.93	569,970.09	582,383.94	355,116.90
950 TRANSFER FROM O & M		566,322.00	15,319.39	581,641.39	15,319.39	0.00	566,322.00
960 TRANSFER CHARGE		1,363,283.00	13,808.90	1,377,091.90	13,808.90	0.00	1,363,283.00
970 TR CRED FR SERVICE PROGR		-7,715,883.00	-286,954.93	-8,002,837.93	-53,577.93	0.00	-7,949,260.00
990 TRANS CRED FR OTHER FUND		-949,768.00	-3,951.09	-953,719.09	-3,951.09	0.00	-949,768.00
Subtotal of 7 Undefined		0.00	57,889.74	57,889.74	3,455,500.42	2,650,519.84	-6,048,130.52
Total GENERAL FUND		94,625,804.00	9,006,193.25	103,631,997.25	44,339,903.49	34,375,331.40	24,916,762.36

Monroe 2 - Orleans BOCES
Extra Class Report
October - December 2020

Balance 10/1/2020			\$6,322.89
Add:			
Deposit - Coke / Juice Machine			\$241.00
Memberships			\$375.00
Fundraiser			\$610.00
Total Receipts			\$1,226.00
Deduct:			
Ck #138 Mask Fundraiser			\$118.34
Ck #139 Coke products for vending machine			\$253.10
Ck #140 Wemer's Famr - pumpkins for pie			\$80.00
Ck #141 Fall Leadership			\$20.00
Ck #142 Membership Fees			\$240.00
Ck #143 Membership Fees			\$315.00
Ck #144 Wemoco Plate Fundraiser			\$159.80
Total Deductions			\$1,186.24
Balance 12/31/20			\$6,362.65

Contractor Report					
July 2020 - December 2020					
Vendor	Department	Amount	Purpose	Term	Category
Aramark	Administration	\$311,465	Facility Management	Multi Yr	Exempt
BFB Associates	Administration	\$112,801	Lease of Building Space	Multi Yr	Lease
Businessolver	Administration	\$274,397	Electronic Enrollment System	Multi Yr	Exempt
Campus Construction	Capital Project	\$87,599	Capital Project Vendor	Multi Yr	Capital Project
Capital Computers Assoc. Inc.	Administration	\$98,272	Accounting Software Support	1 Yr	Accounting Software
Crosby-Brownlie Inc.	Administration	\$47,329	Capital Project Vendor	Multi Yr	Capital Project
David Corporation	Workers' Comp	\$56,245	Claims System	Multi Yr	Exempt
Diehl Development Inc.	Administration	\$779,531	Capital Project Vendor	Multi Yr	Capital Project
Gateway Commons Holding Corp.	Administration	\$149,769	Lease of Building Space	Multi Yr	Lease
Golden Oval International	Administration	\$48,130	Lease of Building Space	Multi Yr	Lease
Kaplan-Schmidt Electric, Inc.	Administration	\$69,968	Capital Project Vendor	Multi Yr	Capital Project
Labella Associates	Administration	\$44,219	Capital Project Vendor	Multi Yr	Capital Project
M&T Bank	CaTS	\$186,929	Lease of BOCES/District Equipment	Multi Yr	NYS
Precision Properties/Pietropaolo, George	Administration	\$140,525	Lease of Building Space	Multi Yr	Lease
Spencerport Investors LLC	Administration	\$40,900	Lease of Building Space	Multi Yr	Lease
SWBR Architecture	Administration	\$105,134	Consultant	Multi Yr	Exempt
Tech Park Owner LLC	Administration / CWD	\$234,196	Lease of Building Space	Multi Yr	Lease
Testa Construction Inc.	Administration	\$882,128	Capital Project Vendor	1 Yr	Capital Project
Time Warner	CaTS	\$45,508	Data Services	Multi Yr	Exempt
Toshiba Business Solutions	CaTS	\$191,989	Lease of BOCES/District Equipment	Multi Yr	Lease
Turner Drive Associates	Administration	\$84,375	Lease of Building Space	Multi Yr	Lease
United Parcel Service	ESP	\$71,764	Package Delivery Service	1 Yr	NYS
Xerox Corporation	CaTS	\$257,201	Lease of BOCES/District Equipment	Multi Yr	NYS

7. Old Business

1. Capital Project Update and Cost Report (Campus Construction)

7. Old Business

2. Space Update (Steve Roland)

8. Board Presentation: Center for Workforce Development Budget and Program Update (Thomas Schulte)

9. New Business

1. Resolution to Accept Single Audit Report for Year Ended June 30, 2020. No action plan is required, as there were no findings or questionable costs

**BOARD OF COOPERATIVE EDUCATIONAL
SERVICES SECOND SUPERVISORY DISTRICT OF
MONROE AND ORLEANS COUNTIES**

SPENCERPORT, NEW YORK

SINGLE AUDIT REPORT

For Year Ended June 30, 2020

MENGEL METZGER BARR & CO. LLP

RAYMOND F. WAGER, CPA, P.C. DIVISION

TABLE OF CONTENTS

Report on Compliance For Each Major Federal Program; Report on Internal Control Over Compliance; and Report on the Schedule of Expenditures of Federal Awards Required by OMB Uniform Guidance	1 – 3
Schedule of Expenditures of Federal Awards	4
Notes to Schedule of Expenditures of Federal Awards	5
Schedule of Findings and Questioned Costs	6

MENGEL METZGER BARR & CO. LLP

RAYMOND F. WAGER, CPA, P.C. DIVISION

Report on Compliance For Each Major Federal Program; Report on Internal Control Over Compliance; and Report on the Schedule of Expenditures of Federal Awards In Accordance with the Uniform Guidance

Independent Auditors' Report

To the Board Members
Board of Cooperative Educational Services
Second Supervisory District of
Monroe and Orleans Counties, New York

Report on Compliance for Each Major Federal Program

We have audited the Board of Cooperative Educational Services Second Supervisory District of Monroe and Orleans Counties, New York's compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on each of the BOCES' major federal programs for the year ended June 30, 2020. The Board of Cooperative Educational Services Second Supervisory District of Monroe and Orleans Counties, New York's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of the Board of Cooperative Educational Services Second Supervisory District of Monroe and Orleans Counties, New York's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the Board of Cooperative Educational Services Second Supervisory District of Monroe and Orleans Counties, New York's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the Board of Cooperative Educational Services Second Supervisory District of Monroe and Orleans Counties, New York's compliance.

Opinion on Each Major Federal Program

In our opinion, the Board of Cooperative Educational Services Second Supervisory District of Monroe and Orleans Counties, New York complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2020.

Report on Internal Control Over Compliance

The management of the Board of Cooperative Educational Services Second Supervisory District of Monroe and Orleans Counties, New York is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the Board of Cooperative Educational Services Second Supervisory District of Monroe and Orleans Counties, New York's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Board of Cooperative Educational Services Second Supervisory District of Monroe and Orleans Counties, New York's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Report on Schedule of Expenditures of Federal Awards Required by the Uniform Guidance

We have audited the financial statements of the governmental activities, each major fund, and the aggregated remaining fund information of the Board of Cooperative Educational Services Second Supervisory District of Monroe and Orleans Counties, New York as of and for the year ended June 30, 2020, and the related notes to the financial statements, which collectively comprise the Board of Cooperative Educational Services Second Supervisory District of Monroe and Orleans Counties, New York's basic financial statements. We issued our report thereon dated October 10, 2020, which contained unmodified opinions on those financial statements. Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by the Uniform Guidance and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

Mengel, Metzger, Barw & Co. LLP

Rochester, New York
December 11, 2020

**BOARD OF COOPERATIVE EDUCATIONAL SERVICES
SECOND SUPERVISORY DISTRICT OF
MONROE AND ORLEANS COUNTIES**

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

FOR YEAR ENDED JUNE 30, 2020

<u>Grantor / Pass - Through Agency</u>	<u>CFDA</u>	<u>Grantor</u>	<u>Pass-Through</u>	<u>Total</u>
<u>Federal Award Cluster / Program</u>	<u>Number</u>	<u>Number</u>	<u>Agency</u>	<u>Expenditures</u>
<u>U.S. Department of Education:</u>				
<u>Direct Programs:</u>				
<u>Student Financial Assistance Program Cluster -</u>				
Federal Pell Grant Program	84.063	N/A	N/A	\$ 188,496
Federal Direct Student Loans	84.268	N/A	N/A	262,866
<i>Total Student Financial Assistance Program Cluster</i>				\$ 451,362
COVID-19 Education Stabilization funds	84.425E	P425E204497	N/A	46,043
COVID-19 Education Stabilization funds	84.425F	P425E204497	N/A	46,042
Total Direct Programs				\$ 543,447
<u>Indirect Programs:</u>				
<u>Passed Through NYS Education Department -</u>				
VATEA II - Perkins Grant	84.048	N/A	8000-20-0044	\$ 160,930 *
WIOA, Title II, ESOL Civics	84.002	N/A	0040-20-3018	95,833
Total Indirect Programs				\$ 256,763
Total U.S. Department of Education				\$ 800,210
 TOTAL EXPENDITURES OF FEDERAL AWARDS				 \$ 800,210

* Major Program

**BOARD OF COOPERATIVE EDUCATIONAL SERVICES
SECOND SUPERVISORY DISTRICT OF
MONROE AND ORLEANS COUNTIES**

Notes to Schedule of Expenditures of Federal Awards

June 30, 2020

Note 1 - Basis of Presentation

The accompanying Schedule of Expenditures of Federal Awards presents the activity of all federal awards programs administered by the Board of Cooperative Educational Services Second Supervisory District of Monroe and Orleans Counties, an entity as defined in Note 1 to the BOCES basic financial statements. The information in this schedule is presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirement's, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Because the schedule presents only a selected portion of the operations of the BOCES, it is not intended to and does not present the financial position or changes in net position.

Note 2 - Basis of Accounting

Expenditures reported on the schedule are reported on the GAAP basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement. Negative amounts shown on the schedule represent adjustments or credits made in the normal course of business to amounts reported as expenditures in prior years.

Note 3 - Indirect Costs

Indirect costs are included in the reported expenditures to the extent they are included in the federal financial reports used as the source for the data presented.

Note 4 - Matching Costs

Matching costs, i.e., the Board of Cooperative Educational Services Second Supervisory District of Monroe and Orleans Counties share of certain program costs, are not included in the reported expenditures.

**BOARD OF COOPERATIVE EDUCATIONAL SERVICES
SECOND SUPERVISORY DISTRICT OF
MONROE AND ORLEANS COUNTIES**

Schedule of Findings and Questioned Costs

June 30, 2020

I. Summary of the Auditors' Results

Financial Statements

- | | |
|---|------------|
| a) Type of auditor's report issued | Unmodified |
| b) Internal control over financial reporting | |
| 1. Material weaknesses identified | No |
| 2. Significant deficiency(ies) identified | No |
| c) Noncompliance material to financial statements noted | No |

Federal Awards

- | | | | | | |
|---|---|---|-------------|--------------------------|--|
| a) Internal control over major programs | | | | | |
| 1. Material weaknesses identified | No | | | | |
| 2. Significant deficiency(ies) identified | No | | | | |
| b) Type of auditor's report issued on compliance for major programs | Unmodified | | | | |
| c) Any audit findings disclosed that are required to be reported in accordance with 2 CFR Section 200.516(a) | No | | | | |
| d) Identification of major programs | | | | | |
| <table border="0" style="display: inline-table;"> <tr> <td style="text-align: right;"><u>CFDA Number(s)</u></td> <td style="text-align: left;"><u>Name of Federal Program or Cluster</u></td> </tr> <tr> <td style="text-align: right;">CFDA 84.048</td> <td style="text-align: left;">VATEA II – Perkins Grant</td> </tr> </table> | <u>CFDA Number(s)</u> | <u>Name of Federal Program or Cluster</u> | CFDA 84.048 | VATEA II – Perkins Grant | |
| <u>CFDA Number(s)</u> | <u>Name of Federal Program or Cluster</u> | | | | |
| CFDA 84.048 | VATEA II – Perkins Grant | | | | |
| e) Dollar threshold used to distinguish between Type A and Type B programs | \$750,000 | | | | |
| f) Auditee qualifies as low-risk auditee | Yes | | | | |

II. Financial Statement Findings

There were no current year findings and there were no prior year findings.

III. Federal Award Findings and Questioned Costs

There were no current year findings or questioned costs and there were no prior year findings or questioned costs.

9. New Business

2. First Reading Policy #5261, which references ED-1 retention schedule

VARIOUS POLICY UPDATES CHART

Policy 5261

Italics means added in, strikethrough means to delete. Review means no substantive changes.

<i>POLICY NUMBER</i>	<i>RATIONALE</i>
5261 Privacy and Security for Student Data and Teacher and Principal Data - Education Law 2-d	Changes made to reflect replacement of ED-1 records retention and disposition schedule with the new LGS-01 records retention and disposition schedule.

Monroe 2-Orleans BOCES Policy

Series 5000 – Personnel

Policy #5261 – PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA – EDUCATION LAW 2-d

BOCES will maintain the privacy and security of student data and teacher and principal data (hereinafter referred to as “PII”) and will follow all applicable laws and regulations for the handling and storage of this data when disclosing or releasing the data.

BOCES will take steps to minimize the collection, processing, and transmission of PII. BOCES will not sell PII. BOCES will not use or disclose PII for any marketing or commercial purpose. BOCES will not facilitate, use or disclose PII to any other party for any marketing or commercial purposes.

Except as required by law or in the case of educational enrollment data, the BOCES will not report to NYSED the following student data elements:

- a) Juvenile delinquency records;
- b) Criminal records;
- c) Medical and health records; and
- d) Student biometric information.

Nothing in Education Law Section 2-d or this policy should be construed as limiting the administrative use of student data or teacher or principal data by a person acting exclusively in the person's capacity as an employee of the BOCES.

Data Protection Officer

BOCES designates Ray Miller, Supervising Manager, as the Data Protection Officer.

The Data Protection Officer is responsible for the implementation and oversight of this policy and any related procedures required by Education Law Section 2-d and the Commissioner's Regulations. The Data Protection Officer is the main point of contact for data privacy and security.

Data Privacy and Security Standards

BOCES will protect the privacy of PII by:

- a) Reviewing whether the use and disclosure of PII benefits students and the BOCES by considering, among other criteria, whether the use and/or disclosure will:
 - 1. Improve academic achievement;
 - 2. Empower parents and students with information; and/or
 - 3. Advance efficient and effective program and academic operations.
- b) Excluding PII in public reports and/or other public documents.
- c) Affording all protections under FERPA and the Individuals with Disabilities Education Act and their implementing regulations to parents and/or eligible students.

Monroe 2-Orleans BOCES Policy**Series 5000 – Personnel****Policy #5261 – PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA – EDUCATION LAW 2-d****Third-Party Contractors**

BOCES will include in contracts with third-party contractors where PII is disclosed to the vendor in the course of doing business with the vendor language obligating the vendor to maintain the privacy and security of the PII in accordance with law, regulation and NIST Cybersecurity Framework, the U.S. Department of Commerce National Institute for Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity (Version 1.1).

The third-party contractor's data privacy and security plan must, at a minimum include the following:

- a) Outline how the third-party contractor will implement all state, federal, and local data privacy and security contract requirements over the life of the contract;
- b) Specify the administrative, operational, and technical safeguards and practices in place to protect PII that the vendor will receive under the contract;
- c) Demonstrate that the third-party contractor complies with the requirements of 8 NYCRR Section 121.3(c);
- d) Specify how officers and/or employees of the third-party contractor and its assignees who have access to PII will receive training on the laws governing confidentiality of this data prior to receiving access;
- e) Specify if the third-party contractor will utilize subcontractors and the plan to ensure the subcontractor protects PII;
- f) Specify how the third-party contractor will identify breaches and unauthorized disclosures, and expediently notify BOCES;
- g) Describe upon the termination or expiration of the contract whether, how, and when data will be returned to BOCES, transitioned to a successor contractor, deleted or destroyed;
- h) Include a copy of the Parents' Bill of Rights for Data Privacy and Security which the contractor must sign;
- i) Explain the technologies, safeguards, and practices that align with the NIST Cybersecurity Framework;
- j) Agree to limit internal access to PII to only those employees or subcontractors that have legitimate educational interests;
- k) Agree not to use the PII for any purpose not explicitly authorized in the contract;
- l) Agree not to disclose any PII to any other party without the prior written consent of the parent or eligible student except:
 1. To authorized representatives of the third-party contractor such as a subcontractor or assignee to the extent they are carrying out the contract and in compliance with law, regulation, and its contract with the BOCES or

Monroe 2-Orleans BOCES Policy**Series 5000 – Personnel****Policy #5261 – PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA – EDUCATION LAW 2-d**

2. As required by law or court order and the third-party contractor provides a notice of the disclosure to NYSED, the Board, or the institution that provided the information, no later than the time the information is disclosed, unless providing notice of the disclosure is expressly prohibited by law or court order.
- m) Maintain reasonable administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of PII in its custody;
 - n) Use encryption to protect PII in its custody while in motion or at rest; and
 - o) Will not sell PII, will not use or disclose PII for any marketing or commercial purpose; will not facilitate, use or disclose PII to any other party for any marketing or commercial purposes.

Click-Wrap Agreements

Periodically, BOCES staff may wish to use software, applications, or other technologies in which the user must "click" a button or box to agree to certain online terms of service prior to using the software, application, or other technology. These are known as "click-wrap agreements" and are considered legally binding "contracts or other written agreements" under Education Law Section 2-d and its implementing regulations.

BOCES staff are prohibited from using software, applications, or other technologies pursuant to a click-wrap agreement in which the third-party contractor receives student data or teacher or principal data unless they have received prior approval from the BOCES Data Protection Officer or designee.

Parents' Bill of Rights for Data Privacy and Security

BOCES will publish the Parents' Bill of Rights for Data Privacy and Security (Bill of Rights) on its website. The Bill of Rights will be included with every contract or other written agreement it enters into with a third-party contractor where the third-party contractor will receive PII.

The Bill of Rights will state in clear and plain English that:

- a) A student's PII cannot be sold or released for any commercial purposes;
- b) Parents have the right to inspect and review the complete contents of their child's education record;
- c) State and federal laws protect the confidentiality of PII, and 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;
- d) A complete list of all student data elements collected by the state is available for public review at <http://www.p12.nysed.gov/irs/sirs/documentation/NYSEDstudentData.xlsx> or by writing to the Office of Information and Reporting Services, New York State Education Department, Room 865 EBA, 89 Washington Avenue, Albany, New York 12234; and
- e) Parents have the right to have complaints about possible breaches of student data addressed. Complaints should be directed in writing to Privacy Complaint, Chief Privacy Officer, New York State Education Department, 89 Washington Avenue, Albany, New

Monroe 2-Orleans BOCES Policy**Series 5000 – Personnel****Policy #5261 – PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA – EDUCATION LAW 2-d**

York 12234. Complaints may also be submitted using the form available <http://www.nysed.gov/data-privacy-security/report-improper-disclosure>

The Bill of Rights will also include supplemental information for each contract the BOCES enters into with a third-party contractor where the third-party contractor receives PII. The third party contractor will sign the Bill of Rights.

Supplemental to the Bill of Rights

The supplemental to the Bill of Rights must include the following information:

- a) The exclusive purposes for which the PII will be used by the third-party contractor, as defined in the contract;
- b) How the third-party contractor will ensure that the subcontractors, or other authorized persons or entities to whom the third-party contractor will disclose the PII will abide by all applicable data protection and security requirements, including but not limited to those outlined in applicable laws and regulations;
- c) The duration of the contract, including the contract's expiration date, and a description of what will happen to the PII upon expiration of the contract or other written agreement;
- d) If and how a parent, student, eligible student, teacher, or principal may challenge the accuracy of the student data or teacher or principal data that is collected;
- e) Where the student data or teacher or principal data will be stored, described in a manner as to protect data security, and the security protections taken to ensure the data will be protected and whether data is encrypted and data privacy and security risks mitigated; and
- f) Address how the data will be protected using encryption while in motion and at rest.

BOCES will publish on its website the supplement to the Bill of Rights for any contract or other written agreement it has entered into with a third-party contractor that will receive PII. The Bill of Rights and supplemental information may be redacted to the extent necessary to safeguard the privacy and/or security of the BOCES data and/or technology infrastructure.

Right of Parents and Eligible Students to Inspect and Review Students' Education Records

Consistent with the obligations under FERPA, parents and eligible students have the right to inspect and review a student's education record by making a request directly to the BOCES, see Policy 6320.

Complaints of Breach or Unauthorized Release of Student Data and/or Teacher or Principal Data

Parents have the right to submit complaints about possible breaches of student data to the Chief Privacy Officer at NYSED. Parents, eligible students, teachers, principals, and other BOCES staff may file complaints with the BOCES about breaches or unauthorized releases PII as follows:

- a) All complaints must be submitted to the Data Protection Officer in writing.

Monroe 2-Orleans BOCES Policy

Series 5000 – Personnel

Policy #5261 – PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA – EDUCATION LAW 2-d

- b) BOCES will promptly acknowledge receipt of the complaint, commence an investigation, and take the necessary precautions to protect PII.
- c) BOCES will provide the individual who filed the complaint with its findings within a reasonable period of time, but no more than sixty (60) calendar days from the receipt of the complaint.
- d) If the BOCES requires additional time, or where the response may compromise security or impede a law enforcement investigation, the BOCES will provide the complainant a written explanation that includes the approximate date when the BOCES anticipates that it will respond to the complaint.

BOCES will maintain a record of all complaints of breaches or unauthorized releases of PII and the disposition in accordance with the Records Retention and Disposition Schedule ~~ED-1~~ LGS-01 (1988; rev. 2004).

Reporting a Breach or Unauthorized Release

BOCES will report every discovery or report of a breach or unauthorized release of PII to the NYSED Chief Privacy Officer no more than ten (10) calendar days after the discovery.

Each third-party contractor that receives PII will be required to notify the BOCES of any breach of security resulting in an unauthorized release of the PII in violation of applicable laws and regulations, the Parents' Bill of Rights for Student Data Privacy and Security, BOCES policy, and/or binding contractual obligations relating to data privacy and security, in the most expedient way possible and without unreasonable delay, but no more than seven (7) calendar days after the discovery of the breach.

BOCES will in turn notify the Chief Privacy Officer of the breach or unauthorized release of PII no more than ten (10) calendar days after it receives the third-party contractor's notification using a form or format prescribed by NYSED.

Investigation of Reports of Breach or Unauthorized Release by the Chief Privacy Officer

The Chief Privacy Officer is authorized to investigate reports of breaches or unauthorized releases of PII by third-party contractors. As part of an investigation, the Chief Privacy Officer may require that the parties submit documentation, provide testimony, and may visit, examine, and/or inspect the third-party contractor's facilities and records.

Upon the belief that a breach or unauthorized release constitutes criminal conduct, the Chief Privacy Officer is required to report the breach and unauthorized release to law enforcement in the most expedient way possible and without unreasonable delay.

Third-party contractors are required to cooperate with the BOCES and law enforcement to protect the integrity of investigations into the breach or unauthorized release of PII.

Upon conclusion of an investigation, if the Chief Privacy Officer determines that a third-party contractor has through its actions or omissions caused student data or teacher or principal data to be breached or released to any person or entity not authorized by law to receive this data in violation of applicable laws and regulations, BOCES policy, and/or any binding contractual obligations, the Chief

Monroe 2-Orleans BOCES Policy**Series 5000 – Personnel****Policy #5261 – PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA – EDUCATION LAW 2-d**

Privacy Officer is required to notify the third-party contractor of the finding and give the third-party contractor no more than thirty (30) days to submit a written response.

If after reviewing the third-party contractor's written response, the Chief Privacy Officer determines the incident to be a violation of Education Law Section 2-d, the Chief Privacy Officer will be authorized to:

- a) Order the third-party contractor be precluded from accessing PII from the affected educational agency for a fixed period of up to five years; and/or
- b) Order that a third-party contractor or assignee who knowingly or recklessly allowed for the breach or unauthorized release of student data or teacher or principal data be precluded from accessing student data or teacher or principal data from any educational agency in the state for a fixed period of up to five years; and/or
- c) Order that a third-party contractor who knowingly or recklessly allowed for the breach or unauthorized release of student data or teacher or principal data will not be deemed a responsible bidder or offer or on any contract with an educational agency that involves the sharing of student data or teacher or principal data, as applicable for purposes of General Municipal Law Section 103 or State Finance Law Section 163(10)(c), as applicable, for a fixed period of up to five years; and/or
- d) Require the third-party contractor to provide training governing confidentiality of student data and/or teacher or principal data to all its officers and employees with reasonable access to this data and certify that the training has been performed at the contractor's expense. This additional training is required to be performed immediately and include a review of laws, rules, and regulations, including Education Law Section 2-d and its implementing regulations.
- e) Determine no penalty be issued to the third-party contractor if the breach or unauthorized release of student data or teacher or principal data on the part of the third-party contractor or assignee was inadvertent and done without intent, knowledge, recklessness, or gross negligence. The Commissioner would then make a final determination as to whether the breach or unauthorized release was inadvertent and done without intent, knowledge, recklessness or gross negligence and whether or not a penalty should be issued.

Each violation could be punishable by a civil penalty ranging from \$1,000 to \$10,000.

The Commissioner would then make a final determination as to whether the breach or unauthorized release was inadvertent and done without intent, knowledge, recklessness or gross negligence and whether or not a penalty should be issued.

Notification of a Breach or Unauthorized Release

BOCES will notify affected parents, eligible students, teachers, and/or principals no more than sixty (60) calendar days after the discovery of a breach or unauthorized release of PII by BOCES or the receipt of a notification of a breach or unauthorized release of PII from a third-party contractor unless that notification would interfere with an ongoing investigation by law enforcement or cause further disclosure of PII by disclosing an unfixed security vulnerability. Where notification is delayed under these circumstances, BOCES will notify parents, eligible students, teachers, and/or principals

Monroe 2-Orleans BOCES Policy

Series 5000 – Personnel

Policy #5261 – PRIVACY AND SECURITY FOR STUDENT DATA AND TEACHER AND PRINCIPAL DATA – EDUCATION LAW 2-d

within seven (7) calendar days after the security vulnerability has been remedied or the risk of interference with the law enforcement investigation ends.

Notifications will be clear, concise, use language that is plain and easy to understand, and to the extent available, include:

- a) A brief description of the breach or unauthorized release, the dates of the incident and the date of discovery, if known;
- b) A description of the types of PII affected;
- c) An estimate of the number of records affected;
- d) A brief description of the BOCES investigation or plan to investigate; and
- e) Contact information for representatives who can assist parents or eligible students that have additional questions.

Notification will be directly provided to the affected parent, eligible student, teacher, or principal by first-class mail to their last known address, by email, or by telephone.

Where a breach or unauthorized release is attributed to a third-party contractor, the third-party contractor is required to pay for or promptly reimburse the BOCES for the full cost of this notification.

Annual Data Privacy and Security Training

BOCES will annually provide data privacy and security awareness training to its officers and staff with access to PII. This training will include, but not be limited to, training on the applicable laws and regulations that protect PII and how staff can comply with these laws and regulations. BOCES may deliver this training using online training tools and this training may be included as part of the training that the BOCES already offers to its workforce.

Notification of Policy

BOCES will publish this policy on its website and provide notice of the policy to all its officers and staff.

Education Law § 2-d
8 NYCRR Part 121

Adopted: 6/17/2020

Revised: _____/2021

9. New Business

3. Resolution to add Five Star Bank as an official bank depository

9. New Business

4. Resolution to accept donation of dental lab supplies from Johnson & Lund Co., Inc.

9. New Business

5. Resolution to accept donation of sheet metal car panels LKQ/
Keystone

9. New Business
6. Annual Meeting Preparation

9. New Business

7. Information Exchange Input for MCSBA

10. Personnel and Staffing

1. Resolution to Approve Personnel and Staffing Agenda

11. Bids/Lease Purchases

1. Resolution to Accept Cooperative Health and Safety Supplies Bid
2. Resolution to Accept Cooperative Custodial Supplies Bid
3. Resolution to Accept Cooperative Printer and Copier Supplies Bid

12. Executive Officer's Reports

1. Albany D.S. Report
2. Local Update

13. Committee Reports

- Labor Relations Committee (J. Abbott)
- Legislation Committee (D. Laba/K. Dillon)
- Information Exchange Committee (R. Charles Phillips/L. VenVertloh)

14. Upcoming Meetings/Calendar Events

January 20 Noon MCSBA Labor Relations Committee (TBD)

6:30pm Board Meeting (ESC, PDC 1&2)

January 24-26 NSBA Advocacy Institute- Washington, D.C.

(RESCHEDULED TO JUNE 2021)

January 27 Noon MCSBA Steering Committee (Remote)

February 3 Noon Board Officer Agenda Review (RCC)

Noon MCSBA Legislative Committee (Remote)

5:45pm MCSBA Board Presidents Meeting (Remote)

February 6 9:00am MCBSA Legislative Breakfast **CANCELLED**

February 9 7pm Hilton CSD Board Meeting (225 West Ave, Hilton
14468, Board Room) (Abbott)

February 10 Noon MCSBA Information Exchange Committee (TBD)

4:30 p.m. Board-Cabinet Budget Study Session, 6:30 p.m.

Regular Board Meeting

15. Other Items

16. Adjournment