

Section 7000 — Property

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Facilities Planning

The Board recognizes that sound planning based on accurate information is essential to the efficient operation of the schools. In order to assure that future District construction is planned on the basis of need, the Board will prepare a two-year plan and will review that plan every three years thereafter. The plan shall include a description and analysis of local and regional demographic factors which influence general population growth and public school enrollments.

In order to apprise the Board of the continuing relevance of the capital construction plan, the Superintendent shall:

- a. annually report to the Board on the number of live births, number of resident pupils attending private school, and the number of new residential units approved;
- b. report annually to the Board on the enrollment by grades during the school year;
- c. conduct a census each spring of the number of students who will be enrolled in the schools of the District in September of the year in which the estimate is made and report the results to the Board; and
- d. annually prepare student population projections and compare the actual population figures to the previously projected figures to detect early for the benefit of the Board any changes in population trends.

In planning for the enlargement or modification of its facilities, the Board shall consider not only the number of children whose educational needs must be met, but also the physical requirements of the program it deems best suited to meet those needs. Each school building and site shall provide suitable accommodations to carry out the educational program of the school including provision for the handicapped, pursuant to law and regulation.

Gifts, Grants, Donations

The Board of Education recognizes its right to receive moneys and gifts of other property for general or earmarked uses consistent with the requirements of law. The Board may accept by resolution duly passed at a public meeting any gift or grant of land, with or without improvement, and of money or other personal property, except that the Superintendent may accept for the District on behalf of the Board any such gift less than \$1,000 in value.

The Board reserves the right to refuse to accept any gift which does not contribute toward the achievement of the goals of this District or the ownership of which would tend to deplete the resources of the District. In addition, the Board shall not serve in the position of Trustee for the expenditure of grants or bequests unless the trust provides for scholarships to defer the costs of higher education in an annual amount of more than \$2,000 per year to be awarded.

Any gift accepted by the Board shall become the property of the Board, may not be returned without the approval of the Board, and is subject to the same controls and regulations as are other properties of the Board.

The Board will make every effort to honor the intent of the donor in its use of the gifts, but reserves the right to utilize any gift it accepts in the best interests of the educational program of the District. In no case shall acceptance of a gift be considered to be an endorsement by the Board of a commercial product or business enterprise or institution of learning.

Naming of Facilities

All of the facilities and buildings of the Enlarged City School District of the City of Newburgh, New York are by law under the trusteeship of the Board of Education. The naming and renaming of such facilities and buildings remains a responsibility of the Board of Education only.

To assure that the Board is informed of all activities in the nature of proposed changes to the name of a facility or building of the District or the establishment of a memorial fund, the building administrators shall advise the Superintendent any time a committee is being established for the purpose of benefiting a school or the District.

Disposal of District Property

The Board of Education believes that the efficient administration of the District requires the disposition of personal property and goods owned by the district no longer necessary for the maintenance of the educational program or operation of the School District.

The Board directs the periodic review of all District property and authorizes the disposition of any property not required for school purposes in a manner that is advantageous to the District. Prior to the disposal of such property, the Board shall pass a resolution declaring such property to be surplus. After the Board declares the property as surplus and disposes of it, the property shall be removed from the District's capital inventory.

The Assistant Superintendent for Finance shall be authorized to dispose of obsolete or surplus property and equipment in the following manner:

1. through bid procedures, for the highest possible price;
2. offering to sell the items to local municipalities or local nonprofit organizations;
3. sale of items at a public sale, after notice to the public has been disseminated through announcements in the local newspapers, the District website and other appropriate means;
4. sale of items of no value as scrap for the best obtainable price or discarding them in the safest, least expensive manner.
5. Any net proceeds shall be deposited in the general fund.

Such property and equipment shall not be sold to a District officer or employee except in the same manner as it is sold to other members of the public.

Textbooks

Textbooks that lose their educational value as a result of changes in the curriculum or educational program may be disposed of in the following manner.

1. sale for the highest possible price, through bid or public sale;
2. sale for the highest possible price to local schools;
3. donation to appropriate charitable organizations;
4. disposal in the safest, least expensive and environmentally friendly manner.

Maintenance

The Board recognizes that the fixed assets of this District represent a significant investment of this community, and their maintenance is of prime concern to the Board.

The Board directs the conduct of a continuous program of inspection and maintenance for the upkeep of all school buildings and equipment. Wherever possible and feasible, maintenance shall be preventive.

The Superintendent shall develop and implement such a maintenance program which shall include a regular summer program of facilities repair and conditioning, the maintenance of a critical spare parts inventory, an equipment replacement program, and a long-range program of building modernization.

The Superintendent shall develop and promulgate to the staff such rules as may be necessary for the ongoing maintenance and good order of the physical plant and for the expeditious repair of those conditions which threaten the safety of the occupants or the integrity of the plant. Such rules shall include the establishment of sound priorities among the requests for repairs received from building principals.

Hygienic Management

The Board of Education recognizes that the health and physical well-being of the pupils of this District depend in large measure upon the cleanliness and sanitary management of the schools.

The Board directs that a program of hygienic management be instituted in the schools and explained annually to all staff members. Each school shall be inspected annually for cleanliness and sanitation by the school doctor and shall be maintained by the Superintendent of Buildings and Grounds.

The Superintendent of Buildings and Grounds shall develop and supervise a program for the cleanliness and sanitary management of the school buildings, school grounds, and school equipment pursuant to statute. Cleanliness of each school building shall be the responsibility of the building principal who shall direct the building custodians to follow the methods and procedures of the Superintendent of Buildings and Grounds.

The Superintendent shall prepare, in consultation with the school doctor, procedures for the handling and disposal of body wastes and fluids. Such procedures shall include the protection of staff members who clean or handle blood or blood-soaked items, vomitus, saliva, urine, or feces; the disinfection of surfaces and items in contact with such matter; the disposal of such matter in sealed containers; and the frequent and thorough cleansing of hands and other body parts that contact such matter.

School Safety

The Board believes that safety is important to everyone concerned with this District and directs that reasonable precautions be taken to insure the health and safety of students, employees, visitors, and others who have business with this District, in accordance with Law.

The safety of students shall be assured through close supervision in all school buildings and grounds and through special attention to the following:

1. Maintaining a safe school environment (safety experts shall be called in periodically to inspect the physical condition of all buildings and grounds).
2. Observation of safe practices on the part of school personnel and students, particularly in those areas of instruction or extracurricular activities which offer special hazards.
3. Offering safety education to students as germane to particular subjects, such as laboratory courses in science, shop courses, and health and physical education.
4. Providing, through the services of the school nurse, first aid care for students in case of accident or sudden illness.

In addition to the above safety measures, school personnel shall be constantly on the lookout for suspicious strangers loitering in or near school buildings or seated in parked automobiles nearby. The principal shall notify the police if the circumstances seem to warrant it.

Video Surveillance

The Board of Education recognizes its responsibility to maintain and improve discipline and to insure the safety and welfare of its students and staff on school transportation vehicles and in school buildings.

After considering and balancing the rights of privacy with the District's duty to ensure discipline, health, welfare and safety of students and staff, the Board of Education supports the use of video cameras on school buses and in its buildings to enhance the health, welfare and safety of students and staff on District property, and to safeguard District facilities and equipment. Video cameras may be used in locations as deemed appropriate by the Superintendent of Schools. Video cameras may be used to monitor student behavior on school buses, whether going to and from school, extra-curricular activities or events, as well as in school buildings.

Students in violation of the District's Code of Conduct shall be subject to disciplinary action in accordance with law and policy.

Staff determined to be in violation of Board policies and the District's Code of Conduct shall be subject to discipline in accordance with law and any applicable collectively negotiated agreement.

The District shall comply with all applicable state and federal laws applicable to student records when such recordings are considered for retention as part of the student's record.

Video recordings may be used for the purpose of evidence for disciplining of students.

The Superintendent of Schools is directed to develop regulations governing the use of video cameras.

Space Heaters and Other Electrical Devices

The Board of Education prohibits the use of space heaters in the schools of the District for health and safety reasons unless they are UL approved electric heaters with tip over shut off protection and are plugged directly into a wall receptacle without the use of an extension cord or a power strip. An employee who wishes to bring a space heater to school must request and receive the approval of the space heater from the Executive Director of Facilities.

The Board of Education also prohibits the use of microwaves, toasters, coffeemakers, hot plates and other small kitchen devices other than those provided by the District.

Plug-in air fresheners and deodorizers are also banned in the schools.

The Building Principal shall maintain a list of all approved space heaters in their school building.

Property Inventory

As steward of this District's school property, the Board recognizes that its efficient management requires accurate inventory and properly maintained property records.

The Board shall conduct a complete inventory by physical count of all District-owned equipment and supplies every ten years.

For purposes of this policy, "equipment" shall mean a unit of furniture or furnishings, an instrument, a machine, an apparatus or a set of articles that retains its shape and appearance with use, is non-expendable, costs at least \$50 as a single unit and does not lose its identity when incorporated into a more complex unit.

It shall be the duty of the Superintendent to insure that inventories are systematically and accurately recorded and property records of equipment are updated and adjusted annually by reference to purchase orders and withdrawal reports.

Major items of equipment shall be subject to annual spot check inventory to determine loss, mislocation or depreciation; major loss shall be reported to the Board.

Energy Conservation

In response to the national need for energy conservation and in recognition of the responsibility of all government agencies to cooperate with federal and local government in this endeavor, the Board of Education adopts as policy the commitment to conserve energy of every type in the operation of the school system.

The Superintendent is charged with building an awareness of individual responsibility on the part of students in this problem and with developing specific rules and regulations to establish the most effective methods of fuel and energy conservation consistent with the good health and well being of the students and staff.

Energy Management Conservation

The Board of Education embraces energy conservation and believes it to be our responsibility to ensure that every reasonable effort is made to conserve energy and natural resources while exercising sound financial management.

The Board recognizes the importance of adopting an energy management and conservation policy in order to govern this program. The Board also affirms that the implementation of this policy will be the joint responsibility of the Board, administration, faculty, staff, students, support personnel, and Energy Education. Success is based on cooperation at all levels.

Accurate records of energy consumption and cost will be maintained at each campus to provide verifiable performance information to the Board and administrations of the various buildings in the District on the goals and progress of the energy conservation program.

The designated building administrator will be accountable for energy management on his/her campus with energy audits being conducted and feedback provided by the Energy Education Specialist teams.

To ensure the overall success of the energy management program, the following specific areas of emphasis will be adopted:

1. Energy Education will administer its energy conservation and management program primarily through the Energy Education Specialist teams and administrators.
2. The Board expects all personnel at each campus to make a positive contribution to maximize energy conservation and produce real energy savings.
3. The Superintendent shall establish, and the Board shall adopt, administrative "Energy Guidelines" that define the "rules of engagement" in implementing the energy management conservation program.

Further, to promote a safe, healthy learning environment and to complement the energy management program, each campus shall review and adhere to the preventive maintenance and monitoring plan administered by the campus physical plant for its facilities and systems, including HVAC, building envelope, and moisture management.

Community Use of School Facilities

Statement of Purpose

The Board of Education subscribes to the concept that the public schools are owned and operated by and for their patrons and that the schools become an integral part of the communities in terms of their intellectual and social expression and development. To this end, the Board encourages the public use of school facilities.

Authorization to use school facilities shall not be considered an endorsement or approval of the activity group or organization nor the purposes they represent.

It is the policy of this School District that no group or organization shall be permitted to use District facilities pursuant to §414 of the New York State Education Law if such group or organization has a practice which discriminates against any person on the basis of race, color, creed, national origin, religion, disability, sex, age, marital status, military status, predisposing genetic characteristics, or sexual orientation, until such time as these discriminatory policies and/or practices are discontinued, unless required by law.

School-sponsored activities shall have first priority. Municipal use will have second priority and use by private organizations, which fall under the guidelines of Education Law §414, shall have third priority. The right to authorize the use of school facilities shall be retained by the Board and Superintendent through the Superintendent's designee. Such use will be determined by District policy and will only be at such times as the facilities requested are free from District curricular and extracurricular activities. School related groups may be required to provide proof of insurance as a condition for the use of District facilities. The Board reserves the right to charge fees for use of District buildings and facilities and to require a down payment and/or bond from any individual or organization prior to any such use.

Permissible Uses

The Board hereby establishes a limited public forum for the following uses:

1. For instruction in any branch of education, learning or the arts.
2. For public library purposes, subject to the provisions of this chapter, or as stations of public libraries.
3. For holding social, civic, and recreational meetings and other uses pertaining to the welfare of the community; but such meetings, entertainment, and uses, shall be non-exclusive and shall be open to the general public.
4. For meetings, entertainment and occasions where admission fees are charged, when the proceeds thereof are to be expended for an educational or charitable purpose, but such use shall not be permitted if such meetings, entertainment and occasions are under the

exclusive control, and the said proceeds are to be applied for the benefit of a society, association or organization of a religious sect or denomination, or of a fraternal, secret or exclusive society or organization other than organizations of veterans of the military, naval and marine service of the United States and organizations of volunteer firemen or volunteer ambulance workers.

5. For polling places for holding primaries and elections and for the registration of voters. But no meetings sponsored by political organizations shall be permitted unless authorized by resolution of or after the Board of Education calls a special meeting for such purpose upon the petition of at least ten per cent of the qualified electors of the District, whereupon the voters approve such use. Authority so granted shall continue until revoked in like manner and by the same body as granted.
6. For civic forums and community centers. Upon the petition of at least twenty-five citizens residing within the District, the Board of Education shall organize and conduct community centers for civic purposes, and civic forums to promote and advance principles of Americanism among the residents of the State. The Board of Education, when organizing such community centers or civic forums, shall provide funds for the maintenance and support of such community centers and civic forums, and shall prescribe regulations for their conduct and supervision; provided that nothing herein contained shall prohibit the Board of Education from prescribing and adopting rules and regulations to make such community centers and civic forums be at all times under the control of the Board of Education, and be non-exclusive and open to the general public.
7. For classes of instruction for children with disabilities operated by a private organization approved by the Commissioner of Education.
8. For recreation, physical training, and athletics, including competitive athletic contests of children attending a private nonprofit school.
9. For child care services during non-school hours, provided that the cost of such care shall not be a School District charge but shall be paid by the person responsible for the support of such child; by the local social services district as authorized by law; or by any other public or private voluntary source or any combination thereof.
10. For graduation exercises held by not-for-profit elementary and secondary schools.

The Board does not permit the use of District facilities for political speech, including, but not limited to, the endorsement of political candidates and positions.

School grounds may not be used for unapproved activities and shall be posted to that effect.

NFA, Temple Hill and Meadow Hill Tracks and Academy Field

The Board hereby delegates authority to the Superintendent to establish procedures for the public use of the NFA, Temple Hill and Meadow Hill Tracks and Academy Field, including, but not limited to, hours of use by the public, areas of use by the public, impermissible uses and fees for use.

NFA Stage Piano

The Board hereby delegates authority to the Superintendent to establish procedures for the public use of the NFA Stage Piano (Steinway), including, but not limited to, limitations on use, parameters for use, insurance requirements, security deposit and fees for use.

General Provisions

If any provision of this Policy or its implementing procedures is violated, the Board reserves the right to immediately revoke the organization's facilities use privileges. In addition, the Board may decline to accept further applications for use of school facilities by organizations who violate this Policy.

Any individual or organization that enters upon or remains unlawfully on District property or uses District property and facilities in violation of this Policy or its implementing procedures will be considered as trespassing and prosecuted to the fullest extent of the law.

The Board hereby authorizes the Superintendent to establish procedures for the public use of the District property and facilities including, but not limited to, the application form, fee schedule, insurance requirements and rules for use.

Community Use of School Facilities Procedures

1. Written application for a written permit to use school facilities shall be made to the Superintendent or his/her designee.
2. The Superintendent or his/her designee will be responsible for maintaining an accurate calendar of all uses of school facilities by school and community groups. All facility use requests must be received by the District at least 60 days in advance of the event or requested use.
3. The Superintendent shall determine and the Board shall approve all universal fees for use of District facilities. Whenever possible, use of facilities for community activities will be granted at no charge to the sponsoring party except when the District is operating under a contingency budget. If any group or organization fails to pay such fees in full and/or on a timely basis, such group or organization shall not be permitted to use the District's facilities. The District shall also pursue all available legal remedies.
4. Prior to any facilities use, the group or organization shall be required to pay a deposit equal to 25% of the estimated fees. Failure to provide the deposit by the date required by the School District shall result in the withdrawal of the approval of the use by the group or organization.
5. Any group or organization seeking to use District facilities on a multi-month basis may also be required to provide the District with a bond.
6. Sponsoring organizations shall provide sufficient competent adult or special supervision; the amount of adequate supervision will be agreed upon at the time the authorization is issued.
7. Smoking and other tobacco use, alcoholic beverages, illegal drugs and any form of gambling will not be permitted in school facilities or on school property at any time.
8. All applicants for use of District facilities shall hold the Newburgh Enlarged City School District, its officers, employees and agents, free and without harm from any loss or damage, liability or expense that may arise during, or be caused in any way, by such use or occupancy of District facilities and shall show evidence of insurance for this purpose before the event is held. Also, in the event that property loss or damage is incurred during such use or occupancy of District facilities, the amount of damage shall be decided by the Superintendent and approved by the Board and a bill for damages will be presented to the group using or occupying the facilities during the time the loss or damage was sustained. If any group or organization fails to pay such damages in full and/or on a timely basis, such group or organization shall not be permitted to use the District's facilities. The District shall also pursue all available legal remedies.
9. Any and all use of the District facilities shall be totally free from obscure and controversial purposes and purposes of a disruptive or dangerous nature. Should an objection be lodged against a specific use of District facilities by any group, such objection is only valid if it is made in writing to the Superintendent and bears the signature of the individual and/or group of individuals lodging the complaint. At such time as such valid complaint is lodged, the following shall apply:

- a. Use of the facilities by the applicant shall be suspended temporarily to afford the Superintendent sufficient time to meet with the Board and all concerned parties for the purposes of a hearing. The applicant shall be duly notified in time to contact the members of the group regarding the temporary suspension of use and the pending hearing.
 - b. Within 10 days of the temporary suspension, the Superintendent, the Board, the complainant, and the applicant shall convene at a specified time and location to determine the validity or non-validity of the complaint. The Board shall be the deciding authority, and the Board's decision shall be final. A written copy of the decision may be obtained by either the complainant group or the applicant group by request.
10. Use of the NFA, Temple Hill and Meadow Hill Tracks and Academy Field
- The following additional rules and regulations apply to public use of NFA, Temple Hill and Meadow Hill Tracks and Academy Field.
- a. NFA, Temple Hill and Meadow Hill Tracks
 1. The Tracks are open to the public:
 - a. Monday through Friday, from 6:30 AM to 7:30 AM and from 6:00 PM to dusk.
 - b. Saturday, Sunday and days when school is closed, from 6:00 AM to dusk.
 - c. The public may only use lanes 4, 5 and 6 for walking, jogging and running.
 2. The Tracks are closed to the public:
 - a. Monday through Friday, from 7:30 AM to 6:00 PM.
 - b. During all school events, including but not limited to track meets, football and soccer practices and games.
 - c. Whenever Academy Field is being used by the School District or any authorized group or organization.
 3. Prohibitions – Use of NFA, Temple Hill and Meadow Hill Tracks and Academy Field:
 - a. No pets.
 - b. No cleats/spikes.
 - c. No motorized vehicles, bicycles, roller blades, skateboards, baby strollers or any other items with wheels.
 - d. No use of jumping pits, mats or other School District equipment.
 - e. No unattended school age children.
 - f. No food or drinks, sunflower seeds, chewing gum or driving stakes.
 - b. NFA Academy Field
 1. Academy Field is only available for use by obtaining approval of a Facilities Use Request from the School District.
11. NFA Stage Piano (Steinway)
- a. Prior written approval of the Director of Fine and Performing Arts is required.
 - b. A \$1,000 refundable security deposit is required prior to use. The security deposit will be returned after use if there is no damage to the piano. If there is damage to the

piano that exceeds \$1,000, the organization is liable for any such expense, including, but not limited to, any insurance deductible, transportation of the piano for repair and the repair or replacement of any part of the piano.

- c. The organization must agree to pay for the cost of tuning by the District Piano Technician.
- d. The organization must submit a valid Certificate of Insurance showing coverage in the amount of at least \$200,000 for repair/replacement of the piano in the event of damage.

12. Universal Fees for Use of District Facilities

Use of facilities for community activities covered by a municipality's insurance policy, will be granted at no charge to the sponsoring party. The use of Academy Field and, when requested, its field lights, and pool use, will always be subject to the usage fee stated in the fee schedule below. For all facilities listed in the schedule, the following fees will be charged:

<u>Area</u>	<u>Hourly Fees</u>
<u>Fees assessed all times</u>	
Academy Field	\$50
Academy Field Lights (additional)	\$20
NFA Pool	\$20
<u>Fees assessed under a Contingency Budget only</u>	
Secondary Gymnasium	\$20
Elementary Gymnasium	\$10
Secondary Auditorium	\$20
Elementary Auditorium	\$10
BOE Auditorium	\$20
Cafeteria	\$10
School Library	\$10
Black Box Theater, Stage	\$10
Classroom	\$10
Specialty Room	\$10
(Band, Computer, Lecture, Music, Weight, Wrestling)	
Teachers Lounge	\$10
Baseball Field	25% Deposit*
Softball Field	25% Deposit*
Soccer Field	25% Deposit*
Playground	25% Deposit*
Parking Lot	No Charge

*Deposit may be returned upon satisfactory inspection of facility for damage, cleanliness, etc., as compared to status of facility prior to use.

13. Custodial, Security, and Lights/Sound Fees

Whenever the District deems it necessary to assign a custodian or security monitor or the organization requests lights/sound services, the following hourly rates will be used to estimate costs. The hourly charges billed will be based on the actual amount paid staff plus benefits:

2011-12	Security Services (estimate)	\$65
2011-12	Custodial Services (estimate)	\$70
2011-12	Lights and Sound Services (estimate)	\$75

Private Vehicles on School Grounds

All school personnel are advised that where parking facilities are provided on school grounds or there is offground parking, the school system does not accept any responsibility for the safety of the vehicles. Teachers park their cars at their own risk, and any damage or vandalism that may happen to the automobile while it is parked is solely the responsibility of the owner and/or driver of the vehicle.

Because of the energy problems and, in some cases, limited parking facilities, wherever possible and practical, car pooling is advised.

Lending of School Owned Equipment

The Board believes that District owned equipment is a valuable resource which may be loaned for community use under certain conditions, provided that such use does not interfere with the educational program of the schools. The Board may lend specific items of equipment on the written request of the user and the approval of the Superintendent or designee.

School equipment of all kinds is for use on school premises only and may not be taken home by any school personnel. In the case of some audio visual equipment, however, it may be in the best interest of our pupils to allow selected equipment to leave the building. If it becomes necessary to use equipment at some place off the school grounds, permission must be granted by the principal.

If it becomes necessary for a teacher to remove equipment for school use from the school building, he/she must clear it with the school office and then assume the responsibility for its safety and for its immediate return to the school building.

Under no circumstances is any equipment to be loaned to an individual student for use off the school grounds.

Any user of District owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use and shall be responsible for its safe return.

Use of District Vehicles

Employees of this District, possessing an appropriate New York State Operator's License currently in effect and having approval of the Superintendent, are permitted to drive school owned vehicles for purposes in line of duty.

Damage and Vandalism

The Board believes that students should respect property and take pride in the schools of this District. Whenever a student has been found to have done willful and malicious damage to property of the Board, the principal of the school shall notify the Superintendent. The Board will hold the student or his/her parents liable for the damage caused by him/her.

Should the police authorities report the names of any person or persons found responsible for damage to any property of the Board during the hours school is not in session, the District Clerk shall file, on behalf of the Board, a formal complaint against such person or persons unless such complaint shall have already been filed by the police authorities. The Board, where evidence indicates, will prosecute to the full extent of the law in seeking restitution in payment or services for such damages.

The Superintendent shall promulgate rules to carry out this policy and to protect textbooks, school supplies and school facilities from undue wear, damage or loss. Such rules should include the requirement that all unoccupied classrooms, gymnasiums, shops, science labs, etc. be locked when not being used during the school day. This policy not only secures the classrooms but should also prevent students from being in an unoccupied room and making a subsequent claim against the School District for an injury that he/she may have received when there was no supervision.

Each teacher should have a key for his/her own classroom which should be kept in his/her possession during the school year. All keys must be accounted for and turned in before salary checks are issued in June. An up-to-date list of key assignments should be maintained so that each key can be accounted for at all times. Master keys should be assigned to principals, assistant principals and head or senior custodians only.