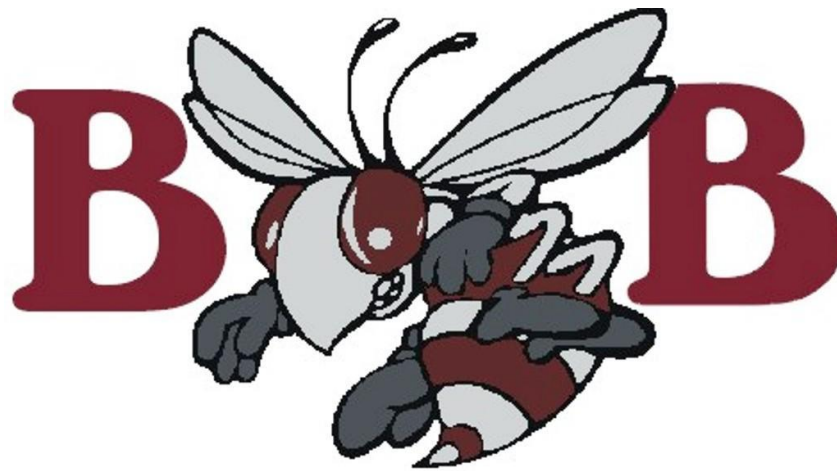


DRAFT
2024-2025

District-Wide School Safety Plan

Byron-Bergen Central School District



Byron-Bergen Central School District's **MISSION** is to inspire, prepare, and support using the **VALUES** of compassion, humility, kindness, and persistence with the **VISION** to change the world.

Approved by the Byron-Bergen Board of Education
on _____

The District Chief Emergency Officer is the Superintendent, or the Superintendent's Designee.

Patrick McGee, Superintendent

(585) 494-1220, ext. 2829

pmcgee@bbschools.org

Betsy Brown (Superintendent's Designee) – Director of Instructional Services

(585) 494-1220, ext. 2509

bbrown@bbschools.org

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SECTION I – GENERAL CONSIDERATIONS AND PLANNING GUIDELINES

- A. Purpose** – The Byron-Bergen Central School District-Wide School Safety Plan was developed pursuant to Commissioner’s Regulation 155.17. At the direction of the Byron-Bergen Central School District Board of Education, the Superintendent of Byron-Bergen Central School District appointed a District-Wide School Safety Team and charged it with the development and maintenance of the District-Wide School Safety Plan.
- B. Identification of School Teams** – The Byron-Bergen Central School District has appointed a District-Wide School Safety Team consisting of, but not limited to, representatives of the teachers, administrators, parents, school safety personnel, first responders and other school personnel.
- C. Concept of Operations** – The District-Wide School Safety Plan was designed from information compiled from the Building-Level Emergency Response Plans. In the event of a school or district emergency, the District will adhere to the policies and procedures within these plans. The Superintendent will activate the Emergency Response Teams, as indicated within the Building-Level Emergency Response Plans, and these Teams will be the initial personnel to respond to an event. The District will call upon the resources of first-responders and other emergency personnel as appropriate to augment response. The Trauma, Illness, and Grief (TIG) Team may also be activated.
- D. Plan Review and Public Comment** – Pursuant to Commissioner’s Regulation, Section 155.17 (e)(3), this plan will be made available for public comment at least 30 days prior to its adoption. The District-Wide School Safety Plan may be adopted by the School Board only after at least one public hearing that provides for the participation of school personnel, parents, students, and any other interested parties. The plan must be formally adopted by the Board of Education.

Full copies of the District-Wide School Safety Plan and any amendments will be submitted to the New York State Education Department within 30 days of adoption.

This plan will be reviewed periodically during the year and will be maintained by the District-Wide Safety Team. The required annual review will be completed on or before July 1st of each year after its adoption by the Board of Education. A copy of the plan will be available at the Byron-Bergen Central School District Office (located at 6917 West Bergen Road, Bergen, NY 14416). It can also be found on the District's webpage at www.bbschools.org or by calling (585) 494-1220.

8 NYCRR Section 155.17 (e)(3) mandates that a copy of the ERP and any amendments shall be filed with the appropriate local law enforcement agency and with the New York State Police. Copies of the Emergency Response Plan, including appendices and annexes are distributed to members of the School Safety Teams, the Byron and Bergen Fire Departments, and Genesee County Sheriff's Office.

Health & Safety Committee Members

Patrick McGee - Superintendent

Paul Hazard-Jr./Sr. High School Principal

Betsy Brown - Director of Instructional Services

Kristin Loftus - Elementary School Principal

Roger Caldwell - Director of Facilities

Jaime Vindigni - Transportation Coordinator

Josh Brabon - School Resource Officer

Amy Stevens - School Nurse and Medical Director

Robert Kaercher – School Counselor, Parent

Mike Conine - Chemical Hygiene Officer

Terry Vick - Jr./Sr. High School Faculty Representative

Danielle Carson - Elementary School Faculty Representative, Parent

Amy Phillips - Parent

SECTION II – RISK REDUCTION/PREVENTION AND INTERVENTION

A. Prevention/Intervention Strategies Program Initiatives – The District has implemented various programs and activities aimed at improving communication among students and between students and staff and reporting of potentially violent incidents, such as the establishment of:

- Non-Violent conflict resolution training programs
- Direct instruction of violence prevention and mental health awareness
- Professional development for faculty and staff on situational and multi-hazard responses
- TIG Team (Trauma, Illness, and Grief) implementation
- Peer mediation and adult mentoring programs
- Establishing anonymous reporting mechanisms for school violence/bullying
- Awareness and intervention programs, designed by the Counseling Department and the School Resource Officer
- District-sponsored community education seminars and informal programs at times that are convenient to parents and families

Definitions:

- **Trauma** means an emotional response to a deeply distressing or disturbing experience such as, but not limited to, an act of violence, natural disaster, abuse, neglect, or loss.
- **Trauma-informed** means an understanding of trauma and how it affects the physical, emotional, and mental health of students and adults.
- **Trauma-informed drills** means avoiding tactics in training or drills that may introduce or activate trauma, such as the use of props, actors, simulations, or other tactics intended to mimic a school shooting, incident of violence, or other emergency, or inclusion of developmentally or age-inappropriate content. Drills may inadvertently prompt a negative emotional or psychological response in staff or students because of previous exposure(s) to trauma.

Training, Drills, and Exercises – Administrators, staff, and students engage in policies and procedures for annual multi-hazard school safety training for staff and students, including the strategies for implementing training related to multi-hazards. These drills and training include: early go-home drill; table top exercises; live drills; and Emergency Management Team

exercises. These exercises are also completed with members of the Genesee County Sheriff's Department and members of the local Fire Departments. All staff members are trained on school security protocols and best practices. Members of the TIG Team (Trauma, Illness, and Grief) are trained to work cooperatively with the District and Building Safety Teams to coordinate support for training, drills, and exercises.

- (1) drills and training be conducted in a trauma-informed, developmentally and age-appropriate manner;
- (2) drills and training do not include props, actors, simulations, or other tactics intended to mimic a school shooting, incident of violence, or other emergency; and
- (3) students and staff be informed when a school is conducting a drill.

Implementation of School Security – The Byron-Bergen Central School District has comprehensive policies and procedures designed to provide school building security, including the use of school safety officers and/or security devices and other procedures. Some of these security measures include: controlling traffic flow on campus; hall monitors; visitor badge/sign-in procedures; video surveillance; metal detectors; a school resource officer; security audit; canine searches and training all staff on crisis intervention.

Duties of Security Personnel - The School Resource Officer is charged with maintaining the safety of the building through a series of activities. These include making rounds throughout the buildings and grounds to maintain a presence; assisting the Assistant Principals' office with student discipline; assist in the execution of the Emergency Management Plan; be competent with the use of the school's security camera system; serve as a liaison between the school, law enforcement, and emergency response teams; serve on the District Safety Committee; be a daily presence during the lunches to assist in supervising students; make recommendations to administration in terms of best practice with regards to student and staff safety.

Vital Educational Agency Information – The District maintains copies of student/family census material (including contact and custodial information) in an electronic and hard copy form. This Vital Educational Agency Information is maintained and updated regularly. In the event that an evacuation is necessary, administration will have access to this information electronically, if conditions allow, and in hard copy form. This will be updated at the beginning of each school year or when personnel changes, and then on a regular basis. Any details about the building population are confidential and only listed in the Building Emergency Plan.

B. Early Detection of Potentially Violent Behaviors – The District maintains policies and procedures for the dissemination of informative materials regarding the early detection of potentially concerning behaviors, including, but not limited to the identification of family, community, and environmental factors to teachers, administrators, parents/guardians, students, and other persons deemed appropriate to receive such information. To prepare for violent incidents and increase student safety, all staff members are trained annually on the identification of early warning signs and violence prevention strategies. The District Safety Team will make recommendations for additional trainings based on relevant topics and/or a needs-assessment model.

C. Hazard Identification – Sites for potential emergencies include: the primary and secondary school buildings, property adjacent to the schools (athletic fields, playground areas, and parking lots), school buses, and field trips.

SECTION III – RESPONSE

A. Notification and Activation (Internal and External Communications) – The District has identified procedures for contacting appropriate law enforcement officials in the event of a violent incident. The District’s procedures include maintaining a list of local law enforcement agencies, and the designation of the individuals who are authorized to contact law enforcement agencies.

The District will inform all educational agencies within the school district of a disaster or emergency situation by means of:

- Telephone
- Email
- Emergency responders
- PA system

In the event of an emergency or impending emergency, the Superintendent will notify all appropriate faculty and staff. This includes the administrative teams in the:

- Byron-Bergen Elementary School
- Byron-Bergen Jr./Sr. High School
- Byron-Bergen District Office
- Byron-Bergen Transportation/Maintenance Facility

Parents, guardians, or persons in parental relation to the students will be contacted in the event of a drill or emergency by the administrative team via:

- Instant Connect System (telephone and text) (Currently ParentSquare)
- Website/Social Media
- Email
- Local media
- Emergency Alert Broadcast System

B. Situational Responses/Multi-Hazard Responses – Responses/Actions – Included in the building-level safety plans are for handling multi-hazard emergencies and are in compliance with the Incident Command System (ICS). Functional Annexes (specific information and direction) provide standard language and procedures, and are intended to be transferable to schools statewide - modifications are not recommended. These protocols are updated annually and are included in the confidential Building-Level Emergency Response Plan. These guidelines include, but are not limited to:

1. **Shelter-In-Place or Shelter:** A Shelter-In-Place annex describes courses of action when students and staff are required to remain indoors, perhaps for an extended period of time, because it is safer inside the building or a room than outside. Depending on the threat or hazard, students and staff may be required to move to rooms that can be sealed (such as in the event of a chemical or biological hazard) or rooms/hallways without windows (such as in the event of a tornado).

2. **Hold-In-Place or Hold:** If there is an internal incident or administrative matter such as students fighting in a hallway, a maintenance issue, or medical emergency that requires student and staff movement to be limited, a “Hold-In-Place” may be initiated. This is intended to keep students and staff out of the affected area until the situation can be rectified.

3. **Evacuation or Evacuate:** Should take place if it is determined that it is safer outside than inside the building (i.e.; fire, explosion, intruder, hazardous material spill) and staff, students, and visitors can safely reach the evacuation location without danger.

4. **Lockout or Secure Lockout:** Describes the courses of action the school will execute to secure school buildings and grounds during incidents that pose an imminent concern outside of the school. The primary objective of a lockout is to quickly ensure all school staff, students, and visitors are secured in the school building away from the outside danger.

5. **Lockdown:** Describes the courses of action schools will execute to secure school buildings and grounds during incidents that pose an immediate threat of violence in or around the school. The primary objective of a lockdown is to quickly ensure all school staff, students, and visitors are secured in rooms away from immediate danger.

Response Actions to Specific Emergencies - Note that all emergencies are unique and it may be more effective to implement other response actions than those that are listed in this chart. The Incident Commander will need to make the ultimate decision.

Criminal Offenses	(Notify police for all incidents)
Bomb Threat	Shelter or Evacuate
Biological Threat	Shelter and Evacuate
Civil Disturbance	Shelter or Lockdown
Hostage Taking	Lockdown
Intrusion	Lockdown
Kidnapping	Lockdown
Natural Hazards	
Earthquake	Shelter
Flood	Shelter or Evacuate
Thunderstorm/Lightening	Shelter
Tornado	Shelter
Winter Storm	Cancellation, Shelter or Evacuate
Technological Hazards	
Airplane Crash	Shelter or Evacuate
Gas Leak	Evacuate
Hazardous Leak Off-Site	Shelter
Hazardous Leak On-Site	Evacuate
Water Loss	Evacuate
Fire and/or Explosion	Evacuate
System Failure	
Building Structural	Evacuate
Electrical	Evacuate or Early Dismissal
Heating	Early Dismissal
Transportation Fleet	Arrange Alternate Transportation
Roof	Evacuate
Sewage System	Evacuate or Early Dismissal
Medical Emergency (Ambulance Needed)	Hold In Place

Responses to Acts of Violence: Implied or Direct Threats – The Byron-Bergen Central School District uses the following type(s) of procedure(s):

- Use of staff trained in de-escalation or other strategies to diffuse the situation.
- Inform Building Principal of implied or direct threat.
- Initiate lockdown, lockout, or evacuate if appropriate.
- Determine level of threat with Superintendent/designee.
- Contact the appropriate law enforcement agency, if necessary.
- Discipline or legal action, as appropriate.
- Monitor the situation, adjust response as appropriate.

Policies and procedures for responding to acts of violence by students, teachers, other school personnel, and visitors to the school including threats by students against themselves, which may include the risk of suicide.

- Gather and verify the information regarding the situation; be as specific and clear as needed.
- Review school procedures.
- Principal will notify the Superintendent's Office.
- Superintendent will decide in what way other schools will be informed of the situation.
- Principal/Building TIG contact will contact the District TIG Coordinator. Determinations are made as to how and when to share information with TIG Team, and other affected buildings.
- Consult with law enforcement regarding which details are to be shared.
- Identify who will act as a family liaison and then that individual will contact the family members to discuss how and what information they wish to be shared with their student.

- Consult SchoolTool to identify which students would be most closely affected. If any child at school is directly affected by the situation decisions will be made as to level of disclosure. Identify list of students and staff that are directly impacted and divide among members for check-in. Timing needs to be immediate as we wish to avoid students becoming aware of a situation via their personal communication devices. If this does occur, support will be given to those students. Referrals offered and support encouraged.
- A suitable room or area for support will be designated as a specific location for the TIG Committee members.
- Building level TIG Team meets with school psychologist, school counselor, school nurse, Principal and/or TOSA, to formulate a plan for the day.

Arrangements for Obtaining Emergency Assistance from Local Government – The District has identified the procedures to be used to obtain assistance during emergencies from emergency service organizations and local government agencies.

- Superintendent/Designee in an emergency will contact the 911 center for police, fire or EMS response.
- Superintendent/Designee contacts the highest-ranking local government official for notification and/or assistance

Procedures for Obtaining Advice and Assistance from Local Government Officials – The District has identified the procedures to be used to obtain advice and assistance from local government officials including the county, town, or village officials responsible for implementation of Article 2B of the Executive Law.

- Superintendent/Designee in an emergency will contact the emergency management coordinator and/or the highest ranking local government official for obtaining advice and assistance.

Procedures to Coordinate the Use of School District Resources and Manpower During Emergencies – The District has identified procedures to use school resources including, but not limited to:

- Facilities for sheltering and buses for transportation
- Maintenance trucks for material transport
- Maintenance machines for moving items/transport as necessary.
- Emergency response equipment, including first aid supplies, barriers, emergency response kits, temporary shelter.
- Food for temporary sheltering
- Technology as appropriate (cell phones, landline phones, fax machines, walkie talkies)
- Cots, blankets, etc., as available

Protective Action Options – The following actions will be considered in response to an emergency where appropriate.

- **Early Dismissal** - for situations that warrant sending students home safely prior to the end of regular school day (see Weather Related). Arrange transportation, contact local media, and activate the parent notification system.
- **Evacuation** - (before, during, and after school hours, including security during evacuation/evacuation routes). After determining the level of threat, contact the Transportation Coordinator to arrange transportation if necessary. Clear all evacuation routes and sites prior to evacuation. Evacuate all staff and students to pre-arranged evacuation sites. Account for all students and staff population. Report any missing staff or students to the Building Principal/Designee.

- **Sheltering/Lockout** (internal and external) - Determine the level of threat. Determine location of sheltering depending on the nature of the incident. Account for all students and staff. Report any missing staff or students to the Building Principal/Designee. Determine other occupants in the building. Make appropriate arrangements for human needs. Take appropriate safety precautions. Establish a public information officer to provide information. Retain appropriate District personnel until all students have been returned home.
- **School Cancellation** - When situations warrant the safety of the students to remain at home. If the school closes or closes early because of hazardous road/weather conditions there shall be NO activities sponsored by the school in any of the school facilities (see Weather Related).
- **Lockdown** - During situations of hostile criminal act or where students/staff must be safety secured, provisions shall be in place to secure the building and occupants. Implement "Security of a Crime Scene Procedures" to protect any area from disturbance where a potential crime has been committed.

Weather Related - The Transportation Coordinator shall investigate road conditions and contact the dispatcher in the Town, County, and State Highway Departments, as well as the Genesee County Sheriff's Department for reports on road conditions and then report conditions and recommendations to the Superintendent. The Superintendent shall make the decision whether to close or not. The Superintendent or his/her designee shall contact the Transportation Coordinator, Director of Facilities, and the Building Administrators to advise them of that decision and if appropriate, the time for dismissal. Principals or other designees shall contact the local radio/television stations on the emergency list as soon as it is possible. Instant Connect will be activated.

BOCES, Private, or Parochial Transportation. If the District is closed because of hazardous conditions of roads, students who live in the District will not be transported to BOCES, private or parochial schools.

SECTION IV – RECOVERY

A. District Support for Buildings – The District resources will support the Emergency Response Teams and the Post-Incident Response Teams in the affected Schools as needed. The Post-Incident Response is intended for initiating and establishing crisis intervention to affected employees/students. After an incident, the school teams shall meet and review the following:

- Establish documents
- Assess changes needed to the Emergency Response Plan
- Consider additional training or resources
- Evaluate the current violence prevention/school safety activities
- Provide appropriate counseling services
- Assemble TIG Team (Trauma, Illness, and Grief)
- Maintenance/repair to Transportation systems or Custodial Staff
- Establish meeting times with staff, students, families, public meeting, and/or other methods to communicate
- Superintendent will communicate with media

B. Disaster Mental Health Service

- The District Office will assist in the coordination of Disaster Mental Health Resources, in support of the Post-Incident Response Teams, in the affected school(s). The TIG Team, counselors, and school psychologists will be an integral part of this evaluation.
- The District will evaluate the response in the recovery and assess violence prevention and school safety activities and what the school can do to improve its plan.

APPENDIX A
School Resource Office MOU



New York State
Accredited Agency

Office of the Sheriff

Genesee County, New York

William A. Sheron, Jr., Sheriff

Bradley D. Mazur, Undersheriff

August 26, 2022

RECEIVED AUG 29 2022

Mr. Patrick McGee, Superintendent
Byron-Bergen Central School District
6917 West Bergen Road
Bergen, New York 14416-9747

Re: School Resource Officer MOU

Dear Mr. McGee:

Enclosed please find a fully executed Memorandum of Understanding between Byron-Bergen Central School District, the Genesee County Sheriff and the County of Genesee for a school resource officer on Byron-Bergen school campuses September 1, 2022, through August 31, 2023.

If you have any questions, please feel free to contact me at 585-345-3000 x3501.

Sincerely,

William A. Sheron, Jr.
Sheriff

was/cdp

Enclosure

cc: Chief Deputy Friday

Sheriff's Office
165 Park Road
Batavia, NY 14020
(585) 345-3000
FAX: (585) 343-9129

Genesee County Jail
P.O. Box 151
Batavia, NY 14021-0151
(585) 343-0838
FAX: (585) 344-2541

Genesee Justice
14 West Main Street
Batavia, NY 14020
(585) 815-7821
FAX: (585) 345-3095

**Justice for Children
Advocacy Center**
304 East Main Street
Batavia, NY 14020
(585) 344-8576
FAX: (585) 345-3090

Animal Shelter
3841 West Main Street
Batavia, NY 14020
(585) 343-6410
FAX: (585) 345-3075

www.co.genesee.ny.us/departments/sheriff
e-mail: Sheriff.Dept@co.genesee.ny.us



MEMORANDUM OF UNDERSTANDING

The County of Genesee, the Genesee County Sheriff and the Byron-Bergen Central School District hereby express their commitment to a partnership that will establish and utilize a School Resource Officer (SRO) equipped with a marked Genesee County Sheriff's Office patrol vehicle on the Byron-Bergen school campuses.

This agreement shall commence on September 1, 2022, and shall terminate on August 31, 2023, unless extended by mutual agreement of the parties thereto. The compensation under this agreement shall be paid by the Byron-Bergen Central School District to Genesee County in the amount of \$101,792.36* (see Addendum A) for the time period stated above.

** The yearly retirement and medical rates are not available until late fall; therefore, Addendum A includes 2022 rates for 2023.*

Once all the rates have been confirmed, they will be modified, and, if applicable, the difference will be billed under a separate invoice or a credit will be applied.

The County of Genesee, the Genesee County Sheriff and the Byron-Bergen Central School District agree that the mission and goals of the partnership are as follows:

- To maintain a safe, secure and uninterrupted learning environment for the staff and students at the Byron-Bergen schools.
- To make the Byron-Bergen Central School District safer for all children and staff by reducing school-related crime and by dealing with problems and issues identified in the student population.
- To promote respect for people and property.
- To teach the value of our legal system and the importance of student participation in supporting and improving it.
- To allow students access to the legal system and to bridge the gap between police officer and young people.
- To reduce juvenile crime by helping students formulate an awareness of rules and respect for authority and the justice system.
- To teach students how to avoid becoming a victim through self-awareness and crime prevention.

The Genesee County Sheriff and the Byron-Bergen Central School District agree to work to accomplish these goals.

The Genesee County Sheriff will provide the Byron-Bergen Central School District with a full-time Deputy Sheriff who will participate in school activities as a School Resource Officer. The School Resource Officer will be selected by mutual agreement between the Genesee County Sheriff and the District Superintendent of Byron-Bergen, or his/her designee. The School Resource Officer will follow the approved Byron-Bergen Central School District instructional calendar.

The Deputy Sheriff assigned to this duty shall be responsible to the Genesee County Sheriff and the chain of command established therein and shall be required to attend mandated annual firearms qualifications. In all school-related activities, the School Resource Officer shall work under the direction and guidance of the District Superintendent or his/her designee and, specifically, as listed below:

District-led Investigations: Alleged or possible violations of the Code of Conduct will be investigated by building principals, the Superintendent or their designees in accordance with the District's policies governing same ("District-led investigations"). A SRO may be tasked by building principals, the Superintendent or their designees to participate in District-led investigations, but will not lead those investigations. When the SRO is asked to participate and/or assist with District-led investigations, the SRO will not be acting in his/her capacity as a member of law enforcement. Parents/guardians do not need to be notified before their student is interviewed as part of a District-led investigation, even if a SRO is participating in the investigation.

Criminal Investigations: If, through the course of investigating alleged or possible violations of the Code of Conduct, building principals, the Superintendent or their designees learn that conduct may be criminal in nature, they will report such conduct to the SRO, who may initiate a separate criminal investigation ("Criminal Investigation"). When the SRO is asked to participate and/or assist with a Criminal Investigation, the SRO will be acting in his/her capacity as a member of law enforcement, and must meet the requisite Constitutional standards to conduct searches. If a SRO, the Sheriff's Office, and/or any other members of law enforcement initiates a Criminal Investigation

relating to a student's conduct. parents/guardians will be notified before their student is interviewed as part of that criminal investigation, unless an immediate risk of health and/or safety exists.

The partnership between the County of Genesee, the Genesee County Sheriff, and the Byron-Bergen Central School District will be evaluated by the District Superintendent (or designee) and the Genesee County Sheriff (or designee) on a regular basis. The School Resource Officer shall also meet regularly with school officials and supervisors in the Sheriff's Office for assistance and direction in decision making. The School Resource Officer will provide Byron-Bergen Central School District officials and the Genesee County Sheriff with monthly reports describing the activities that have been carried out.

The responsibilities of the School Resource Officer will include, but not limited to, the following job-related activities:

- Promote, provide and maintain an atmosphere of safety for students, faculty, staff and administrators.
- Serve as a law enforcement resource for students, faculty, staff and administration.
- Work to prevent crime, enforce laws, provide a positive police presence, enforce campus security and make security suggestions.
- Encourage, develop and foster communications and dialogue between students, the school community and law enforcement.
- Provide counsel for students and members of the school community experiencing school, family, legal or social problems.
- Address issues involving, but not limited to, alcohol, drugs, tobacco, peer pressure and sex prior to these issues manifesting themselves as problems.
- Serve as a positive role model for students.
- Offer career counseling in areas that involve criminal justice and law enforcement upon request.
- Assist the school in planning and implementing conflict resolution strategies.
- Respond immediately to school needs to ensure safety in times of crisis and provide appropriate follow through.
- Focus on issues and concerns in the school that will prevent potential problems from occurring.
- Meet the faculty, parents, students. and the community to present and discuss violence prevention strategies.


The School Resource Officer is assigned to the Byron-Bergen Central School District and will only be called away under exigent circumstances and will return to the Byron-Bergen Schools as soon as practical.

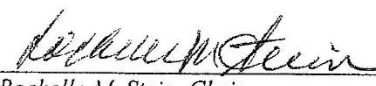
This agreement may be terminated upon thirty (30) days written notice by either party; and upon termination, the cost associated with any remaining accrued comp time by the School Resource Officer will be reimbursed to Genesee County by the Byron-Bergen Central School District.

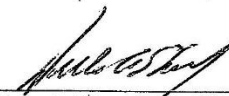
FORCE MAJEURE: In case by reason of force majeure either party hereto shall be rendered unable wholly or in part to carry out its obligations under this Agreement, if such party shall give notice and full particulars of such force majeure in writing to the other party within a reasonable time after occurrence of the event or cause relied on, the obligations of the party giving such notice as far as they are affected by such force majeure, shall be suspended during the continuance of the inability then claimed, which shall be no longer than a reasonable time for the removal of the effect thereof. Such party shall endeavor to remove or overcome such inability with all reasonable dispatch. The term "force majeure", as employed herein, shall mean acts of God, strikes, lockouts or other industrial disturbances, acts of the public enemy, orders of any kind of the Government of the United States or of the State or any civil or military authority, insurrections, riots, epidemics, pandemics, landslides, lightning, earthquakes, fires, hurricanes, storms, floods, washouts, droughts, arrest, retraining of government and people, civil disturbances, explosions, partial or entire failure of utilities, shortages of labor, material, supplies or transportation, or any other similar or different cause not reasonably within the control of the party claiming such inability.

The School Resource Officer shall spend at least 75% of his/her time in and around the school campuses. The School Resource Officer will meet with school administrators on a regular basis, as needed through the program. The School Resource Officer will prepare a written evaluation of program activities every six (6) months and shall provide this evaluation to the District Superintendent and the Genesee County Sheriff. The evaluation will measure the program's success in achieving the stated goals and objectives and may create the basis for modifying the program. Program modifications shall be made only if mutually agreed upon by the Genesee County Sheriff's Office and the District Superintendent.

4

Dated: 7/7/2022 
Patrick McGee, Superintendent
Byron-Bergen Central School District

Dated: 8/8/2022 
Rochelle M. Stein, Chair
Genesee County Legislature

Dated: 08-03-2022 
William A. Sheron, Jr., Sheriff
Genesee County Sheriff's Office

STATE OF NEW YORK }
COUNTY OF GENESEE } SS:

On this 7th day of July, 2022, before me personally appeared PATRICK MCGEE, as District Superintendent of Byron-Bergen Central Schools, to me known, who being duly sworn, did depose and say that he has offices in the Town of Bergen, State of New York, the municipal corporation described in and who executed the foregoing Agreement; that he knows the seal of said County; that the seal affixed to said Agreement is such County's seal; that it was so affixed by order of the Genesee County Legislature; that he signed his name thereto by like order.

RACHEL M STEVENS
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01ST6349270
Qualified in Genesee County
Commission Expires October 17, 2024

Rachel M Stevens
Notary Public

STATE OF NEW YORK }
COUNTY OF GENESEE } SS:

On this 8 day of August, 2022, before me personally appeared ROCHELLE M. STEIN, as Chair of the Genesee County Legislature, to me known, who being duly sworn, did depose and say that she has offices in the City of Batavia, State of New York, the municipal corporation described in and who executed the foregoing Agreement; that she knows the seal of said County; that the seal affixed to said Agreement is such County's seal; that it was so affixed by order of the Genesee County Legislature: that she signed her name thereto by like order.

LISA K. CASEY
Notary Public, State of New York
No. 01CA6272329
Qualified in Genesee County
Commission Expires 11/19/2024

Lisa K Casey
Notary Public

STATE OF NEW YORK }
COUNTY OF GENESEE } SS:

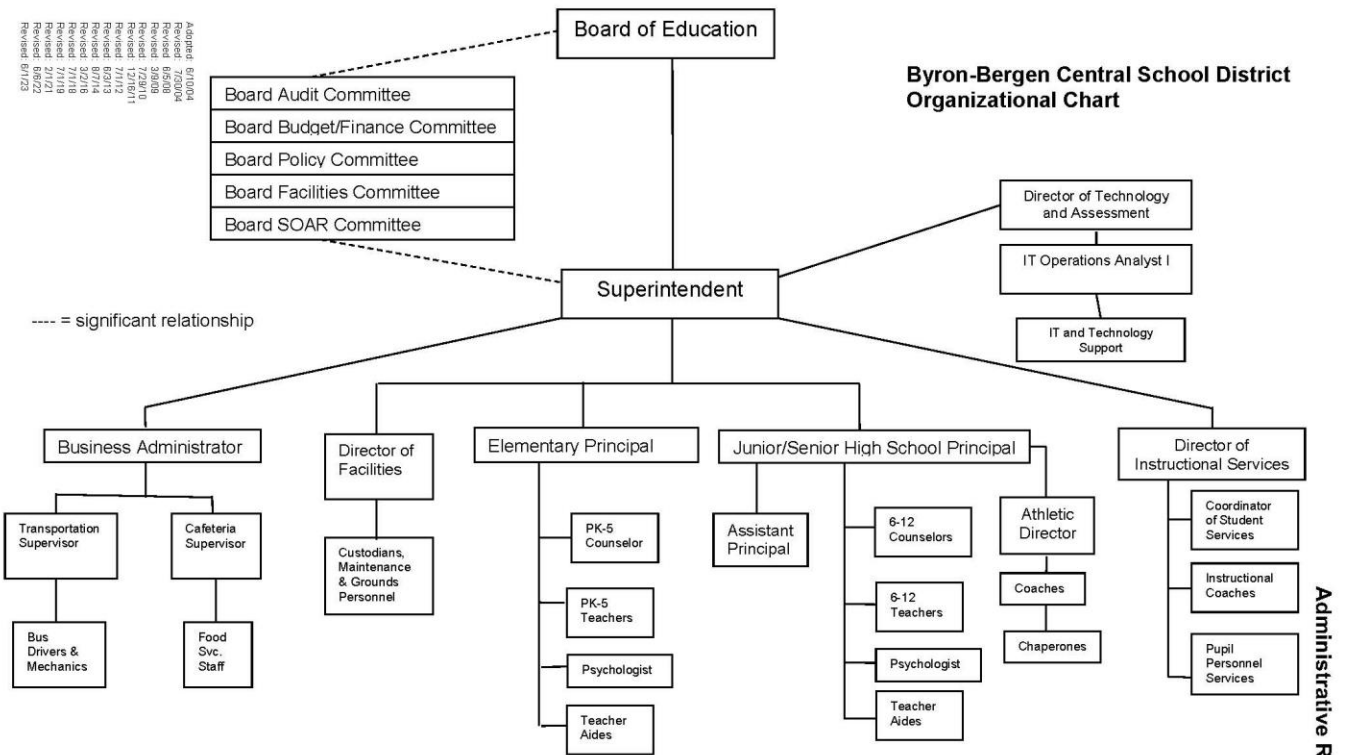
On this 3rd day of August, 2022, before me personally appeared WILLIAM A. SHERON, JR., to me known, who being by me duly sworn did depose and say that he resides in the County of Genesee, New York, and that he is the Sheriff of Genesee County, the municipal corporation described in and which executed the above instrument; that he is authorized to execute such instrument; and that he signed his name thereto by virtue of such authority.

Carolyn Alane Della Penna
Notary Public

CAROLYN ALANE DELLA PENNA
Notary Public, State of New York
No. 01DE6227412
Qualified in Genesee County
Commission Expires Aug. 30, 2022

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APPENDIX B Byron-Bergen CSD Organizational Chart



NOTE: Administrators supervise their office staff.

APPENDIX C
Public Employer Health Emergency Plan

Byron-Bergen Central
School District

Public Employer Health
Emergency Plan

Reviewed June 2022

Date of Approved Plan: May 11, 2021 Board of Education Adopted

This plan has been developed in accordance with NYS legislation S8617B/A10832.

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Promulgation

This plan has been developed in accordance with the amended New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable.

This plan has been developed with the input of Byron-Bergen Office Personnel and Teachers' Aide Association, Byron-Bergen Administrators and Supervisors Association, Byron-Bergen Faculty Association, Byron-Bergen Non-Teaching Service Personnel Association Service Employees International Union, as required by the amended New York State Labor Law.

No content of this plan is intended to impede, infringe, diminish, or impair the rights of us or our valued employees under any law, rule, regulation, or collectively negotiated agreement, or the rights and benefits which accrue to employees through collective bargaining agreements, or otherwise diminish the integrity of the existing collective bargaining relationship.

This plan has been approved in accordance with requirements applicable to the agency, jurisdiction, authority, or district, as represented by the signature of the authorized individual below.

--

As the authorized official of Byron-Bergen Central School District, I hereby attest that this plan has been developed, approved, and placed in full effect in accordance with S8617B/A10832 which amends New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable, to address public health emergency planning requirements.

Signed on this day:

By: Mr. Patrick McGee

Signature: _____

Title: Superintendent

*

Record of Changes

Date of Change	Description of Change	Implemented by

Purpose, Scope, Situation Overview, and Assumptions

Purpose

This plan has been developed in accordance with the amended New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable. These laws were amended by the passing of legislation S8617B/A10832 signed by the Governor of New York State on September 7, 2020, requires public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease. The plan includes the identification of essential positions, facilitation of remote work for non-essential positions, provision of personal protective equipment, and protocols for supporting contact tracing.

Scope

This plan was developed exclusively for and is applicable to Byron-Bergen Central School District. This plan is pertinent to a declared public health emergency in the State of New York which may impact our operations; and it is in the interest of the safety of our employees and contractors, and the continuity of our operations that we have promulgated this plan.

Situation Overview

On March 11, 2020 the World Health Organization declared a pandemic for the novel coronavirus which causes the COVID-19 severe acute respiratory syndrome. This plan has been developed in accordance with amended laws to support continued resilience for a continuation of the spread of this disease or for other infectious diseases which may emerge and cause a declaration of a public health emergency.

The health and safety of our employees and contractors is crucial to maintaining our mission essential operations. We encourage all employees and contractors to use [CDC Guidance for Keeping Workplaces, Schools, Homes, and Commercial Establishments Safe](#). The fundamentals of reducing the spread of infection include:

- Using hand sanitizer and washing hands with soap and water frequently, including:
 - After using the restroom
 - After returning from a public outing
 - After touching/disposing of garbage
 - After using public computers, touching public tables, and countertops, etc.
- Practice social distancing when possible
- If you are feeling ill or have a fever, notify your supervisor immediately and go home
- If you start to experience coughing or sneezing, step away from people and food, cough or sneeze into the crook of your arm or a tissue, the latter of which should be disposed of immediately
- Clean and disinfect workstations daily and as needed throughout the day
- Other guidance which may be published by the CDC, the State Department of Health, or County health officials.

Planning Assumptions

This plan was developed based on information, best practices, and guidance available as of the date of publication. The plan was developed to largely reflect the circumstances of the current Coronavirus pandemic but may also be applicable to other infectious disease outbreaks.

The following assumptions have been made in the development of this plan:

- The health and safety of our employees and contractors, and their families, is of utmost importance
- The circumstances of a public health emergency may directly impact our own operations.
- Impacts of a public health emergency will take time for us to respond to, with appropriate safety measures put into place and adjustments made to operations to maximize safety
- The public and our constituency expects us to maintain a level of mission essential operations
- Resource support from other jurisdictions may be limited based upon the level of impact the public health emergency has upon them
- Supply chains, particularly those for personal protective equipment (PPE) and cleaning supplies, may be heavily impacted, resulting in considerable delays in procurement
- The operations of other entities, including the private sector (vendors, contractors, etc.), non-profit organizations, and other governmental agencies and services may also be impacted due to the public health emergency, causing delays or other disruptions in their services
- Emergency measures and operational changes may need to be adjusted based upon the specific circumstances and impacts of the public health emergency, as well as guidance and direction from public health officials and the governor
- Per S8617B/A10832, 'essential employee' is defined as a public employee or contractor that is required to be physically present at a work site to perform their job
- Per S8617B/A10832, 'non-essential employee' is defined as a public employee or contractor that is not required to be physically present at a work site to perform their job

Concept of Operations

The Superintendent of Byron-Bergen Central School District, their designee, or their successor holds the authority to execute and direct the implementation of this plan. Implementation, monitoring of operations and adjustments to plan implementation may be supported by additional personnel, at the discretion of the Superintendent of Schools.

Upon the determination of implementing this plan, all employees and contractors of Byron-Bergen Central School District shall be notified by email and District Messaging System with details provided as possible and necessary, with additional information and updates provided on a regular basis. All district employees, parents and guardians, and the Board of Education will be notified of pertinent operational changes by way of email and District Messaging System. Other interested parties, such as vendors, will be notified by phone and/or email as necessary. The Superintendent or his/her designee will maintain communications with the public and constituents as needed throughout the implementation of this plan.

The Superintendent of Byron-Bergen Central School District, their designee, or their successor will maintain awareness of information, direction, and guidance from public health officials and the Governor's office, directing the implementation of changes as necessary.

Upon resolution of the public health emergency, the Superintendent of Byron-Bergen Central School District, their designee, or their successor will direct the resumption of normal operations or operations with modifications as necessary.

Mission Essential Functions

When confronting events that disrupt normal operations, Byron-Bergen Central School District is committed to ensuring that essential functions will be continued even under the most challenging circumstances.

Essential functions are those functions that enable an organization to:

1. Maintain the safety of employees, contractors, and our constituency
2. Provide vital services
3. Provide services required by law
4. Sustain quality operations
5. Uphold the core values of Byron-Bergen Central School District

The Byron-Bergen Central School District has identified as critical only those priority functions that are required or are necessary to provide vital services. During activation of this plan, all other activities may be suspended to enable the organization to concentrate on providing the critical functions and building the internal capabilities necessary to increase and eventually restore operations. Appropriate communications with employees, contractors, our constituents, and other stakeholders will be an ongoing priority.

Essential functions are prioritized according to:

- The time criticality of each essential function
- Interdependency of a one function to others
- The recovery sequence of essential functions and their vital processes

Priority 1 identifies the most essential of functions, with priority 4 identifying functions that are essential, but least among them.

The mission essential functions for Byron-Bergen Central School District have been identified as:

Essential Function	Description	Priority
Superintendent of Schools	Oversees and plans. Assigns critical functions assuring compliance with all CDC, DOH, and NYSED requirements. Establishes communication with staff and parents to execute and standardize district goals. Establishes contacts to provide outside organizations with information relative to District plans to procedures. Communicates with the Board of Education directly.	1
School Business Administrator	Liaison for the Superintendent of Schools. Coordinates and supports the goals of the District with the Superintendent of Schools. Oversees the functions of the Business Office. Communicates directly with administration to assist with planning and daily functions to achieve District goals and maintain safety equipment and supplies.	1
Director of Instructional Services	Liaison for the Superintendent of Schools. Coordinates and supports the goals of the district with the Superintendent of Schools. Communicates directly with the administration to assist with planning and functions, ensuring that the needs of the district are being met. Reports to the Superintendent of Schools directly. Assists with CDC, DOH and NYSED regulations including oversight of NYS recording requirements and Nursing staff.	1
Administrators	Coordinates functions delegated by the Superintendent of Schools. Assigns tasks to facilitate and accomplish district goals. Oversees personnel assigned to tasks. Ensures critical functions are being performed as necessary. Provides regular progress reports on daily activities necessary to accomplish district goals. When directed by the	1

	Superintendent of Schools, the administration is responsible for communicating and updating employees in district policy. This includes cleaning regime, scheduling and any changes to these duties. Monitors and requests building safety equipment and supplies as needed.	
Director of Facilities	Coordinates functions with the Superintendent of Schools, Business Official, Administration and Staff. Responsible for staffing, maintenance activities, custodial duties including ordering supplies, training, scheduling to meet the needs of the district. Instructs and informs staff of district policy and procedures and methods of reporting and receiving issues and concerns that may affect or enhance safety procedures. Responsible for communication and updating employees in district policy, cleaning regime, schedules and constant changes to these duties. Maintains a current inventory of supplies and safety equipment and provides staff and services as needed. Inventory includes maintaining a cache of necessary supplies and equipment through reordering and replenishing stock so as not to fall short of critical supplies. Adjusts schedules to meet current needs, updates and trains staff on proper handling and use of tools and chemicals as per the manufacturer, CDC, DOL and DOH requirements. Coordinates deliveries and ensures delivery agents know and follow district policy when on site. Schedules outside maintenance activities. Ensures third party contractor know and follow all school, CDC, DOL and DOH policies while on school district property.	1
Custodians	Coordinates activities with and updates the Director of Facilities. The Director of Facilities and Custodians will oversee and ensure school buildings are being cleaned properly. Provides employees with proper direction for performing necessary cleaning equipment, cleaning products and protocols. Provides a direct line of communication from custodial staff to the Director of Facilities. Keeps records of and controls inventory. Coordinates all deliveries including deliveries from suppliers and deliveries to building staff. Assists with building schedules and arranging custodial staff and staff schedules to meet District needs. Responsible for communication and updating employees in district policy, cleaning regime, schedules and constant changes to these duties.	1
Business Office Team	Assists the Superintendent of Schools and Business Administrator with maintaining critical functions and Administration oversight. Provides needed guidance and advice with logistical and financial obligation; as well as record keeping. Provides purchasing support to ensure that necessary safety equipment and supply inventory can be maintained for education, maintenance, nursing and custodial functions	1
Technology Department	Provides support to ensure critical infrastructure is in place to provide effective building support and educational support securely. Works directly with the Superintendent of Schools and Administration staff to ensure communication and internet stability. Provides the necessary equipment and approved software to staff and students to perform the functions of each necessary school sector to maintain building maintenance, day-to-day operations, and educational needs.	1

Nurses	Assists with the goals of the district. Provide medical insight and support to help maintain a healthy school population. Assists with planning and achieving district goals. Provides support and assistance to carry out orders from the Medical Director, CDC, DOH and NYSED regulations. Maintains a sanitary environment. Monitors quarantine area. Keeps accurate records. Makes immediate and necessary notifications to building administrators when necessary. Coordinated activities with parents. Offers guidance to building occupants and parents. Communicates regularly with the building administration and the Superintendent.	1
Clerical Team	Staff will continue to perform vital services as directed by the Superintendent of Schools and directed by their school administrator. The District will determine need based on individual circumstances and can be utilized in school or remotely. Administration will provide services necessary for staff to operate in a safe and clean environment on site. Administration will ensure all staff will be informed of and are required adhere to district safety policy while onsite. Administration will provide the necessary means and materials to safely and effectively work in a remote setting as well.	1
Building Maintenance Worker	Maintenance staff will perform vital services to keep and maintain essential equipment for onsite and remote learning. Maintenance staff and work will be overseen by the Director of Facilities. Staff will be informed of school procedures and adhere to all personal safety protocols required by the CDC, DOL (PESH), and DOH at all times. The Director of Facilities will supervise and schedule maintenance personnel for the purpose of keeping vital services operating and functional.	1
Cleaners	Custodial staff will work as directed by the Director of Facilities. The Director of Facilities will oversee and ensure school buildings are being cleaned properly. Building Administration will also assist with notification and information about building conditions and issues that need to be discussed or addressed. Custodial staff has received pandemic awareness training. Training provided essential information about communicable diseases. Training also included information about personal protective equipment, cleaning products, proper disinfection and sanitization and product use, product labels, Safety Data Sheets, and manufacturers' requirements for use. The district will provide custodial staff with the required personal protective equipment and cleaning supplies to maintain a safe working environment. Staff shifts and personnel will be scheduled accordingly based on the needs of the district. As with all staff, custodial personnel will follow district protocols as well as those required by the CDC, DOL (PESH), and DOH while providing services and on breaks.	2
Instructional Staff	The Director of Instructional Services will work with the Superintendent and Administration to determine the level of on-site education and or implement the District Remote Learning Plan.	1

Outside Contractors	Outside contractors will be scheduled and work will be performed with the oversight of the Director of Facilities. All outside contractors will notify the Director of Facilities when they arrive on-site. Outside contractors will be informed of district procedures and policy before they are allowed to work on the premises. Companies performing work on site will provide their employees with the proper PPE to comply with District policy. Outside contractors who do not or cannot work safely will not be allowed on district property.	3
Food Service	All Food Service operations will be determined by the School Business Administrator. All District protocols will be initiated by the District Food Service contractor.	1
Transportation	Transportation will provide services directed by the School Business Administrator. The Transportation Coordinator will supervise operations. The District will provide safe and secure transportation based on the needs of the District and learning environment. Protocols will be established and the Transportation Contractor has received proper training for cleaning and sanitizing buses. The Transportation Contractor will provide their employees with the training and proper PPE and disinfection equipment to effectively maintain the transportation fleet. Records will be maintained accurately to ensure bus safety procedures are being followed. The Transportation Coordinator will schedule staff and bussing pickup and drop off according to the needs of the district. The District will continually inform staff and parents of changes to procedures as necessary.	1
B.O.E	The Board of Education and Superintendent of Schools will develop and implement school policy and procedures.	1
Outside Deliveries	Deliveries will be coordinated with the Director of Facilities. The Director of Facilities will inform companies of District Policy and procedures in advance. All delivery agents will be required to notify the district prior to arrival at District and strictly adhere to district policy while on site.	3

Essential Positions

Each essential function identified above requires certain positions on-site to effectively operate. The table below identifies the positions or titles that are essential to be staffed on-site for the continued operation of each essential function. Note that while some functions and associated personnel may be essential, some of these can be conducted remotely and do not need to be identified in this section.

Essential Function	Essential Positions/Titles	Justification for Each
Information Technology	<ul style="list-style-type: none"> Technology Coordinator IT Technicians 	<ul style="list-style-type: none"> The Technology Coordinator establishes all priorities for IT tasks and organizes staff. IT staff members provide support in setting up hardware and software, network management, and help desk support

Administration and Oversight	Superintendent of Schools	The Superintendent is the decision maker for the entire district.
Operations	School Business Official	The School Business Official ensures all essential functions are maintained.
Education	Direction of Instructional Service	Director of Instructional Services determines the educational plan
Facilities	Director of Facilities	The Director of Facilities maintains the necessary level of cleaning and sanitizing
Administration	Principals, Assistant Principals	The Principals, Assistant Principals are the liaisons between student, families, and employees in the building
Cleaning and Sanitizing	Buildings and Grounds Staff, Custodians and Cleaners	Performs all cleaning and sanitization and necessary upkeep of the buildings
Support	Clerical Team	Provides necessary support for all Administrators
Health Services	Nursing	Directs all Health Services

Reducing Risk Through Remote Work and Staggered Shifts

Through assigning certain staff to work remotely and by staggering work shifts, we can decrease crowding and density at work sites and on public transportation

Remote Work Protocols

Non-essential employees and contractors able to accomplish their functions remotely will be enabled to do so at the greatest extent possible. Working remotely requires:

1. Identification of staff who will work remotely
2. Approval and assignment of remote work
3. Equipping staff for remote work, which may include:
 - a. Internet capable laptop
 - b. Necessary peripherals
 - c. Access to VPN and/or secure network drives
 - d. Access to software and databases necessary to perform their duties
 - e. A solution for telephone communications
 - i. Note that phone lines may need to be forwarded to off-site staff

The Superintendent of Schools and the District Administrative Staff will determine the level of remote working for all district employees in conjunction with all NYSDOH guidelines.

Staggered Shifts

Implementing staggered shifts may be possible for personnel performing duties which are necessary to be performed on-site but perhaps less sensitive to being accomplished only within core business hours. As possible, management will identify opportunities for staff to work outside core business hours as a strategy of limiting exposure. Regardless of changes in start and end times of shifts, Byron-Bergen Central School District will ensure that employees are provided with their typical or contracted minimum work hours per week. Staggering shifts requires:

1. Identification of positions for which work hours will be staggered
2. Approval and assignment of changed work hours

The Director of Facilities will work with the Superintendent of Schools or a designee to formulate a calendar that schedules employees based on the needs of the District.

Personal Protective Equipment

The use of personal protective equipment (PPE) to reduce the spread of infectious disease is important to supporting the health and safety of our employees and contractors. PPE which may be needed can include:

- Masks
- Face shields
- Gloves
- Disposable gowns and aprons

Note that while cleaning supplies are not PPE, there is a related need for cleaning supplies used to sanitize surfaces, as well as hand soap and hand sanitizer. The Coronavirus pandemic demonstrated that supply chains were not able to keep up with increased demand for these products early in the pandemic. As such, we are including these supplies in this section as they are pertinent to protecting the health and safety of our employees and contractors.

Protocols for providing PPE include the following:

1. Identification of need for PPE based upon job duties and work location
2. Procurement of PPE
 - a. As specified in the amended law, public employers must be able to provide at least two pieces of each required type of PPE to each essential employee and contractor during any given work shift for at least six months
 - b. Public employers must be able to mitigate supply chain disruptions to meet this requirement
3. Storage of, access to, and monitoring of PPE stock
 - a. PPE must be stored in a manner which will prevent degradation
 - b. Employees and contractors must have immediate access to PPE in the event of an emergency
 - c. The supply of PPE must be monitored to ensure integrity and to track usage rates

The Director of Facilities will be responsible for insuring the proper PPE is available at all buildings for required applications. The District will work to ensure we maintain a six-month supply of PPE as directed above for all faculty and students. An extra supply of PPE will be available in the buildings for the Principals, Nurses or Custodial staff. The Byron-Bergen Central School District participates in the Genesee Valley Cooperative Bid Purchasing Agreement. It provides a comprehensive list of suppliers and products used for maintaining employee safety, disinfecting and sanitization protocols.

Surplus PPE will be stored in a dry, secure central location. Access to the surplus PPE can only be made by the Director of Facilities as this will ensure the accurate accountability of all supplies on hand. The Director of Facilities will be responsible for keeping accurate records and reporting.

Staff Exposures, Cleaning, and Disinfection

Staff Exposures

Staff exposures are organized under several categories based upon the type of exposure and presence of symptoms. Following CDC guidelines, we have established the following protocols:

- A. If employees or contractors are exposed to a known case of communicable disease that is the subject of the public health emergency (defined as a 'close contact' with someone who is confirmed infected, which is a prolonged presence within six feet with that person):
1. Potentially exposed employees or contractors who do not have symptoms should remain at home or in a comparable setting and practice social distancing for the lesser of 10 days or other current CDC/public health guidance for the communicable disease in question.
 - a. As possible, these employees will be permitted to work remotely during this period of time if they are not ill.
 - b. All necessary parties will be notified of staff exposure through contact tracing
 - c. See the section titled Documentation of Work Hours and Locations for additional information on contact tracing
 2. CDC guidelines for COVID-19 provide that critical essential employees may be permitted to continue work following potential exposure, provided they remain symptom-free and additional precautions are taken to protect them, other employees and contractors, and our constituency/public.
 - a. Additional precautions will include the requirement of the subject employee or contractor, as well as others working in their proximity, to wear appropriate PPE at all times to limit the potential of transmission.
 - b. In-person interactions with the subject employee or contractor will be limited as much as possible.
 - c. Work areas in which the subject employee or contractor are present will be disinfected according to current CDC/public health protocol. See the section on Cleaning and Disinfection for additional information on that subject.
 - d. If at any time they exhibit symptoms, refer to item B below.
 - e. The Superintendent of School or his/her designee, in the organization is the decision maker in these circumstances and who is responsible for ensuring these protocols are followed.
- B. If an employee or contractor exhibits symptoms of the communicable disease that is the subject of the public health emergency:
1. Employees and contractors who exhibit symptoms in the workplace should be immediately separated from other employees, customers, and visitors. They should immediately be sent home with a recommendation to contact their physician.
 2. Employees and contractors who exhibit symptoms outside of work should notify their supervisor and stay home, with a recommendation to contact their physician.
 3. Employees should not return to work until they have met the criteria to discontinue home isolation per CDC/public health guidance and have consulted with a healthcare provider.
 4. Byron-Bergen Central School District will not require sick employees to provide a negative test result for the disease in question or healthcare provider's note to validate their illness, qualify for sick leave, or return to work; unless there is a recommendation from the CDC/public health officials to do so.
 5. CDC criteria for COVID-19 provides that persons exhibiting symptoms may return to work if at least 24 hours have passed since the last instance of fever without the use of fever-reducing medications. If the disease in question is other than COVID-19, CDC and other public guidance shall be referenced.
 6. The Superintendent of School or his/her designee must be informed in these circumstances and who is responsible for ensuring these protocols are followed.

- C. If an employee or contractor has tested positive for the communicable disease that is the subject of the public health emergency:
 1. Apply the steps identified in item B, above, as applicable.
 2. Areas occupied for prolonged periods of time by the subject employee or contractor will be closed off.
 - a. CDC guidance for COVID-19 indicates that a period of 24 hours is ideally given before cleaning, disinfecting, and reoccupation of those spaces will take place. If this time period is not possible, a period of as long as possible will be given. CDC/public health guidance for the disease in question will be followed.
 - b. Any common areas entered, surfaces touched, or equipment used shall be cleaned and disinfected immediately.
 - c. See the section on Cleaning and Disinfection for additional information on that subject.
 3. Identification of potential employee and contractor exposures will be conducted
 - a. If an employee or contractor is confirmed to have the disease in question, the Superintendent of Schools or his/her designee should inform all contacts of their possible exposure. Confidentiality shall be maintained as required by the Americans with Disabilities Act (ADA).
 - b. Apply the steps identified in item A, above, as applicable, for all potentially exposed personnel.

We recognize there may be nuances or complexities associated with potential exposures, close contacts, symptomatic persons, and those testing positive. We will follow CDC/public health recommendations and requirements and coordinate with our local public health office for additional guidance and support as needed.

Cleaning and Disinfecting

CDC/public health guidelines will be followed for cleaning and disinfection of surfaces/areas. Present guidance for routine cleaning during a public health emergency includes:

1. As possible, employees and contractors will clean their own workspaces daily and as needed throughout the day.
 - a. High traffic/high touch areas and areas which are accessible to the public/constituents will be disinfected as per CDC/public health guidelines.
 - b. The Custodian under supervision from the Director of Facilities will coordinate and establish cleaning guidelines and schedules for all cleaners to cover the common areas listed above.
2. Staff tasked with cleaning and disinfecting areas will be issued and required to wear PPE appropriate to the task.
3. Soiled surfaces will be cleaned with soap and water before being disinfected.
4. Surfaces will be disinfected with products that meet EPA criteria for use against the virus in question and which are appropriate for that surface.
5. Staff will follow instructions of cleaning products to ensure safe and effective use of the products.

Employee and Contractor Leave

Public health emergencies are extenuating and unanticipated circumstances in which Byron-Bergen Central School District is committed to reducing the burden on our employees and contractors.

Provisions may be enacted based upon need and the guidance and requirements in place by federal and state employment laws, FMLA, executive orders, and other potential sources.

Contractors, either independent or affiliated with a contracted firm, are not classified as employees of Byron-Bergen Central School District, and as such are not provided with paid leave time by Byron-Bergen Central School District, unless required by law.

Documentation of Work Hours and Locations

In a public health emergency, it may be necessary to document work hours and locations of each employee and contractor to support contact tracing efforts. Identification of locations shall include on-site work, off-site visits. This information may be used by Byron-Bergen Central School District to support contact tracing within the organization and may be shared with local public health officials.

APPENDIX D – Emergency Remote Instruction Plan

Byron-Bergen Central School District Emergency Remote Instruction Plan

INTRODUCTION

The Byron-Bergen Central School District developed the following **Emergency Remote Instruction Plan** to address the instruction of students if extraordinary circumstances prevent students and staff from physically attending school. The **Emergency Remote Instruction Plan** meets the requirements of New York State Education Commissioner’s Regulations for inclusion in the 2023-2024 District-Wide School Safety Plan.

BACKGROUND INFORMATION

The NYS Education Department (NYSED) authorized a “snow day pilot” program during the Covid-19 pandemic 2020-2021 and 2021-2022 school years. This program allowed school districts to deliver instruction remotely on days in which they would otherwise have closed due to an emergency.

To give districts greater predictability, in September 2022, the NYSED Board of Regents amended section 175.5(e) of the Commissioner’s regulations to codify this flexibility. Districts that would otherwise close due to an emergency may, **but are not required to**, remain in session and provide instruction through remote learning and count these instructional days towards the annual hours requirement for State Aid purposes. Instruction must be provided to all students and be consistent with the definition of remote instruction, as explained below. In addition, beginning with the 2023-2024 school year, such instruction must be consistent with the school district’s **Emergency Remote Instruction Plan**.

NYSED also amended section 155.17 of the Commissioner’s regulations to require public schools, BOCES, and county vocational education and extension boards amend their **District-Wide School Safety Plans** to include plans for remote instruction beginning with the 2023-2024 school year. This gives the public an opportunity to provide feedback on such plans for remote instruction prior to their adoption. The **Emergency Remote Instruction Plan** must include the methods that the school district will ensure the availability of: devices; internet access; provision of special education and related services for students with disabilities; the expectations for time spent in different remote modalities.

Such plans also require that each chief executive officer of each educational agency located within a public school district report information on student access to computing devices and access to the internet each year.

NYSED additions to section 100.1 of the Commissioner’s regulations define the term “remote instruction.” This definition identifies various ways in which remote instruction may be delivered,

but which must include, in all situations, regular and substantive teacher-student interaction with an appropriately certified teacher.

The NYS Board Regents adopted the amendments noted above that became effective as a permanent rule on September 28, 2022. Sections 200.7, 200.16, and 200.20 of the Regulations of the Commissioner of Education were amended, and became effective September 13, 2022, and December 12, 2022, as an emergency action for the preservation of the general welfare to permit approved special education providers to provide remote instruction in the 2022-2023 school year on days they would otherwise close due to an emergency and to count such instructional days towards 14 minimum requirements and to identify the ways in which such remote instruction may be delivered. These amendments relate to remote instruction and its delivery under emergency conditions for students in approved private schools for the education of students with disabilities, state-supported schools, state-operated schools, and approved preschool special education programs. These updated regulations now provide the same flexibility for remote instruction under emergency conditions that was given to school districts. The effective date of the final rule was January 25, 2023.

REMOTE INSTRUCTION

The Commissioner's regulations define remote instruction as “instruction provided by an appropriately certified teacher, or in the case of a charter school an otherwise qualified teacher pursuant to Education Law §2854(3)(a-1), who is not in the same in-person physical location as the student(s) receiving the instruction, where there is regular and substantive daily interaction between the student and teacher.” For the purpose of this plan, remote instruction means the instruction occurring when the student and the instructor are in different locations due to the closure of one or more of the district's school buildings due to emergency conditions as determined by the Superintendent of Schools. Emergency conditions include, but are not limited to, extraordinary adverse weather conditions, impairment of heating facilities, insufficient water supply, prolonged disruption of electrical power, shortage of fuel, destruction of a school building, shortage of transportation vehicles, or a communicable disease outbreak, and the school district would otherwise close due to such an emergency.

UNSCHEDULED SCHOOL DELAYS AND EARLY RELEASES

Instructional hours that a school district scheduled but did not execute, either because of a delay to the start of a school day or an early release, due to emergency conditions, may still be considered as instructional hours for State Aid purposes for up to two instructional hours per session day, provided the School Superintendent certifies such to NYSED, on the prescribed NYSED form, that an extraordinary condition existed on a previously scheduled session day and that school was in session on that day (NYSED Part 175.5).

The **Emergency Remote Instruction Plan** shall identify various ways in which instruction may be delivered, including synchronous and asynchronous instruction. In all situations, remote instruction requires regular and substantive teacher-student interaction with an appropriately certified teacher.

Synchronous instruction engages students in learning in the direct presence (remote or in-person) of a teacher in real time. During remote instruction, students and teachers attend

together from different locations using technology. Asynchronous instruction is self-directed learning that students engage in learning without the direct presence (remote or in-person) of a teacher. Students access class materials during different hours and from different locations. During an emergency closing, synchronous instruction is the preferred method of instruction, whereas asynchronous instruction is considered supplementary instruction.

ENSURING ACCESSIBILITY AND AVAILABILITY (INTERNET, COMPUTERS / DEVICES)

The Byron-Bergen Central School District shall survey families to find out who has a reliable high-speed internet connection. A survey conducted in 2020 identified families who live in the district that do not have access, therefore remote learning is a challenge, if not impossible, for these students. Since 2020, every student who enrolls in the district provides information on internet access and computer accessibility. All survey information is stored and available in the district’s data warehouse. When students do not have internet access, the district works with the families to develop a plan to provide instructional materials for them as well as a process for recording attendance and grading. The district works with the community to provide locations where internet access could be used if they are able to use these locations.

Commissioner’s regulation 115.17(f) outlines the annual data collection that districts must submit to SED every year by June 30. It requires the school district to survey families regarding internet and device access at the student’s place(s) of residence. The chief executive officer (School Superintendent) shall survey students and parents and persons in parental relation to such students to obtain information on student access to computing devices and access to internet connectivity.

Procedures are followed to ensure computing devices are made available to students or other means by which students will participate in synchronous instruction.

Byron-Bergen Central School District

Emergency Remote Instruction Plan

<p>INTERNET AND DIGITAL DEVICE ACCESS</p>	<p>The school district provides all students in grades K-12 access to a personal computing device (Chromebook). In the event of an emergency, closing provisions will be made to the greatest extent possible to ensure that all students have their device at home for instruction.</p> <p>The school district participates fully in the SED Digital Access Survey along with locally developed surveys to assess how many students have internet access at home. The district provides</p>
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	<p>hotspots to any families that indicate a need for reliable internet to facilitate access to learning at home.</p> <p>All faculty should have an alternative general activity for students in the instance that widespread power outages or other disruptions to connectivity occur preventing synchronous connection. If students lose connectivity, then the expectation is they will complete the alternate assignment provided.</p>
<p>PEDAGOGY</p>	<p>All teachers in grades K-12 will use Google Classroom/Google Meet as their primary instructional platform.</p> <p>Several district provided instructional technology software programs are available to support instruction along with a wide array of other resources curated by faculty. Teachers will utilize these programs to differentiate instruction, accessing a variety of delivery methods that best suit their course, grade level, and teaching style. The instructional approach may include a combination of:</p> <p>Synchronous “Live” Instruction - Using Google Meet along with other digital platforms, teachers will deliver real time instruction to a full group or subset of students. Teachers may incorporate asynchronous or project based opportunities within this model.</p> <p>Teachers will make personal connections with all students during scheduled class times via Google Meet. These connections will allow teachers to take attendance, introduce new content or skills and will allow students to connect with their teachers and peers in order to be guided through lessons, ask questions, and maintain personal relationships. The duration of these synchronous connections depends on the grade level and daily instructional plan but should be the primary mode of instruction and substantial enough to guide learning.</p> <p>Asynchronous “Flipped” Instruction - Using a variety of digital platforms, teachers will deliver captured or recorded lessons with associated expectations for students participation and assignment completion. These activities may include teacher/student synchronous interactions for a portion of the lesson.</p> <p>Authentic Independent Instruction - Using a variety of methods, teachers will engage students in high quality learning activities. These activities must engage students in the learning process. Teachers will provide assistance to students in this mode of instruction through asynchronous and synchronous methods outlined above.</p>

<p>STUDENT EXPECTATIONS</p>	<p>All students will receive information on how to access course material and instruction from their teachers. Students are expected to follow all directions and requests to participate in instruction to the fullest extent possible. During synchronous instruction students are expected to be school ready. This includes being on time for class, engaging fully through video and audio as directed by their teacher, and presenting themselves in a manner that is in accordance with school expectations.</p> <p>All students are expected to practice appropriate digital etiquette and responsible behavior during assigned Google Meets/Google Classroom:</p> <ul style="list-style-type: none"> • Mute yourself on meets as directed by your teacher • Cameras are to be kept on during classroom meets unless directed specifically by your teacher to do otherwise. <p>Students are expected to work in an appropriate setting when participating remotely / on-line. Work places include a desk, table, kitchen counter, etc... Other locations are not appropriate or acceptable.</p> <p>Student dress must be appropriate in all platforms - the Student Dress Code section of the Student Handbook / Code of Conduct applies to students in all platforms.</p> <p>If there are any circumstances preventing full and appropriate participation the student should let the teacher know. As this is a required attendance day, students must fulfill expectations for satisfactory participation as determined by their teacher.</p>
<p>DAILY SCHEDULE</p>	<p>The virtual day will follow the same schedule framework as the HS, MS and Elementary School to which the student is assigned. As with all school schedules, appropriate breaks will be included in the daily schedule for students and faculty, including time for lunch. Students will attend all assigned classes at their scheduled time. The method of instructional delivery will vary to facilitate appropriate screen time per age level within these parameters.</p>
<p>COMMUNICATION PROTOCOL: INTERVENTION</p>	<p>Teachers will follow the same communication protocols that are established in school for addressing areas of academic or behavioral need. This includes a combination of email, phone calls, and academic/behavioral referrals to the administration. All effective strategies should be accessed to maintain effective communication.</p>

<p>SPECIAL SERVICES</p>	<p>School districts are required to implement supports, services and accommodations, as indicated in students' IEPs or 504 Accommodation Plans, to the best of their ability. NYSED recognizes that there may be limitations to implementing certain services or accommodations through remote instruction and as a result, encourages districts to apply a "lens of reasonableness" to their approach.</p>
<p>NON-INSTRUCTIONAL SERVICES</p> <ul style="list-style-type: none"> • TRANSPORTATION • FOOD SERVICE • MAINTENANCE • CUSTODIAL • CLERICAL/ ADMINISTRATIVE SUPPORT 	<p>When a school district is in remote session, non-instructional services may still be required to report to work to perform critical services related to their area of expertise. In the event that the change to remote instruction is due to a snow or other weather emergency, such change will likely impact transportation and other critical services. Decisions whether or not non-instructional employees should report to work will be made and communicated in real time by the appropriate supervisor or administrator based on whether services can be provided in a safe and efficient manner.</p>

NYSED Plan Requirements

1. Policies and procedures to ensure computing devices will be made available to students or other means by which students will participate in synchronous instruction;
2. Policies and procedures to ensure students receiving remote instruction under emergency conditions will access internet connectivity;
3. Expectations for school staff as to the proportion of time spent in synchronous and asynchronous instruction of students on days of remote instruction under emergency conditions with an expectation that asynchronous instruction is supplementary to synchronous instruction;
4. A description of how instruction will occur for those students for whom remote instruction by digital technology is not available or appropriate;
5. A description of how special education and related services will be provided to students with disabilities and preschool students with disabilities, as applicable, in accordance with their individualized education programs to ensure the continued provision of a free appropriate public education; and
6. For school districts that receive foundation aid, the estimated number of instructional hours the school district intends to claim for State Aid purposes for each day spent in remote instruction due to emergency conditions pursuant to section 175.5 of this Chapter.

INSTRUCTIONAL HOURS FOR STATE AID AND REPORTING REQUIREMENTS

Pursuant to Section 175.5 of Education Law the school district may decide to transition to remote instruction in the event emergency conditions dictate the closure of the Pre-K through Grade 12 facilities. Under the provisions of New York State Education Law and the district **Emergency Remote Instruction Plan** any instruction sessions provided during the closure of the school facilities are counted towards annual hour requirements for meeting 180 days required for State financial aid.

Annual Hourly Requirements for the purpose of apportionment of State Aid (for districts receiving foundation aid) are noted below:

- 450 instructional hours for pupils in half-day kindergarten
- 900 instructional hours for pupils in full-day kindergarten and grades one through six
- 990 instructional hours for pupils in grades seven through twelve

The district estimates the number of instructional hours it intends to claim for State Aid purposes for each day spent in remote instruction due to emergency conditions from a minimum of 1 remote instruction day due to emergency conditions, up to the full year's annual hourly requirement.

REPORTING

IMMEDIATELY

Whenever a school building must close to instruction due to the activation of its **District-Wide School Safety Plan or Building-Level Emergency Response Plan**, a **Report of School Closure** must be submitted to the Commissioner of Education by the School Superintendent as required under CR 155.17(f) via the NYSED Report of School Closure portal. Even when remote instruction is provided during an emergency closure, a Report of School Closure must be submitted. This also applies when instruction can be delivered in an interim location or via another instructional modality.

When it is determined that it is safe to re-open a school building after an emergency closure, the School Superintendent must notify the Commissioner by completing a corresponding Report of School Re-Opening, via the NYSED Report of School Re-Opening portal.

The Report of School Closure is intended to provide immediate notification to the Commissioner regarding an emergency closure. The Report of School Re-Opening notifies the Commissioner of the re-opening and also collects the actual duration of the closure, the location and modality of instruction, and detailed information that may not have been available at the time of the closure.

Reasons for building closures may include, but are not limited to, natural disasters, power outages, instances of infectious disease, extraordinary adverse weather conditions and threats of violence. It is no longer required to submit a Report of School Closure for routine snow days.

ANNUALLY BY JUNE 30TH

The School Superintendent shall notify the NYSED Commissioner the results of the survey on student access to computing devices and access to internet connectivity through the Student Information Repository System (SIRS) every year by June 30th.

END OF THE SCHOOL YEAR

The school district shall report the **Emergency Remote Instruction Plan** through the **State Aid Management System** at the end of the school year. After the close of the school year starting with the ending of 2023-2024, the School Superintendent reports remote instructional days under emergency conditions through the State Aid Management System, and certifies this at the time NYSED's Form A is submitted as part of other required certifications. Using the NYSED prescribed form, the School Superintendent certifies to NYSED:

- That an emergency condition existed on a previously scheduled session day and that the school district was in session and provided remote instruction on that day;
- How many instructional hours were provided on such session day; and
- Beginning with the 2023-2024 school year, that remote instruction was provided in accordance with the district's Emergency Remote Instruction Plan.

BOARD OF EDUCATION APPROVAL

As part of the **District-Wide School Safety Plan**, the school district's Board of Education shall make the **Emergency Remote Instruction Plan** available for public comment and public hearing for no less than thirty days (30) prior to adoption. The plan must be adopted as part of the

District-Wide School Safety Plan annually prior to September 1st and posted on the district website in a conspicuous location.

SUPPORT FOR STUDENTS WITH DISABILITIES DURING EMERGENCY CLOSING VIRTUAL INSTRUCTION

School districts are required to implement supports, services and accommodations, as indicated in students' IEPs or 504 Accommodation Plans, to the best of their ability, when providing virtual instruction.

Special education teachers who provide direct/indirect consultant services will initiate outreach to their students' general education teacher(s) to collaborate on instructional modalities and any necessary accommodations or modifications required of assignments or assessments for the day.

Special education teachers who teach resource room, self-contained special classes either content specific or specialized programs, should follow the same guidance and expectations as classroom teachers in regards to pedagogy, content, class meetings, and flexibility.

Teaching assistants are available for instructional support by way of participating in class meetings, keeping up on classroom assignments and expectations, and serving as additional academic support.

Related service providers are to provide “tele-therapy” services, to the best of their ability. Related service providers are expected to adhere to similar guidelines as other professionals in regard to student and teacher work at home, communication, and flexibility and they will use the students’ IEPs to determine an appropriate/reasonable level of communication and support.

Documentation Requirements: Special education personnel are expected to document all supports and services provided to students during this time. Document the manner, means, duration of time, follow up efforts, etc. IEP progress monitoring is required to be collected and reported to parents following the schedule listed on students’ IEPs. Medicaid session notes continue to be a requirement for eligible related service providers. Special education teachers/service providers are responsible to hold any virtual professional meetings already scheduled on a day that becomes a virtual instruction day.