

Protocols for Responding to a Public Health Emergency Involving a Communicable Disease for the Byram Hills School District

Adopted by the BOE on March 23, 2021

ACTIVATION

These protocols have been developed to respond to a public health emergency. Directive shall come from New York State Education Department, New York State Department of Health, Westchester County Department of Health, or other appropriate agency for this protocol to be activated.

PURPOSE

This document has been developed in accordance with the amended New York State Labor Law section 27-c and New York State Education Law 2801-a paragraph 2(m) (as amended by section 1 of part b of chapter 56 of the laws of 2016). These laws were amended by the passing of N.Y. State Senate, S8617B, 2019 Leg., and N.Y. State Assembly., A10832, 2019 Leg. on 9-7-2020 that requires all 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.

DEFINITIONS

Essential shall refer to a designation made that a public employee or contractor is required to be physically present at a work site to perform his or her job. (S8617/A10832 section 1(d), NYS Labor Law Section 27-c (1)(d)).

Non-essential shall refer to a designation made that a public employee or contractor is not required to be physically present at a work site to perform his or her job. (S8617/A10832 section 1(e), NYS Labor Law Section 27-c (1)(e)).

Communicable disease shall mean an illness caused by an infectious agent or its toxins that occurs through the direct or indirect transmission of the infectious agent or its products from an infected individual or via an animal, vector or the inanimate environment to a susceptible animal or human host.

(S8617/A10832 section 1(f), NYS Labor Law Section 27-c (1)(f)).

Personal protective equipment shall mean all equipment worn to minimize exposure to hazards, including gloves, masks, face shields, foot and eye protection, protective hearing devices, respirators,

hard hats, and disposable gowns and aprons. (S8617/A10832 section 1(a), NYS Labor Law Section 27-c (1)(a)).

Identification of Essential Positions

In the event of a state ordered reduction of in-person workforce, below is a sample list of essential positions and titles along with the justification for this assignment. (S8617/A10832 Section 1-d & NYS Labor Law Section 27-c (1)(d)) and (S8617/A10832 Section 3-a & NYS Labor Law Section 27-c (3)(a)).

Position	Title	Justification
Information Technology	Director	This group is needed to maintain the internet capability including remote learning and working from home.
	Technicians	
Custodial and Maintenance	Supervisor	This group is needed to maintain the cleanliness and continued functioning of the building and the grounds.
	Maintenance Foreman	
	Senior Custodians Building Custodians	
	Operations and Maintenance Staff	
Administration	Superintendent, Deputy Superintendent and Asst. Superintendents Building principals and assistant principals Special Education Director and Assistant Directors	At least one administrator is needed to ensure continuity of the response efforts.

Faculty and Staff	Teachers/Related Service Providers School nurses & physical trainer	Should it become necessary to meet a student's needs under the section 504 regulation (FAPE), teachers/related service providers may be deemed essential on an as needed basis. School nurses may be needed to dispense medication and be available for district-wide or building needs requiring the nurse.
Clerical Support	District office and building level secretaries	To support administrators/supervisors.
Security	Guards	To ensure the safety/security of the campuses.
Transportation	Supervisor of Transportation Mechanics Bus Drivers	To conduct operations and required maintenance and transport food to students who receive home meals and/or to transport students in the event they are attending in person instruction
Food Service	Food Service Workers	To supply food to students who receive home meals.
Business Operations	Assistant Superintendent Accounting Payroll Accounts Payable Purchasing	Where necessary to ensure the continued operation of the District.

Telecommuting Protocols

Telecommuting Protocols (S8617/A10832 Section 3-b & NYS Labor Law Section 27-c (3)(b))

Listing of Non-essential position titles and contractor titles who will need to tele-commute along with equipment deemed essential to their role.

Non-essential shall refer to that employee who is not required to be physically present at a work site to perform his or her job and may perform his or her job remotely. There may be some staff who will not be able to telecommute nor will they be able to work on campus. The need for these staff will be determined on a case-by-case basis and by job title.

Byram Hills Information Technology Department has protocols in place to allow most other employees to work remotely as determined by the Superintendent, Deputy Superintendent, Assistant Superintendents, building principals, supervisors, and departmental chairpersons and directors. Equipment will be issued on as needed basis after the appropriate administrator makes a formal request to the Director of Information Technology. Below is the listing of non-essential personnel who have been identified as needing equipment.

Non-Essential Position Titles	Equipment Assignment		
	Phone	Laptop/printer & scanner	RSA
Building Administrator		yes	yes
Business office off site		yes	yes
Contractor Titles		yes	yes
District Administrator		yes	yes
IT off site		yes	yes
Nurses		yes	yes
Support Staff – administrative		yes	yes
Teachers		yes	yes

Teacher Aide		yes	yes
Related Service Providers		yes	yes

Downloading and installing software and data.

At Byram Hills, any equipment that is assigned to a staff member is preloaded with the appropriate software for that position. In addition, staff is encouraged to share documents using Google. Some staff will be issued RSAs and a VPN as needed, to allow for access to the departmental files and programs. The appropriate administrator identifies the need for an RSA and VPN. The Director of Information Technology or their designee, and the Deputy Superintendent, will review this request, prior to the issuance of the RSA and VPN.

Transfer of phone lines to work or personal cell phone.

In the event of a pandemic, the District will use Cisco Jabber service that will allow answering of calls through employees' laptops.

Staggering of Work Shifts

Description of how the employer will stagger work shifts of essential employees and contractors to avoid overcrowding on public transportation and at work sites. (S8617/A10832 Section 3-c & NYS Labor Law Section 27-c (3)(c)).

Byram Hills will have several options to comply with this requirement.

- If necessary, we use cohorts to stagger and alternate workdays. Depending upon the situation, Byram Hills may be required to reduce the total number of employees during work shifts in order to be compliant with the guidance delivered by the NYSDOH and the Governor's Office.
- If necessary, we will limit the number of staff reporting to a skeleton crew to maintain the integrity of operations and facilities.

Personal Protective Equipment

A description of the protocol the employer will implement in order to procure the appropriate personal protective equipment for essential employees and contractors, based upon the various tasks and needs of such employees and contractors in a quantity sufficient to provide at least two pieces of each type of personal protective equipment to each essential employee and contractor during any given work shift over at least six months. Such description shall also include a plan for storage of such equipment to prevent degradation and permit immediate access in the event of an emergency declaration. (S8617/A10832 Section 3-d & NYS Labor Law Section 27-c (3)(d)).

Plan to Procure PPE

PPE will be purchased using the BOCES bid process, if possible. Otherwise, any reliable source of PPE will be contacted for availability and orders that fulfill the table below will be placed. Byram Hills Assistant Superintendent for Business and Operations and Maintenance Supervisor in conjunction with the appropriate departments will work together to find reliable sources.

Duplicate orders will be placed if there is a potential issue with supply chains.

Minimum PPE Required

Minimum two pieces of each type of PPE for each essential employee and contractor over at least 6 months (26 weeks).

Position	Masks	Pairs of gloves	Face Shield
<i>Minimum per person quantity for 6 months</i>	<i>60</i>	<i>130</i>	<i>1</i>
Superintendent (1)	60	130	1
Director of Operations and Maintenance (1)	60	130	1
Maintenance Foreman (1)	60	130	1
Senior Custodians (4)	240	520	1

Building Custodians (25)	1500	3,250	25
Director of IT (+ 2 staff)	180	390	3
Faculty and Staff (551)	30,060	71,630	260
Security (7)	420	910	7
Total	32,580	70,590	300

Additional Supplies:

- Each size of N95 respirators and surgical masks per person as deemed necessary.
- Isolation gowns per person as deemed necessary.

PPE Storage

Plan for storage of PPE- please be aware that PPE stored in cardboard cases may absorb moisture over time, it is important that PPE cases be stored in secure, dry locations.

PPE type	Storage Location
Masks (reusable)	District Facilities & Operations Building
Gloves	District Facilities & Operations Building
Face shields	District Facilities & Operations Building
Gowns	District Facilities & Operations Building
N-95	District Facilities & Operations Building

Protocol Following Exposure

A description of the protocol in the event an employee or contractor is exposed to a known case of the communicable disease that is the subject of the public health emergency, exhibits symptoms of such disease, or tests positive for such disease in order to prevent the spread or contraction of such disease in the workplace.

Such protocol shall also detail actions to be taken to immediately and thoroughly disinfect the work area of any employee or contractor known or suspected to be infected with the communicable disease as well as any common area surface and shared equipment such employee or contractor may have touched, and the employer policy on available leave in the event of the need of an employee to receive testing, treatment, isolation, or quarantine.

Such protocol shall not involve any action that would violate any existing federal, state, or local law, including regarding sick leave or health information privacy. (S8617/A10832 Section 3-e & NYS Labor Law Section 27-c (3)(e)).

Communicable disease definition - (S8617/A10832 Section 1-f & NYS Labor Law Section 27-c (1)(f)).

We will follow current guidance from the Centers for Disease Control and Prevention (CDC) as well as state and local Department of Health guidelines.

For example:

1. All employees are instructed to fill in a screening tool before arriving at work.
 - a. If they pass, they receive a notice that they are cleared to come to work.
 - b. If they do not pass, they receive a notice to stay at home until contacted.
 - c. The HR department contacts each employee who does not pass the screening tool questionnaire. They get further information regarding the reason for the failing response.
 - d. Our district medical director consults with the District about failures, when necessary, and makes a determination. If there is a health concern, the employee is asked to follow posted NYSDOH protocols and procedures.
2. If an employee begins to experience symptoms related to the current pandemic after arriving at work, they have been instructed to go out to their car or a designated isolation room within their building and to contact their supervisor or administrator for further instructions.
3. Supervisors or administrators will use the urgent response protocol to this change in status to determine their immediate course of action.
4. After the employee leaves the area, their workspace is closed off until it can be cleaned. An effort is made to identify any spaces that they may have entered and these are also closed off until cleaned. 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. Any building occupants who have been exposed to that person may be identified as a contact and current DOH guidelines will be followed.

Documentation

A protocol for documenting precise hours and work locations, including off-site visits, for essential employees and contractors. Such protocol shall be designed only to aid in tracking of the disease and to identify the population of exposed employees and contractors in order to facilitate the provision of any benefits which may be available to certain employees and contractors on that basis.

(S8617/A10832 Section 3-f & NYS Labor Law Section 27-c (3)(f)).

The HR Department in conjunction with departmental or building administrators or supervisors will keep an online schedule for purposes of capturing employee hours and locations. Each supervisor will be responsible for maintaining the schedule for his or her department or building and ensure its accuracy. Visitors to campus are prohibited unless they are consulting essential business and are scheduled and approved in advance by the Superintendent or designee.

Emergency Housing

A protocol for how the public employer will work with such employer's locality to identify sites for emergency housing for essential employees in order to further contain the spread of the communicable disease that is the subject of the declared emergency, to the extent applicable to the needs of the workplace.

(S8617/A10832 Section 3-g & NYS Labor Law Section 27-c (3)(g)).

Emergency housing for essential workers is not normally needed for school employees. If needed, the District will arrange for emergency housing for essential employees, determined jointly by the employee and District, at the following on site areas:

- Building 1 - High School
- Building 2- Middle School

1/19/21	Document shared with Emergency Response Team
1/19/21	Share Document with BHTA,CSEA,BHAA
2/9/21	Present to the Board of Education/Begin Public Comment Period
3/11/21	Public Comment Period Ends
3/23/21	Present to BOE for Adoption
3/26/21	Upload to State

Requirements of the regulation are in red.

District text is in blue