

**BABYLON UNION FREE SCHOOL DISTRICT  
50 RAILROAD AVENUE  
BABYLON, NEW YORK 11702**

**BABYLON SCHOOL BOARD REGULAR BUSINESS MEETING  
REVISED AGENDA  
JANUARY 11, 2016**

---

**Meeting protocol: Please state your name when addressing the Board of Education.**

- I. Call to Order - 6:30 p.m.
- II. Executive Session  
It is anticipated that upon a majority vote of the total membership of the Board, a motion to meet in Executive Session to discuss specific collective bargaining, personnel issues, and/or other specific matters appropriate for executive session in accordance with the Open Meeting Law will be considered. Following executive session the Board will reconvene in the Babylon Junior-Senior High School library at approximately 7:30 p.m.
- III. Pledge of Allegiance - 7:30 p.m.
- IV. Approval of Minutes of the Regular Business Meeting of December 7, 2015.
- V. Approval of Treasurer's and Business Office Financial Reports and Extra Curricular Fund Report for November 2015.
- VI. Superintendent's Report
  - a. Student/Staff Recognition
  - b. Student Delegate Report
  - c. News & Updates Around the District
  - d. Presentation on "Literate Learners in a Literate World : A Focus on Building a Strong Literacy Foundation in Babylon Schools"
- VII. Committee Reports
  - a. Audit Committee
  - b. Finance Committee
  - c. Buildings & Grounds
  - d. Technology Committee
  - e. Curriculum Committee
  - f. Policy Committee
- VIII. Board Agenda Items
  - a. Questions from Visitors on Agenda Items - Please approach the podium and state your name.
  - b. Discussion
- IX. New Business
  1. **MEMORANDUM OF AGREEMENT: RESOLVED**, that on the recommendation of the Superintendent of Schools, the Board of Education hereby approves a Memorandum of Agreement between the Board of Education and the Babylon Schools Administrators' Association for the period of July 1, 2015 through June 30, 2019, as more fully discussed in executive session, and hereby authorizes the President of the Board to execute a new contract including the terms and conditions set forth therein.
  2. **RESIGNATION: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education accepts the resignation of Veronica McCarthy, library media specialist, effective January 22, 2016.
  3. **LEAVE OF ABSENCE: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the request from Jacie Chatterton, elementary teacher, for an unpaid childcare leave of absence commencing February 1, 2016 to June 30, 2016.
  4. **LEAVE REPLACEMENT TEACHER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the appointment of Sandra Kolar as a leave replacement elementary teacher, effective February 1, 2016 to June 30, 2016. Compensation for this assignment is to be Step 1/MA of the 2015-2016 Babylon Teachers' salary schedule.

5. **PER DIEM SUBSTITUTE TEACHER APPOINTMENTS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, that the Board of Education approve the following per diem substitute teachers from January 12, 2016 to June 30, 2016. Compensation for these assignments to be \$110.00/day.
 

Christopher Coward	Stacey Langer	Heather Peterson	Karen Kunkel
Lauren Caggiano	Kathleen Smagala	Geoffrey Stone	
  
6. **SUBSTITUTE FOOD SERVICE WORKER APPOINTMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves Diana O'Shea as a substitute food service worker effective January 12, 2016 to June 30, 2016. Compensation for this assignment is to be \$10.00/hour.
  
7. **SCHOOL VOLUNTEER APPOINTMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves Kelly Gildersleeve as a volunteer yoga instructor at the Babylon Memorial Grade School during recess periods, effective January 19, 2016 to June 24, 2016.
  
8. **SCHOOL COUNSELING INTERNS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approve the placement of the following interns for the Spring 2016 semester:
 

Cheryl Galletta Soto	School Counseling Intern- LIU	JSHS
James McGaley	School Counseling Intern-LIU	JSHS
Katie DiGennaro	School Counseling Intern-LIU	GS
  
9. **TRANSLATION SERVICES: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves extra compensation for in-house translation services in the amount of \$156.00 (1<sup>st</sup> page) and \$76.00 for each written additional page.
  
10. **APPROPRIATION TRANSFERS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the following appropriation transfers for the 2015-2016 school year:
  1. From: A 9760.7300-00-000 Debt Service-Tax Anticipation Note (13,390)  
 To: A 1621.4670-01-000 Maintenance-Prof Services 13,390  
 This transfer is necessary to cover the cost of purchasing and installing a web based employee attendance software management system.
  
  2. From: A 9711.7187-00-000 Debt Service-Serial Bond/Interest (86,502)  
 To: A 9711.6187-00-000 Debt Service-Serial Bond/Principal 86,502  
 This transfer is being done to adjust Debt Service-Serial Bond Principal & Interest refinancing.
  
  3. From: A 2110.1200-02-000 Tch/Reg Sch-Inst 3-6 (16,000)  
 To: A 2110.1200-03-000 Tch/Reg Sch-Inst 3-6 16,000  
 This transfer is necessary to realign salary costs with budget codes.
  
  4. From: A 2110.1382-01-000 Tch/Reg Sch-Inst Long (9,000)  
 To: A 2110.1282-02-000 Tch/Reg Sch-Inst Long 9,000  
 This transfer is necessary to realign salary costs with budget codes.
  
  5. From: A 9010.8001-00-000 Employ Bene/ERS (100,000)  
 To: A 2251.1507-00-000 Spec Ed-Instr Sal 100,000  
 This transfer is necessary due to new positions added.
  
  6. From: A 9061.8008-00-000 Employ Bene/Medical Insurance (93,204)  
 To: A 2251.1507-00-000 Spec Ed-Instr Sal 93,204  
 This transfer is necessary due to new positions added.
  
  7. From: A 9061.8008-00-000 Employ Bene/Medical Ins (10,000)  
 To: A 2251.1582-00-000 Special Ed-Instr Long 10,000  
 This transfer is necessary due to contract settlement increase.
  
  8. From: A 2110.1383-01-000 Tch/Reg Sch-Career Incr (10,000)  
 To: A 1310.1600-05-000 Bus Adm-Non-Instr Sal 10,000  
 This transfer is necessary due to new position added.

11. **SECOND READING OF POLICY 5150-SCHOOL ADMISSIONS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education conduct a second reading of policy 5150-School Admissions and **BE IT FURTHER RESOLVED**, that the Board of Education waive the formal second reading of policy 5150-School Admissions, as attached.
12. **SECOND READING OF POLICY 5422/5422-R-ALLERGY POLICY: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education conducts a second reading of policy 5422/5422-R-Allergy Policy, and **BE IT FURTHER RESOLVED**, that the Board of Education waive the formal second reading of policy 5422/5422-R-Allergy Policy, as attached.
13. **SECOND READING OF POLICY 9150-STAFF-STUDENT RELATIONS (FRATERNIZATION): RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education conduct a second reading of policy 9150-Staff-Student Relations (Fraternization) and **BE IT FURTHER RESOLVED**, that the Board of Education waive the formal second reading of policy 9150-Staff-Student Relations (Fraternization), as attached.
14. **ADOPTION OF POLICY 5150-SCHOOL ADMISSIONS: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves and adopts policy 5150-School Admissions, as attached.
15. **ADOPTION OF POLICY 5422/5422-R-ALLERGY POLICY: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves and adopts policy 5422/5422-R-Allergy Policy, as attached.
16. **ADOPTION OF POLICY 9150-STAFF-STUDENT RELATIONS (FRATERNIZATION): RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves and adopts policy 9150-Staff-Student Relations (Fraternization), as attached.
17. **CHANGE ORDER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves AIA Document G701/Change Order #1 for work completed at the Babylon Junior-Senior High School with Relle Electric of Bellport, New York, in the amount of 38,832.00, as a result of Bid Add Alternate No. EC2-5 to provide power to new scoreboard and EC2-6 to provide electrical services for security lighting.
18. **CHANGE ORDER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves AIA Document G701/Change Order #2 for work completed at the Babylon Elementary School with Statewide Roofing, Inc. of Ronkonkoma, New York, in the amount of \$18,400.00, as a result of providing and installing snow guards at roof area 'A' above the doorways.
19. **CHANGE ORDER: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves AIA Document G701/Change Order #2 for work completed at the Babylon Junior-Senior High School with The LandTek Group Inc. of Amityville, New York, in the amount of \$15,000.00, as a result of Bid Add Alternate No. SC1-5, sand catcher system.
20. **ALLOWANCE AUTHORIZATION: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves Allowance Authorization No. 1 for work completed at the Babylon Junior-Senior High School with The LandTek Group in the amount of \$15,000.00, as a result of the discovery of a buried structure under tennis courts, excavation & soil replacement.
21. **ALLOWANCE AUTHORIZATION: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves Allowance Authorization No. 1 for work completed at the Babylon Junior-Senior High School with The LandTek Group in the amount of \$6,239.00, as a result of the installation of concrete apron & sidewalk at N. Carll Avenue parking lot entrance. Included was a fence height change at same location from 4' to 6'.
22. **ALLOWANCE AUTHORIZATION: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves Allowance Authorization No. 1 for work completed at the Babylon Junior-Senior High School with Milcon Construction Corp. in the amount of \$12,288.00, as a result of the installation of a wall tie system at 2<sup>nd</sup> floor elevation corner of N. Carll Avenue and Grove St.

23. **ALLOWANCE AUTHORIZATION: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves Allowance Authorization No. 1 for work completed at the Babylon Memorial Grade School with Louis Barbato Landscaping, Inc. in the amount of \$5,000.00, as a result of the discovery of 2 leaching pools located under the new playground location (excavation & soil replacement).
24. **STUDENT OVERNIGHT TRIP: RESOLVED**, that upon the recommendation of the Superintendent of Schools, that the Board of Education approves student participation for the Babylon Varsity Cheerleaders to attend the 2016 UCA National Cheerleading Championship overnight trip to Orlando, Florida from February 4-8, 2016.
25. **STANDARD WORK DAY RESOLUTION FOR EMPLOYEES: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Babylon UFSD, Location code 74704, hereby establishes the following as standard work days for the employees and will report days worked to the New York State and Local Employees' Retirement system based on the timekeeping system or the record of activities maintained and submitted by these members to the clerk of this body:

<u>Title</u>	<u>Standard Work Day (Hrs/Day)</u>
Classroom Aide	6
Clerical Aide	6
Special Education Aide	6
Nurse's Aide	6
Hall Monitor	6
Cafeteria Monitor	6
Director of Facilities	7

26. **HEALTH AND WELFARE SERVICES AGREEMENT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the health and welfare services agreement between the Babylon UFSD and Seaford UFSD for the 2015-2016 school year.
27. **SPECIAL EDUCATION SERVICES CONTRACT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the special education services contract between the Babylon UFSD and the West Islip UFSD (DOR-PP #1-West Islip) for the 2015-2016 school year.
28. **SPECIAL EDUCATION SERVICES CONTRACT: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education approves the special education services contract between the Babylon UFSD and the Wyandanch UFSD (DOL#3 2015.2016) for the 2015-2016 school year.
29. **COMMITTEE ON SPECIAL EDUCATION AND COMMITTEE ON PRESCHOOL SPECIAL EDUCATION: RESOLVED**, that upon the recommendation of the Superintendent of Schools, the Board of Education accepts the recommendations from the Committee on Special Education and the Committee on Preschool Special Education for cases dated October 2015-December 2015.

X. Other Business:

- I. Open Library Hours

XI. Representatives of Organizations - Please approach the podium and state your name.

XII. Questions from Visitors - Please approach the podium and state your name.

XIII. Future Board Meetings:

Work/Study Meeting  
Monday, January 25, 2016  
7:30 p.m. - BHS Library

XIV. Adjournment

## SECOND READING & ADOPTION POLICY 5150

### SCHOOL ADMISSIONS

The district shall provide a public education to all persons residing in the district between the ages of five and twenty-one who have not received a high school diploma. Residence is defined as both physical presence and intent to remain in the district. Eligibility of homeless children to attend district schools shall be determined in accordance with federal and state law and regulation; see policy 5151 for guidance.

A veteran of any age who has not yet received his/her high school diploma and who has been discharged under conditions other than dishonorable is eligible to attend school. A non-veteran under twenty-one years of age who has received a high school diploma shall be permitted to attend school or BOCES upon payment of tuition.

Upon registration, all new students shall be enrolled and begin attendance the next school day or as soon as practicable. Students or their parents/guardians/persons in parental relation are required to present within three business days:

1. Documentation of age: a birth certificate (original or certified transcript, including a foreign birth certificate) or baptismal record is sufficient, if provided no other form of evidence may be requested. If neither of these is available, a passport (including a foreign passport) may be used. If a passport is not available, the district may consider other evidence, which has been in existence for at least two years, such as: an official driver's license, government-issued identification, school photo I.D. with date of birth, consulate identification card, hospital or health records, military dependent I.D. card, documents issued by government agencies, court-issued documents, Native American tribal documents, or records from non-profit international aid agencies or voluntary agencies; or other documents such as an entry in a family bible, an adoption record, or previously verified school records;
2. Record of immunizations (see 5420-R for more on immunizations) and a health certificate from a licensed physician, physician assistant, or nurse practitioner; and
3. Documentation of district residency: examples of acceptable forms of documentation include, but are not limited to, mortgage/deed or lease documents to a house/condominium/apartment, a statement by the parent/guardian's landlord, property owner or co-tenant, or a statement by a third party relating to physical presence in the district, a pay stub, income tax form, telephone or utility bills or other bills, membership documents based upon residency, official driver's license, learner's permit, or non-driver identification, rent payment receipts, a copy of a money order for payment of rent, a letter from a parent's employer that is written on company letterhead, voter registration document, or a state- or other government-issued ID, documents issued by federal, state, or local agencies, or judicial custody orders or guardianship papers showing residency. The district may require multiple forms of residency documentation sufficient to establish both physical presence in the district and intent to remain. Nothing herein shall prevent the District from requiring those documents specifically allowed for under 8 NYCRR § 100.2 (y).

The district shall not request or require a Social Security card or number, or any information which would tend to reveal the immigration status of the child, the parent, or the person in parental relation, in any forms, meetings or other communication, at the time of and/or as a condition of enrollment.

The district shall review all submitted documentation, and make a determination of a student's eligibility to attend district schools as soon as possible, but within three business days of initial enrollment, or four days if the documentation is presented on the third day. The district may verify documentation of age from a foreign country, but will not delay enrollment during verification. At any time during the school year, notwithstanding any prior determination to the contrary, the district may make a determination that a student is not eligible to attend the district's schools, subject to the procedures outlined in the regulations of the Commissioner of Education.

The district shall post its student enrollment/registration forms, procedures instructions and requirements, including the examples of acceptable documentation, on the district website, and shall provide such materials to all parents/guardians/children who request enrollment in the district.

If the parent/guardian of a student seeking to enroll is limited English proficient, the district will meaningfully communicate material information about enrollment as required by federal law. The district will also provide parents/guardians of all newly enrolled students with appropriate information, including student handbooks, and information about access to special education services.

Cross-ref: 5151, Homeless Children  
5420, Student Health Services

Ref: Education Law §§903; 904; 3202; 3208; 4402(8)  
Public Health Law §2164 8 NYCRR §100.2(y)  
*Student Registration Guidance*, New York State Department of Education, August 26, 2010,  
[www.emsc.nysed.gov/sss/pps/residency/studentregistrationguidance082610.pdf](http://www.emsc.nysed.gov/sss/pps/residency/studentregistrationguidance082610.pdf).  
*Educational Services for Recently Arrived Unaccompanied Children*, New York State Education Department, September 10, 2014  
*Information on the Rights of All Children to Enroll in School*, U.S. Departments of Education and Justice, Revised May 8, 2014,  
<https://www2.ed.gov/about/offices/list/ocr/docs/qa-201405.pdf>  
  
*Fact Sheet I and II: Information on the Rights of All Children to Enroll in School*, U.S. Departments of Education and Justice, May 2014,  
<http://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-201405.pdf>  
*Plyler v. Doe*, 457 US 202 (1982)

Adoption date:

## ALLERGY POLICY

The increased prevalence of allergies and the risk of life-threatening anaphylaxis have impacted the school environment in recent years. Many environmental factors may serve as allergens. Food, insect stings and latex are examples of common allergens. While the Board of Education cannot guarantee an allergen-free environment, the Board will endeavor to provide an environment that limits the risk for students with life-threatening allergies. The Board of Education directs the Superintendent and/or his/her designees to take steps necessary to meet this objective.

### **Definitions (from NYS Making the Difference: Caring for Students with Life-threatening Allergies)**

**Allergen:** A substance that triggers an allergic reaction.

**Allergies:** An exaggerated response to a substance or condition produced by the release of histamine or histamine-like substances in affected cells. It is characterized by an overreaction of the immune system to protein substances - either inhaled, ingested, touches or injected - that normally do not cause an overreaction in non-allergic people.

**Allergic Reaction:** An immune system response to a substance that itself is not harmful but that the body interprets as harmful. When an allergen is encountered, the food allergic student produces histamine. Once the histamine is released in the body it causes chemical reactions which trigger inflammatory reactions in the skin (itching, hives, rash), the respiratory system (cough, difficulty breathing, wheezing), the gastrointestinal tract (vomiting, diarrhea, stomach pain), and the cardiovascular system (lowered blood pressure, irregular heartbeat, shock). Each person with a food allergy reacts to the allergy differently. Each reaction by a food allergic student may differ in symptoms.

**Anaphylaxis:** A life-threatening allergic reaction that involves the entire body. It may be characterized by symptoms such as lowered blood pressure, wheezing, vomiting or diarrhea, and swelling and hives. Anaphylaxis may result in shock or death, and thus requires immediate medical attention.

For students with severe allergies which may result in life-threatening reactions to various environmental triggers, it is necessary for the District to work cooperatively with the parent(s), guardian(s), faculty and staff, and the healthcare provider to do the following:

- a) Develop an Emergency Care Plan that includes all necessary treatments, medications, training and educational requirements for the students.
- b) Obtain appropriate health care provider authorization in writing that includes the frequency and conditions for any testing and/or treatment, symptoms and treatment of any conditions associated with the health problem, and direction for emergencies.
- c) Secure written parent permission and discuss parental responsibility that includes providing the health care provider's orders, providing any necessary equipment, and participating in the education and co-management of the child as he/she works toward self-management.
- d) If the student is eligible for accommodations based upon the Individuals with Disabilities Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act, the appropriate procedures will be followed regarding evaluation and identification.

The Superintendent and/or his/her designees will cause to be established a school level emergency plan to adequately deal with and treat potential anaphylactic reactions occurring in previously undiagnosed individuals, via a non-patient specific order. A non-patient specific order is a standing order or protocol issued by a physician or certified nurse practitioner, authorizing an RN to administer anaphylactic treatment agents to a student or staff member suffering an anaphylactic reaction even if there is no known history.

The District will work toward assisting students in the self-management of their chronic health conditions based upon the student's knowledge level and skill by doing the following:

- 1) Adequately educating all staff involved about this policy, including but not limited to security guards and custodians (including after-hours security guards and custodians), aides, and faculty, at the start of each semester and upon the hiring of new personnel.
- 2) Assuring the availability of the necessary equipment and/or medications.

The school must receive a documented diagnosis of allergies and clear, easy-to-follow written instructions from the student's physician for managing the student's allergies: avoidance measures, typical symptoms, dosing instructions for medications and emergency protocols. Parents are responsible for providing the allergic child's medication directly to the school health office in a properly labeled original container and for maintaining an adequate and up-to-date supply. Parents will provide written permission for the child's physician and school officials to consult on behalf of the child.

If the child is at risk of a lethal allergic reaction, the district strongly urges that he/she wear a medical information bracelet or necklace that identifies the specific items that may cause an anaphylactic reaction.

Staff involved in the care of the student will be made aware of the allergic student's condition. School officials in consultation with parents will determine which additional school personnel are made aware of the allergic student's condition. Appropriate school staff will receive details of the Emergency Care Plan.

Regulations will be promulgated by the District, consistent with applicable law, to provide for the allergic/anaphylactic child. These regulations may include development of an Emergency Care Plan, Epi-Pen or other medication to be used and staff training, staff in-service, forms and letters, consents, waivers and privacy issues and sharing information.

### **Food Allergies**

One of the more common forms of allergies involves food. Students may display a range of allergic responses from minor to life threatening. Serious food allergies appear to be increasing in frequency and the number of affected students is rising. In some cases, minute amounts of the food allergen, when eaten, touched or inhaled can make the allergic child very ill. In a small percentage of food allergic children, their allergic reaction may place them at risk for life-threatening anaphylaxis. Anaphylaxis is the medical term for a severe life-threatening allergic reaction and food allergy is the leading cause.

Currently, there is no cure for food allergies and avoidance is the only prevention; yet it is impossible to achieve complete avoidance of all allergic foods, as there can be hidden or accidentally introduced sources. Therefore, the child's parents and physician must prepare the school district for serious reactions that may occur despite precautions. To that end, parents are responsible for notifying the school of students with documented food allergies and and/or anaphylaxis and for providing the school with medical information and the family physician's treatment protocol. This notification should occur either at the time of enrollment or if the student is already enrolled, as soon after diagnosis as possible. The school district does not have a diagnostic responsibility with respect to medical conditions. Upon notification by the parent, a conference will be held to develop an Emergency Care Plan if necessary.

The District's goals for severe food-allergic children are to reduce the risk of exposure, identify and recognize symptoms of an adverse reaction and ensure prompt emergency treatment. In response to a specific case of food allergies, each school may place limitations on foods that may be brought into school from home or places where foods may be eaten. The District will seek cooperation from the school community. Implementation shall be consistent across the District.

When children have been identified by their parents and physicians as food-allergic/anaphylactic and have reported their medical information to the school nurse, the parents will be given a copy of this Board of Education policy and related regulations. Each will have a tear-off sheet to be signed by the parent indicating they received, read and had the opportunity to discuss the Board of Education policy and regulations with the school nurse and the principal.

Adoption date: July 3, 2009

Revised date:



## **Food allergies**

### **Lunch**

The food-allergic child will eat only food brought from home or approved by the parent if buying lunch. Parents of food-allergic children may prefer to have them bring lunch from home. In the cafeteria, attempts will be made so that the food-allergic child will eat or touch only the foods sent in by his/her parents. The parent must make the determination as to the safety of a cafeteria lunch for their child. If a child with food allergies is going to buy a school lunch, the parent must notify the teacher and send in a written permission note indicating the date and specific lunch to be purchased.

### **Cafeteria and Classrooms**

When parents and their physician inform the District/School of a child with food-allergies/high risk of anaphylaxis and request lunchroom accommodations, the School will institute lunchroom procedures to help protect the child with food allergies. Most commonly, this will include children with “nut” allergies. “Nuts” means peanuts or tree-nuts (e.g., cashews, hazel nuts or filberts, walnuts, Brazil nuts, almonds, macadamias, pecans, pine nuts and pistachios). The school will designate certain cafeteria areas as “allergen controlled”. “Allergen controlled” areas will be supervised by cafeteria monitors. Prior to each lunch period, the designated table and seats will be cleaned with an approved wet soapy cleaner and wiped with disposable towels. As a condition for any after-school programs or evening events occurring in the cafeteria, the participants will agree in writing to comply with the allergy policy for the cafeteria. Additionally, the “nut free” table is to be labeled at all times, cleaned and folded up by a custodian after the last lunch period so it is isolated from use during any after school programs or other evening events.

At the designated areas students will be directed that there will be no sharing or trading of food, utensils, or containers and no touching of the allergic-child’s food. The children at these tables should not put food directly on the table but rather on disposable trays or napkins. Children with “safe lunches” may sit at the allergen controlled areas. The child with severe food allergies should not dispose of food in the garbage pail to avoid accidental contact with wrappers, etc. that might have allergens. These children should not be seated near a common garbage can or food service line. Each cafeteria will have a specific “nut free” garbage pail labeled and designated for specific disposal.

The classroom in which a food-allergic student attends class will be maintained as safe. Students in such a classroom, including classes taking place in such a classroom at a different time in the day from the class involving the food-allergic student, will be instructed that they may not eat or bring into the classroom foods or food-wrappers containing the food allergen. This will be communicated at the beginning of the year and reinforced throughout the year.

### **Food Service**

When a food-allergic child has been identified by his parents and physician, a form with his name, picture, and food allergies will be shared with the food service staff. The cafeteria program will use disposable trays and utensils.

The School Lunch Director will continue to check ingredient labels for food products used in the School Lunch Program, including vending machine products. The Director will make a list of known technical, scientific and alternate names for common food allergens to be shared with each school. The school food service will avoid utilizing nut-containing products as part of its program and eliminate such products sold from vending machines.

### **Elementary Classrooms, Snack, and Parties**

The Babylon UFSD will continue to encourage non-food based celebrations. However, at the elementary level, when the parent and family physician have informed the school of a child with a serious food allergy, a letter will be sent home to the class at the beginning of the year asking them not to bring in snacks or party foods that contain the food allergens. The child may be identified by name only with the written permission of the parents. A follow-up reminder will be provided at Meet the Teacher Night by the teacher. At the K-12 level, faculty and staff will not hand out candy to students (as also defined in the Wellness Policy). Additionally, classes that use food for instructional purposes are to consult with the parent first/use nut-free recipes/ingredients.

Food-allergic children will eat only foods brought in from their home. They will not be permitted to eat or touch food brought in by others for snacks or special events unless approved by the child's parents. A parent of a food-allergic child may choose to send in their own foods for occasions such as these. In the case of special events, the Babylon UFSD will encourage that parents and teachers refer to the pre-approved "Safe Snack" list, made available on the district's website, for reference when planning for such celebrations. It is to be updated regularly on the district website.

The teacher will educate children, in an age appropriate manner, about the seriousness of food allergies and the importance of enforcing the rule never to share or trade snack or party food with a food-allergic classmate. Teasing of any kind is unacceptable and will not be tolerated.

### **Field Trips**

When a child identified with a "serious medical condition", such as food allergies/anaphylaxis, has a field trip his/her parent will be requested and encouraged to accompany the child on the trips. Teachers will give these parents lead time on upcoming special events so that they have time to plan ahead to attend. If it is part of their doctor's treatment protocol, parents must provide an Epi-Pens/Epinephrine Auto Injector for field trips. If a parent will not attend, a designated person trained in their use will take the Epi-Pens/Epinephrine Auto Injector and keep the child in their group. Staff and chaperones will be briefed on the identity of the child, the specific allergies, and the symptoms to be aware of. On every field trip there will be access to a telephone, cell phone, or radio communication in case of emergency.

If the children bring their own lunches on a field trip, all parents will be asked to carefully avoid certain allergens. If the class will be eating at a restaurant, the child with food allergies must bring his/her own food or signed permission from the parent to eat out and what the child may eat. Children will be reminded not to share or trade any food.

### **School Buses**

Unless required by a medical condition, there will be no eating of food on school buses going to and from school. All food is to remain in backpacks. Eating on the bus presents both a choking hazard and an allergy danger. The bus driver will be informed about any child with severe food allergies. A list of students with allergies will be on each school bus. Bus drivers will be provided with a description of the signs and symptoms of an allergic response and anaphylaxis. There will be designated seats up front, particularly for young children. Parents may arrange for a friend to sit with their child. These designated seats will be cleaned with wet soapy cleaner and wiped with disposable towels. All buses will be equipped with a reliable communication device, a radio and/or cell phone.

If possible, when there is a substitute bus driver, prior to the first run he will speak to the dispatcher and be briefed on the list of the child with allergies.

### **Teachers and Substitute Teachers**

The teachers who have food-allergic students in their care are responsible for ensuring compliance with the allergy policy, including informing the class about the rules and explaining the seriousness in an age appropriate way. If the teacher becomes aware of a student in violation of the policy, the teacher will take reasonable steps ensure compliance by the student with the policy, including disciplinary action as may be appropriate for recalcitrant students. The regular teacher will keep information about children with food allergies with the teacher's substitute plans. If the regular teacher of a student with food-allergies is absent, the principal will be responsible for notifying the nurse of the absence. The substitute teacher will be informed of the child's allergies and directed to speak to the nurse before the start of the day. The substitute teacher will be responsible for compliance with the allergy policy.

## Parent Responsibilities

When a child's food allergies have been identified by his parents and physician, the school district will require that the parents:

1. inform the school nurse of the child's allergies and condition and provide written medical documentation that is updated regularly
2. provide the school nurse with written medical instructions from their physician
3. provide the school nurse with Epi-Pens/Epinephrine Auto Injectors (or Epi-Pen Jrs. if less than 60 pounds) and other medication, if appropriate, as prescribed by the family physician
4. be encouraged to provide the child with a medical information bracelet or necklace to be worn at school that lists allergies
5. assist in the schools' communications plan
6. participate in the development of an Emergency Care Plan
7. provide safe foods for lunches, snacks, and special occasions and make the determination as to the safety of a cafeteria school lunch for their child
8. will be invited to attend field trips if possible
9. confer with teachers regarding lessons or projects that use food
10. teach their allergic child to recognize first symptoms, to communicate these to staff, to not share snacks, lunches, drinks and utensils, and to report any teasing
11. consent to share photographs and medical information with necessary employees
12. maintain up-to-date emergency contacts and phone numbers
13. update medical information annually
14. inform their child that he/she will sit at the designated allergen-free table in the school cafeteria
15. provide medical documentation from their doctor stating that their child no longer has a life threatening allergy requiring an epi pen in order for them to discontinue sitting at an allergen-free table.

## In-Service

Staff who interact with a child with food allergies-teachers, psychologists, social workers, cafeteria workers, monitors, aides, and other appropriate staff-will be advised how to protect the child from exposure, about cross-contamination and labeling issues, how to recognize an allergic symptom, and how to respond to emergencies. Any Emergency Care Plan will be shared with these individuals. The training may include foods which contain specific allergens, symptoms of anaphylaxis, and administration of Epi-Pens/Epinephrine Auto Injectors in the case of an emergency.

## Letters

When a child with a severe food allergy anaphylaxis has been identified to the school by his parent and family physician, a general letter will be sent to the entire school explaining the presence and the seriousness of the condition and requesting cooperation in reducing risk to the child. When a student is identified with a severe food allergy and is at high risk for anaphylaxis, a letter will also be sent to the parents/guardians of the child's class asking for assistance in making the classroom safe. Letters will be sent home prior to the start of each semester and thereafter as deemed necessary. The allergic child will be identified by name in the letter only with written permission of the parents.

## Privacy Issues and Sharing Information

It is the responsibility of parents to report a child's food-allergic/anaphylactic condition to the child's school. Parents must consent in writing to the release of personal medical information to the school staff. The following guidelines should be implemented in order to protect the privacy of the child while educating students, staff and parents.

1. Identify the child and medical condition to the staff either individually or at a staff meeting before the start of the school year (teaching and non-teaching staff)
2. Allergy Policy and Regulations will be put in faculty handbook and on website
3. At the beginning of the school year each of the child's teachers will be given an allergy alert form with a photo, description, treatment, etc.
4. With permission of the parents, other students/families may be told and cooperation enlisted, in age appropriate ways

5. At the secondary level, identification to peers should be done only after consultation with the student, in addition to permission of the parents
6. Books and videos will be available to inform adults and staff and students about allergies and anaphylaxis
7. Food allergies/anaphylaxis may be explained in health classes
8. PTA's are encouraged to have an annual presentation for parents and members about food allergies/anaphylaxis. Parents of children with food allergies should be offered the opportunity to share information.
9. Informational articles about food allergies/anaphylaxis may be written in school publications.

### **Emergency Care Plan**

When parents and their physician identify a food-allergic/anaphylactic child to the school, the parents will consult with the school nurse. The parent will participate in the completion of any Emergency Care Plan form each year that provides up-to-date medical information and the treatment protocol from the family's physician. Parents will immediately inform the District of any change in the status of this information. Parents will supply medicines and Epi-Pens/Epinephrine Auto Injectors to schools as prescribed by their physician.

The Emergency Care Plan form should include information from the physician as to symptoms of the child's allergy, recognizing warning signs of reactions, administering medical and emergency treatment for the child, and any other pertinent information. The Emergency Care Plan will be shared with teachers, nurses, administrators, food service workers, cafeteria monitors, bus drivers, coaches and others responsible for the student. It will be provided to emergency responders if necessary. The Plan will go with the child on all field trips.

The Emergency Care Plan will also include phone numbers: child's home, parents' work and cell phone numbers, emergency contact numbers (relatives, friends, neighbors) and the child's doctor. Every Emergency Care Plan will also include the name of the local emergency Services and the direct phone number to dial for an anaphylactic emergency.

If exposure to an allergen occurs despite avoidance efforts, the school will follow the prescribing doctor's protocol to which the parents have given consent. Parents will be notified if any medicine has been administered. The school will tend to the child and administer the Epi-Pens/Epinephrine Auto Injector if that is the treatment protocol. The Fire Department/Rescue Squad will be called specifying the need for a response to an allergic reaction/anaphylaxis.

Any child given an Epi-Pens/Epinephrine Auto Injector injection will be transported immediately to a hospital even if symptoms resolve. An adult will be sent to accompany the child in the ambulance to the hospital, and to stay with the child until a parent arrives. After the call to the local Emergency Services, the parents and/or emergency contact, and then the doctor will be called.

### **Epi-Pens/Epinephrine Auto Injectors**

Emergency medical kits, with appropriate medications including Epi-Pens/Epinephrine Auto Injectors, will be supplied to the school nurse by the parents/guardians from their doctor's prescription for a food-allergic/anaphylactic child. Kits will be put in places agreed upon by the school nurse/administrators and the parents/guardians. The child's ECP will list where the Epi-Pens/Epinephrine Auto Injectors are kept in the school building. The school nurse and parent/guardian should periodically check Epi-Pens/Epinephrine Auto Injector supplies and expiration dates. Age appropriate students should be allowed to carry their own Epi-Pens/Epinephrine Auto Injectors. Written approval must be supplied by the parent/guardian and physician, and the school nurse should be made aware. In addition, students should have a medical information bracelet or necklace. Parents/guardians of children who are allowed to self-administer an Epi-Pens/Epinephrine Auto Injector should consider that it may be dangerous to assume that any person, of any age, will be able to self-inject if an allergic/anaphylactic reaction is advancing rapidly.

The ECP relies on having school nurse/administrators on hand. The nurse will train specified adults in a supervisory role to recognize anaphylactic reactions. Administrators will also be trained to administer an Epi-Pens/Epinephrine Auto Injector, in addition to staff members that have the child on their rosters, coaches, etc. The nurse will keep a log of the training. A sheet showing how to administer an Epi-Pens/Epinephrine Auto Injector will be distributed along with the ECP form.

**Athletic and Extracurricular Activities**

The Emergency Care Plan for all children with severe food allergies/high anaphylactic risk who are involved in athletic and extracurricular activities will be provided to the coach or supervisor. The coach or supervisor will also be trained to administer an Epi-Pens/Epinephrine Auto Injector. Parents may be asked to provide an additional Epi-Pens/Epinephrine Auto Injector for these activities.

**Before and After School Child Care**

These programs (including SCOPE) are not under the auspices of the Babylon School District. Parents are encouraged to speak with program officials directly.

**Use of District Facilities**

All outside groups that use the District's facilities are to refrain from using or selling peanut products at events or meetings for children. In addition, any outside group's use of District facilities should not include use of designated nut-free cafeteria tables. The Food Allergy and Student Wellness policies are attached to the Use of Facilities Form and users must sign that they have read and will abide by these when using District facilities. School events involving sale of food (e.g.: intermission at plays, football, soccer, lacrosse games etc.) will sell only nut-free items. School fundraisers will not involve nut-containing foods.

**Sample letters for classes that have students with severe nut allergies and high risk of anaphylaxis**

September

Dear Parents or Guardian:

There is a student in your child's classroom that has a severe, life-threatening allergy to nuts, in particular peanuts. In addition, this child cannot tolerate tree nuts (such as walnuts, pecan, hazelnuts, etc.). To ensure a safe classroom environment, we will implement a few very important considerations for this child.

If this child were to accidentally eat, touch or inhale the "peanut/nut dust" from peanuts/nuts, he/she could have a life-threatening reaction: anaphylaxis. Because of this risk, we are requiring peanut-free and nut-free snacks for the classroom, including those provided for parties and celebrations. Please choose other healthy snacks that are peanut/nut-free and do not contain peanut/nut byproducts. Please check the food ingredients of the snacks you may pack for school.

Home baked goods and other foods prepared at home should not be sent into the classroom of a food-allergic child. Food brought in for special events in the classroom should be purchased in stores, commercially prepared, and contain complete ingredient lists with no nuts or nut products.

It is difficult at the best of times to get children to eat healthy snacks; however, I hope you will appreciate the seriousness of this condition and that you will assist us in our efforts to create as safe an environment as possible. With your cooperation, we can minimize the risk of a serious allergic reaction.

Anyone wishing further information about peanut/nut allergies may contact the school nurse.

Sincerely,

Principal

**Letters for schools that have students with severe nut allergies**

September

Dear Parents or Guardians:

There are currently students in our school with severe, medically documented allergy to peanuts and/or tree nuts. In a severely allergic child, exposure to these products can cause anaphylaxis, a life threatening reaction. The safety of our students is of the utmost importance. Therefore, we are asking for your cooperation regarding this matter.

To assist us in providing the safest, healthiest school environment for all students, we are requesting that all parents send peanut-free and nut-free lunches, snacks and party food to school.

Thank you for your cooperation in our combined efforts at keeping our students healthy and safe at school.

Anyone wishing further information about peanut/tree nut allergies may contact the school nurse.

Sincerely,

Principal

## SECOND READING & ADOPTION 9150

### STAFF-STUDENT RELATIONS (FRATERNIZATION)

The Board of Education requires that all School District employees maintain a professional, ethical relationship with District students that is conducive to an effective, safe learning environment; and that staff members act as role models for students at all times, whether on or off school property and both during and outside of school hours. Staff must establish appropriate personal boundaries with students and not engage in any behavior that could reasonably lead to even the appearance of impropriety.

Staff members are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of student's age and/or regardless of whether the student may have "consented" to such conduct. Further, employees shall not entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists. Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of District policy, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the District up to and including termination of employment.

Inappropriate employee behavior includes, but is not limited to, flirting; making suggestive comments; dating; requests for sexual activity; physical displays of affection; giving inappropriate personal gifts; frequent personal communication with a student (via phone, e-mail, letters, notes, texting, snap chat, etc.) unrelated to course work or official school matters; providing alcohol or drugs to students; inappropriate touching; and engaging in sexual contact and/or sexual relations. Frequent personal communication with a student unrelated to course work or official school matters" means any form in which that personal communication may occur including, but not limited to, voice or text-based communication via phone, e-mail, instant messaging, text messaging or through social networking websites. In the case of texting, group texts are encouraged (i.e.: coaches, teachers to students and their parents). Use only school email to communicate to kids/parents (not personal phones).

Even if the student participated "willingly" in the activity (regardless of the student's age), inappropriate fraternization of staff with students is against District policy and may be in violation of professional standards of conduct and New York State Law. However, inappropriate employee conduct does not need to rise to the level of criminal activity for such conduct to be in violation of district rules and subject to appropriate disciplinary sanctions.

Any student who believes that he/she has been subjected to inappropriate staff behavior as enumerated in this policy, as well as students, school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member or either the employee's supervisor, the student's Principal or the District's designated Complaint Officer. In all events such reports shall be forwarded to the designated complaint Officer for further investigation. Anonymous complaints of inappropriate fraternization of staff members with students shall also be investigated by the District. Investigations of allegations of inappropriate staff-student relations shall follow the procedures utilized for complaints of harassment within the School District. Allegations of inappropriate staff-student behavior shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.



Any employee having knowledge of or reasonable suspicion that another employee may have engaged in inappropriate conduct with a student that may constitute child abuse (specifically, child abuse in an educational setting) must also follow the District's reporting procedures for such allegations; and such information will be reported by the designated administrator as required by state law to law enforcement officials, the State Education Department and/or Child Protective Services as may be applicable.

If a student initiates inappropriate behavior toward a staff member, that employee shall document the incident and report it to his/her Building Principal or Supervisor.

The District shall promptly investigate all complaints of inappropriate staff-student relations, and take prompt corrective action to stop such conduct if it occurs.

#### Prohibition of Retaliation

The Board of Education prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of inappropriate staff-student relations. Follow-up inquiries and/or appropriate monitoring shall be made to ensure that the alleged conduct has not resumed and that all those involved in the investigation have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the District.

#### District Responsibility/Training

The Principal of each school and/or program supervisor shall be responsible for informing students, staff and volunteers of the requirements of this policy, including the duty to report and the procedures established for investigation and resolution of complaints. Further, staff training shall be provided to facilitate staff identification of possible behavior that may constitute inappropriate staff-student relationships. Students shall be provided such training in an age appropriate manner.

The District's policy (or a summary thereof) shall be disseminated as appropriate to staff, students and parents. Further, this topic shall be addressed in the District Code of Conduct.

#### Disciplinary Sanctions

Any staff member who engages in inappropriate conduct with a student, prohibited by the terms of this policy, shall be subject to appropriate disciplinary measures up to and including termination of employment in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement. A violation of this policy may also subject the employee to criminal and/or civil sanctions as well as disciplinary action by the State Education Department.

Ref: Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.  
Education Law Article 23-B  
Social Services Law Sections 411-428  
8 New York Code of rules and Regulations (NYCRR) Part 83

Adoption date: