

# ORCHARD PARK CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION

## REGULAR MEETING

March 29, 2016

MIDDLE SCHOOL - Auditorium

60 S. Lincoln Ave, Orchard Park, NY 14127

Board of Education

Members Present: Mr. Anthony Agnello  
Mrs. Karen Kane  
Mr. Dwight Mateer  
Mr. David Nielsen, Vice President  
Mrs. Elizabeth Quinlan  
Mrs. Natalie Schaffer, President

Members Excused: Dr. Christine Gray-Tinnesz

Others Present: Mr. Matthew P. McGarrity, Superintendent of Schools  
Dr. Lisa Krueger, Assistant Superintendent – Curriculum  
Mr. Jeffrey Petrus, Assistant Superintendent – Business  
Mr. David Lilleck, Executive Director of Personnel & Pupil Services  
Mrs. Cheryl A. Connors, District Clerk

Estimated Audience: 70

Mrs. Schaffer called the meeting to order at 5:30 p.m.

### EXECUTIVE SESSION

#### Executive Session

Motion by Mr. Nielsen, seconded by Mr. Agnello and unanimously carried (6-0) to enter Executive Session at 5:30 p.m. to discuss the employment history of a particular person(s) and contract negotiations.

Motion by Mr. Nielsen, seconded by Mrs. Quinlan, and unanimously carried (6-0) to adjourn Executive Session at 6:59 p.m.

Mrs. Schaffer called the meeting back to order at 7:02 p.m. and students from Eggert Road Elementary led all present in the Pledge of Allegiance.

### SUGGESTIONS FOR CHANGE IN THE ORDER OF AGENDA ITEMS

#### Suggestions for Change in the Order of Agenda Items

- Mrs. Connors added a letter of Correspondence to the Agenda.

### RECOGNITION

#### Recognition

- Mrs. Schaffer stated the Board is pleased to recognize fifth grade from Eggert Road Elementary. The students coordinated an enormous collection of supplies to be donated to Journey's End Refugee Services. Eggert Elementary was very generous and they filled Eggert's foyer with donations. When Journey's End Refugee Services came to pick up the donations, they filled the truck and had to return the next day. They even filled the truck to the top on the second day. Mrs. Schaffer thanked the students and Eggert Road Elementary for their work and dedication in helping their community.

## **Announcements**

- Mr. McGarrity made the following announcements:
  - Congratulated Thirty-Nine high schools students competed in the NYS DECA competition in Rochester. Thirteen of these outstanding students qualified to represent Orchard Park DECA at the National Competition in Nashville, Tennessee next month.
  - Congratulated Jenna Crean who is the NYS champion in the 300 Swimming Meter Race.
  - Congratulated the Boys Swimming and Diving team and the Girls Bowling Team who were both Section 6 Champions.
  - Congratulated Mr. Matthew Bindig, high school English teacher, for the recent publication of his first book *Nothing Here is Real*.
  - Recognized Mrs. Natalie Schaffer, Board President, for having completing a Level 2 Participation in-service with the New York State School Boards Association.
- Dr. Krueger announced that faculty members engaged in a day of learning and thought-provoking discussions on Friday, March 18 during the Superintendent's Conference Day. Alfie Kohn, the author of 14 books on parenting and education challenged us to question the status quo in schools. He argued against traditions in education that have survived because "that's the way we have always done it" and challenged us to rethink homework, student motivation and learning. Clerical staff participated in advanced Excel training, and the PPS team completed training in the "PREPaRE" crisis prevention. Dr. Krueger thanked the members of the Professional Development Committee and the District Leadership Council.

**ANNOUNCEMENTS**

## **Presentation**

- The High School guidance counselors presented an overview of their plan to support students and families and keep them "in the know" throughout the transition from high school to college and/or career readiness. The counselors spoke about their communication plans which includes several meetings with students, evening presentations, newsletters, e-mail, web-site and a shift in time-lines due to changes in the FAFSA deadlines. The guidance counselors presented a grade-by-grade outline (beginning in 8<sup>th</sup> grade) of their plan to support students and families. The Board of Education was very appreciative of the information the guidance counselors presented and they thanked them for their dedication to ensure student success.

**PRESENTATION**

## **Public Comment**

- A member of the audience requested an additional coach for girls' soccer.
- A member of the audience commented on changes to the allergy policy and was concerned changes would weaken the efforts to address allergy protocols.
- A member of the audience requested information the 8+ schedule being considered at the high school.

**PUBLIC  
COMMENT**

## **Consensus Items**

Motion by Mr. Nielsen, seconded by Mrs. Quinlan, and unanimously carried (6-0) to approve the following consensus items as presented:

**CONSENSUS  
ITEMS**

### **Approval of Minutes**

- March 8, 2016

**MINUTES**

### **Financial Matters (attachment #1)**

- Treasurer's Report – February 2016
- Revenue Budget Detail – February 2016
- Health & Welfare Service Rates for the OPCSD Resident Students Attending Non-Public Schools in Other Districts for the 2015-16 School Year

**FINANCIALS**

**PERSONNEL**

**Personnel Considerations**

**RESOLVED THAT**, upon the recommendation of the Superintendent, the Board of Education approves the following Personnel actions:

**Personnel Considerations – Teachers and Administrators**

**Appointments – Mentors (Teachers and Administrators)**

Name	Title / Activity	Effective Dates	Employee Group	Salary/ Stipend
Susan Chudy	Mentor for Elizabeth Bystrak (MS)	03/10/16 - 03/09/17	OPTA	\$1,094
Albert Jafarjian	Mentor for Christina McMahon-Gatti	02/23/16 - 06/30/16	OPTA	\$1,094 (pro-rated)

**Community Education (Teachers and Other)**

Name	Title / Activity	Effective Dates	Employee Group	Salary/ Stipend
Matthew Lexner	OP Volleyball Power Sessions	Winter/Spring 2016	OPTA	\$30/hr
Gregory Lardo	OP Volleyball Power Sessions	Winter/Spring 2016	OPTA	\$30/hr

**Appointments – Per Diem Substitutes (Teachers and Administrators)**

Name	Title / Activity	Effective Date	Certification
Jeanine Wood	Substitute Teacher / Home Instructor	03/28/16 – 06/30/16	English Language Arts 7-12
Lauren VanWie	Substitute Teacher / Home Instructor	03/28/16 – 06/30/16	CH (1-6), EC (B-2), Social Studies 7-9 Ext, & Stud w/Dis (B-6)
Robert Taggart	Substitute Teacher	03/28/16 – 06/30/16	Uncertified

**Appointments – Coaching (Teachers and Others)**

Name	Title / Activity	Effective Dates	Employee Group	Salary/ Stipend
Lawrence Catalano	Lacrosse - Boys' Varsity Assistant (Rescind)	Spring 2016	OPTA	\$3,120 Exp. 18 Step 4
Lawrence Catalano	Lacrosse - Boys' Varsity	Spring 2016	OPTA	\$4,182 Exp. 18 Step 4
Joseph Biondo	Lacrosse - Boys' Modified B (Rescind)	Spring 2016	OPTA	\$2,804 Exp. 4 Step 4
Joseph Biondo	Lacrosse - Boys' JV	Spring 2016	OPTA	\$3,120 Exp. 4 Step 4
Lucian Forcucci	Lacrosse - Boy's JV (Rescind)	Spring 2016	OPTA	\$3,120 Exp. 14 Step 4
Lucian Forcucci	Lacrosse - Boys' Varsity Assistant	Spring 2016	OPTA	\$3,120 Exp. 14 Step 4
Gene Tundo	Lacrosse - Boys' Modified B	Spring 2016	OPTA	\$2,804 Exp. 34 Step 4
Gene Tundo	Track & Field - Girls' Varsity	Spring 2016	OPTA	\$4,182 Exp. 34 Step 4
Gene Tundo	Track & Field Girls' JV	03/07/16 - 03/24/16	OPTA	\$936 Exp. 34 Step 4
Kevin Becker	Track & Field Girls' JV	03/24/16 - 05/20/16	OPTA	\$1,603 Exp. 1 Step 1

**Leaves of Absence (Teachers and Administrators)**

Name	Position	Effective Date(s)	Comment
Autumn Corcoran	Spec Ed Teacher (HS1)	03/28/16, 03/29/16	Section 4.2
Marcie Moore	Elementary Teacher (WE)	05/31/16	Section 4.2
Shayna Clarke	Spec Ed Teacher (MS)	03/15/16 - 03/31/16	Section 4.4

**Contractual and Other (Teachers and Administrators)**

- **RESOLVED THAT**, the Board of Education authorizes the Superintendent of Schools, Mr. Matthew McGarrity, to appoint Deborah Staszak as per diem substitute School Psychologist for the remainder of the 2015/16 school year @ \$40 / hour.
- **That** the Board of Education authorizes the Superintendent of Schools to execute a Memorandum of Agreement with the Orchard Park School Related Professionals Association, the Orchard Park Principals Association, and the Orchard Park Central Office Administrators in regards to “Summer 2016 Work Schedules”. (**attachment #2**)

**Personnel Considerations – Support Staff**  
**Appointments (Support Staff Substitute)**

<b>Name</b>	<b>Title Activity</b>	<b>Effective Date</b>	<b>Civil Service Title</b>
<b>Jade Nugent</b>	Support Staff Substitute	03/07/16 – 06/30/16	Bus Attendant
<b>Michael Shanahan</b>	Support Staff Substitute	03/28/16 – 06/30/16	Bus Driver
<b>Jonathan Kruger</b>	Support Staff Substitute	03/28/16 – 06/30/16	Bus Driver
<b>Leonard Applebach</b>	Support Staff Substitute	03/28/16 – 06/30/16	Bus Driver
<b>Diane Krone</b>	Support Staff Substitute	03/28/16 – 06/30/16	Bus Driver

**Special Education (attachment #3)**

- Recommendation by the Committee on Special Education for **Annual Reviews** of **Forty-Six (46)** Resident Children
- Recommendation by the Committee on Special Education for the **Program Review** of **Four (4)** Resident Children
- Recommendation by the Committee on Special Education for **Re-Evaluation** of **Four (4)** Resident Children
- Recommendation by the Committee on Special Education for the **Initial Educational Placement** of **Twelve (12)** Resident Children
- Recommendation by the Committee on Special Education for **Amendments** of **Three (3)** Resident Children
- Recommendation by the Committee on Special Education for **Declassification** of **Three (3)** Resident Children
- Recommendation by the 504 Committee for the **Accommodation Plan** of **Thirteen (13)** Resident Children
- Recommendation by the Committee on Preschool Special Education for the **Preschool Annual Review** of **Thirty (30)** Resident Children
- Recommendation by the Committee on Preschool Special Education for the **Preschool Program Review** of **One (1)** Resident Child
- Recommendation by the Committee on Preschool Special Education for the **Preschool Initial Educational Placement** of **Six (6)** Resident Children
- Special Education for the **Preschool Declassification** of **Five (5)** Resident Children

**SPECIAL EDUCATION**

**BOARD / COMMITTEE REPORTS**

- Mrs. Schaffer reported on several advocacy items that the NYSSBA is interested in moving forward.
- STAP-COMM representative reported on their luncheon and election (April 29) and their blanket making event to benefit Women & Children’s Hospital. The next STAP-COMM meeting is April 18 at 7 pm.

**REPORTS**

**DISCUSSION**

- **Donation from Mr. & Mrs. Omar for Transportation Cost for High School Field Trip** – Mr. Petrus stated that Donna & Jeff Omar would like to donate \$190 to reimburse the District for the transportation costs associated with Mrs. Feeley's COPS classes visiting the Erie County Courts & Holding Center.
- **Auctions International Bid Award** – Mr. Petrus stated the bid awards are for miscellaneous equipment and vehicles that were declared surplus. The bidding was done through Auctions International. The sale totals \$13,849.54.
- **Surplus Wrestling Mats** – Mr. Petrus stated the athletic department would like to declare four Resilite Wrestling Mats surplus.
- **2016-17 School Calendar** – Mr. McGarrity stated that he recently met with representatives from the four bargaining units regarding the calendar. The calendar is aligned with Erie 2 BOCES, which provides services to many of our students. The calendar abides by current contract language in bargaining agreements and the calendar follows NYSED Commissioners Regulations.
- **Board of Education Meeting on April 19 (5:30 pm in the District Office)** - Mrs. Connors stated the Board will need to add a meeting on April 19 to vote on the Erie 2 BOCES budget and Board Members and the OPCSD Operating Budget.
- **Capital Project Bid Awards** - Mr. Petrus stated Turner Construction Company and Gordon Jones Associations have reviewed the bids for the Capital Project approved by voters in December of 2014. He stated the base bids came in under budget and therefore we were also able to accept and award alternate bids.
- **First Read of Policies 6430 –Staff use of Computerized Information Resources and 7515 Head Lice** – Dr. Krueger stated that the revisions to policy 6430 are being recommended from Erie 1 BOCES policy services. In addition, research was conducted to review the policies of other local school districts that have implemented Google Drive and 1:1 devices, which led to this revision. Mr. Nielsen suggested some clarifying language to the policy to state that only district approved cloud based storage can be used. These two policies will be presented to the Board for a final read and adoption on April 12.
- **Final Read of Policies 1550 – Recording of Meetings, 3150 – Volunteers: School/Parent/Coaching, 7270 – Response to Intervention, 7513 – Medications in School and 7521 – Students with Serious and/or Life Threatening Medical Conditions** – Dr. Krueger stated this is the second read for all of the policies. She clarified that the Policy 7513 and 7521 have gone through extensive review and while the policy may seem shorter the regulations written to implement the policy are quite extensive. She assured the Board that the changes in regulation will improve student safety regarding medication in school and life threatening medical conditions.
- **2016-17 Budget Development** - Mr. McGarrity and Mr. Petrus presented a revised Budget which included the addition of: two elementary instructional coaches; 1.3 special education teaching positions; a micro-computer support specialist; additional wireless internet access; a music instrument replacement schedule; VersaTrans GPS software; added safety and security measures; change to the district's financial management computer program (a mandatory upgrade from BOCES); a change to the high school student schedule (8+ lunch); a reduction of a teacher aide; elimination of BOCES computer support service; and the elimination of two classroom teaching positions because of enrollment. The revised budget keeps the tax levy within the allowable tax levy cap. The presentation included a list of needs and requests for additional support and upgrades. The next draft of the budget will be presented on April 12 to the Board. Mr. McGarrity stated that he has heard from our local legislators and they are very positive about an on-time budget and the restoration of the GAP Elimination this year.

**ACTION**

Motion by Mr. Nielsen, seconded by Mrs. Quinlan, and unanimously carried (6-0) approve the following resolution:

**RESOLVED:** That the Board of Education of the Orchard Park Central School District, upon the recommendation of the Superintendent, hereby accepts the donation from Jeff and Donna Omar of \$190 to fund the transportation costs associated with Mrs. Feeley's classes' visiting the Erie County Courts & Holding Center.

Motion by Mr. Nielsen, seconded by Mrs. Quinlan, and unanimously carried (6-0) approve the following resolution:

**RESOLVED:** That the Orchard Park Central School District Board of Education, upon the recommendation of the Superintendent of Schools, hereby awards the sale of surplus equipment and vehicle bids through Auctions Internal totaling \$13,849.54 as presented.

Motion by Mr. Nielsen, seconded by Mrs. Quinlan, and unanimously carried (6-0) approve the following resolution:

**RESOLVED:** That the Orchard Park Central School District Board of Education, upon the recommendation of the Superintendent, hereby declares the Resilite Wrestling Mats as surplus and authorizes them to be sold through Auctions International.

Motion by Mr. Nielsen, seconded by Mrs. Quinlan, and unanimously carried (6-0) approve the following resolution:

**RESOLVED:** That the Orchard Park Central School District Board of Education, upon the recommendation of the Superintendent, hereby adopts the 2016-17 School Calendar as follows:

<p><b>SEPTEMBER 2016</b></p> <table border="1"> <tr><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>1</td><td>2</td></tr> <tr><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td></tr> <tr><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td></tr> <tr><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td></tr> <tr><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td></tr> </table> <p>1 &amp; 2 Superintendent Conf. - Days - No Students 5 No School - Labor Day 6 First Student Day 30 HS Early Dismiss (12:45)</p>											1	2	4	5	6	7	8	9	11	12	13	14	15	16	18	19	20	21	22	23	25	26	27	28	29	30	<p><b>FEBRUARY 2017</b></p> <table border="1"> <tr><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td></tr> <tr><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td></tr> <tr><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td></tr> <tr><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td></tr> <tr><td>26</td><td>27</td><td>28</td><td></td><td></td><td></td></tr> </table> <p>17 Grades K-8 Half Days - Elem (11:30) MS (10:30) 17 HS Early Dismiss (12:45) 20-24 No School - Mid-Winter Break</p>										1	2	3	5	6	7	8	9	10	12	13	14	15	16	17	19	20	21	22	23	24	26	27	28									
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**SCHEDULING  
OF BOARD  
MEETING  
4/19/16**

Motion by Mr. Nielsen, seconded by Mrs. Quinlan, and unanimously carried (6-0) approve the following resolution:

**RESOLVED:** That the Orchard Park Central School District Board of Education, upon the recommendation of the Superintendent, hereby schedules a Board of Education meeting for 5:30 p.m. on Tuesday, April 19, 2016 in the District Office, 2240 Southwestern Blvd., West Seneca, NY.

Motion by Mr. Nielsen, seconded by Mrs. Quinlan, and unanimously carried (6-0) approve the following resolution:

**RESOLVED:** That the Orchard Park Central School District Board of Education, upon the recommendation of the Superintendent, hereby awards the capital project bids to the lowest responsible bidders, as per the attached letters from Turner Construction Company:

- BP-100: Site Work Contract: Zoladz Construction Co., Inc. - \$6,574,440.35
- BP-101: General Trades Work Contract – Rodems Construction Co., Inc. - \$2,570,500.00
- BP-102: Pool Work Contract: William L. Watson Co., Inc. - \$579,000.00
- BP-103: Window Work Contract – Window Specialist, Inc. - \$1,228,000.00
- BP-104: Roofing Work Contract – Progressive Roofing, Inc. - \$1,795,000.00
- BP-105: Roofing Work Contract – Groove Roofing Services, Inc. - \$2,121,475.00
- BP-106: HVAC Work Contract – MLP Plumbing & Mechanical, Inc. - \$1,536,700.00
- BP-107: Electrical Work Contract – Weydman Electric, Inc. - \$2,134,800.00
- BP-108: Plumbing Work Contract – John W. Danforth Company - \$572,700.00
- BP-109: Demo-Abatement Work Contract – Mark Cerrone, Inc. - \$433,287.00

Motion by Mr. Nielsen, seconded by Mrs. Quinlan, and unanimously carried (6-0) approve the following resolution:

**RESOLVED:** That the Orchard Park Central School District Board of Education, upon the recommendation of the Superintendent, hereby adopts policies 1550, 3150, 7270, 7513 and 7521 as written.

**1550 BROADCASTING AND RECORDING OF BOARD MEETINGS**

The Board recognizes the right of the general public to record meetings of the Board, with the exception of those matters conducted in Executive Session.

The use of any visual and/or auditory device for any part of a meeting or hearing (collectively “proceeding”) of the Board of Education or committee appointed thereby is permissible as long as the device is unobtrusive and will not distract from the true deliberative process of the Board. If a recording device is determined to be obtrusive or a distraction to the proceeding of the Board, the Board President will inform the individual of their violation to the policy and the individual will be directed to discontinue recording the meeting.

The Board and/or the committee reserves the right to direct that a contemporaneous visual and/or auditory recording be made to ensure a reliable, accurate, and complete account of Board proceedings.

**Notification to the District Clerk**

Any person wishing to record any part of a proceeding of the Board shall advise the District Clerk at least 24 hours prior to the proceeding of their name, address, phone, email address and specify the type of recording device intended to be utilized. The 24-hour notification requirement may be waived at the discretion of the District Clerk. Staff recording any part of a proceeding in their role as an employee of the District and reporters of the District’s official newspapers will not be required to provide 24 hours prior notice, but are expected to adhere to all other aspects of this policy. However, staff recording any part of a proceeding as a member of the public, and not directly related to their job duties, as expected to adhere to the 24 hour prior notification.

**APPROVAL OF  
CAPITAL PROJECT  
BID AWARDS**

**ADOPTION  
OF POLICIES  
1550  
3150  
7270  
7513  
& 7521**

### **Notification to the Audience**

The District may record proceedings to aid in preparing formal minutes and/or to broadcast information to the public. When the District records a proceeding the following statement will be placed on the published agenda:

“Members of the public are advised that this meeting of The Board of Education is being recorded to assist in preparing the formal minutes and/or to broadcast information to the public. If you do not wish to be recorded you should not address the Board.”

### **Broadcasting of Meetings**

The Board permits the broadcasting of public meetings of the Board or any of its committees as long as such broadcasting is done in a manner which is unobtrusive and does not interfere with the deliberative process of the body.

### **Right of Refusal**

The Board may refuse any specific person or entity from recording future proceedings if that person or entity has failed or refused to comply with any aspect of this policy.

Education Law Section 1709(1)

Public Officers Law Article 7

NOTE: Refer also to Policy #1510 – Regular Board Meetings and Rules (Quorum and Parliamentary Procedures

### **3150 VOLUNTEERS: SCHOOL/PARENT/COACHING**

- a) Assist employees in providing more individualization and enrichment of instruction;
- b) Build an understanding of school programs among interested citizens, including parents, thus facilitating widespread involvement in a total educational process;
- c) Strengthen school, family and community relations through positive participation.

All volunteers, including school volunteers, parent volunteers and coaching volunteers are persons who are willing to donate their time and energies to assist Principals, teachers, and other school personnel in implementing various components of District programs. Volunteers shall serve in that capacity without compensation or employee benefits except for liability protection under the District's insurance program.

#### **Application Process for School Volunteers**

A school volunteer is defined as a community member who is not a parent or legal guardian or relative of a student in our District. An application shall be filled out by each prospective school volunteer and forwarded to the Building Principal for evaluation. The Building Principal will forward his/her decisions concerning selection, placement and replacement of volunteers to the Superintendent for final evaluation. Following approval from the Superintendent of Schools, volunteers selected for work in the District shall be placed on the list of approved volunteers. However, the Superintendent retains the right to approve or reject any volunteer applications submitted for consideration.

#### **Application Process for Parent Volunteers**

Parent volunteers are defined as a parent or legal guardian of a student in our District. Parent volunteers may also include family relatives. An application shall be filled out by each prospective parent volunteer and forwarded to the Building Principal for evaluation. Approved parent volunteers shall be placed on a list to assist that school. The Building Principal will forward his/her list of approved parent volunteers to the Parent Volunteer Coordinator. The Building Principal, however, reserves the right to approve or reject any volunteer applications submitted for consideration.



## **Application Process for Coaching Volunteers**

Coaching volunteers may or may not be the parent or legal guardian of a student in our District. An application and other supporting documents, as defined in administrative regulations, shall be submitted by each prospective coaching volunteer and forwarded to the Athletic Director for evaluation. Approved coaching volunteers shall be considered to assist paid district staff appointed as coaches for one of the various levels of district athletic competition. The need for volunteer coaches will be determined seasonally by the Athletic Director after consultation with the current coaching staff for the team in question. The Athletic Director, however, reserves the right to approve or reject any coaching volunteer application submitted for consideration.

## **Application Evaluation Process for School/Parent/Coaching Volunteers**

Administrative regulations detail the application process for school, parent, and coaching volunteers, and the evaluation process of such volunteer applications.

### **Volunteers for Community-Based Organizations (i.e. PTO, Booster Clubs, etc.)**

The District appreciates the many community-based organizations that support our mission. These organizations, such as the Parent-Teacher Organization (PTO) and Booster Clubs, provide enrichment to our school programs and to our students. The District regularly provides access to school grounds and facilities for such community-based organizations to hold meetings, fundraisers, and other events. Depending on the nature of the event, a community-based organization volunteer may have interaction with staff, students, and resources of the organization or District (i.e. school facilities, equipment, resources/money of the organization, etc.). It is the obligation of the community-based organization to exercise due care in selecting and assigning volunteers.

Community-based organizations are expected to establish procedures for selecting and assigning volunteers. Further, community-based organizations are strongly encouraged to orient volunteers with the expectations of their role as a volunteer.

Volunteer Protection Act of 1997, 42 United States Code (USC) Section 14501 et seq.

Education Law Sections 3023 and 3028

Public Officers Law Section 18

NOTE: Refer also to Policy #6540 -- Defense and Indemnification of Board Members and Employees

## **7270 RESPONSE TO INTERVENTION (RTI)**

In accordance with Commissioner's Regulations, the School District has established administrative practices and procedures for implementing District-wide initiatives that address a Response to Intervention (RTI) process applicable to all students. For students suspected of having a potential learning disability, the District will provide appropriate RTI services pursuant to Commissioner's Regulations prior to a referral to the Committee on Special Education (CSE) for evaluation.

### **Minimum Requirements of District's RTI Program**

The District's RTI process shall include the following minimum requirements:

a) Scientific, research-based instruction in reading provided to all students in the general education class by qualified personnel. Instruction in reading, per Commissioner's Regulations, shall mean scientific, research-based reading programs that include explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills) and reading comprehension strategies;

b) Screenings shall be provided to all students to identify those students who are not making academic progress at expected rates;

**Grades K-5 screenings will be provided three times per year in fall, winter and spring.**

- c) Scientific, research-based instruction matched to student need with increasingly intensive levels of targeted interventions for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards;
- d) Repeated assessments of student achievement which should include curriculum based measures to determine if interventions are resulting in student progress toward age or grade level standards;
- e) The application of information about the student's response to intervention to make educational decisions about changes in goals [i.e., goals for all students, not just Individualized Education Program (IEP) goals], instruction and/or services and the decision to make a referral for special education programs and/or services; and a referral to District and/or Building Intervention Personnel
- f) Written notification to the parents when the student requires an intervention beyond that provided to all students in the general education classroom that provides information about:
  1. The amount and nature of student performance data that will be collected and the general education services that will be provided as enumerated in Commissioner's Regulations;
  2. Strategies for increasing the student's rate of learning; and
  3. The parents' right to request an evaluation for special education programs and/or services.

#### **Structure of Response to Intervention Program**

**OPCSD will implement a three-tiered RTI model district-wide. The District and/or Building Intervention Personnel will be primarily responsible for implementation of the District RTI policy.**

The District's RTI program will consist of multiple tiers of instruction/assessments to address increasingly intensive levels of targeted intervention to promote early identification of student performance needs and/or rate of learning, and to help raise achievement levels for all students.

Multi-Disciplinary Problem-Solving Teams (i.e. Data Team and/or Instructional Support Team), whose members may include, but are not limited to, regular education teachers, special education personnel, the school psychologist, reading and math interventionists, designated administrators, and other individuals deemed appropriate by the District, will be available for each building/grade level classification to address the implementation of the District's RTI process.

Multi-Disciplinary Problem-Solving Team's (i.e. Data Team and/or Instructional Support Team), responsibilities shall include, but are not limited to, the following:

- a) Determining the level of interventions/student performance criteria appropriate for each tier of the RTI model;
- b) Analyzing information/assessments concerning a student's response to intervention and making educational decisions about changes in goals, instruction and/or services;
- c) Determining whether to make a referral for special education programs and/or services.

#### **Criteria for Determining the Levels of Intervention to be Provided to Students**

**OPCSD will use FASTBridge as the tool for Universal Screening. Students that fall below the 25th percentile will be considered for remediation/intervention at the appropriate tier. Students that fall below the 10<sup>th</sup> percentile shall be considered for increasingly intensive levels of targeted intervention and instruction.**

## **Types of Interventions**

The District will provide multiple tiers of increasingly intensive levels of targeted intervention and instruction for those students who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards.

It is expected that use of the Tier Level of instruction will be specific to each student's needs and will be an ongoing process, with students entering and exiting tiers of intervention according to the analysis of student performance data and progress monitoring.

### Tier One Instruction

Tier One instruction is provided to all students in the general education setting. The use of scientific, research based instruction in the areas of reading will be provided by the general education teacher and/or other qualified personnel as appropriate, and will emphasize proactive, preventative core instructional strategies in the classroom setting. Group and/or individualized instruction, assessment and reinforcement activities will be provided as deemed appropriate by the classroom teacher.

The analysis of Tier One student performance data will be used to identify those students who need additional intervention at the Tier Two Level of instruction.

### Tier Two Instruction

In general, Tier Two instruction will consist of small group, targeted interventions for those students identified as being "at risk" who fail to make adequate progress in the general education classroom. Tier Two instruction will include programs and intervention strategies designed to supplement Tier One interventions provided to all students in the general education setting.

Tier Two instruction may be provided by specialized staff such as reading teachers, interventionists, speech therapists, school psychologists and/or school counselors/social workers as determined by the Instructional Support Team.

At the conclusion of the Tier Two intervention period, the Instructional Support Team will review the student's progress and make a determination as to whether Tier Two interventions should be maintained; the student returned to the general education classroom if satisfactory progress is shown; or referred for Tier Three instruction.

### Tier Three Instruction

Tier Three instruction is the provision of more intensive instructional interventions, tailored to the needs of the individual student; and is provided to those students who do not achieve adequate progress after receiving interventions at the Tier Two level. Tier Three instruction may include longer and more frequent periods of intervention program and services than those provided in the first two Tiers based upon the significant needs of the student.

Tier Three instruction will be provided by those specialists, as determined by the Multi-Disciplinary Problem-Solving Teams (i.e. Data Team and/or Instructional Support Team), best qualified to address the individual student's targeted area(s) of need. If deemed appropriate by the Team, and in accordance with applicable law and regulation, a referral of the student may be made to the Committee on Special Education.

Progress monitoring on a continuous basis is an integral part of Tier Three; and the student's response to the intervention process will determine the need/level of further intervention services and/or educational placement.

## **Amount and Nature of Student Performance Data to be Collected**

The Multi-Disciplinary Problem-Solving Teams (i.e. Data Team and/or Instructional Support Team), will determine the amount and nature of student performance data that will be collected to assess, on an ongoing basis, student performance results and address ongoing academic needs as warranted. Such data collection will reflect the Tier Level of intervention provided to the student. Student performance data will also be used to review the District's RTI program and make modifications to the program as deemed necessary.

### **Manner and Frequency for Progress Monitoring**

The Multi-Disciplinary Problem-Solving Teams (i.e. Data Team and/or Instructional Support Team), shall monitor the progress of those students receiving intervention services beyond that provided to all students in the general education classroom. The Team shall meet with the student's teacher(s) and will determine if further adjustments need to be made to the student's current instructional program and/or a change made to the Tier Level of intervention provided. Monitoring of student progress shall be an ongoing part of the RTI program from the initial screening to completion of the RTI process as applicable. Parents may also request that the progress of their child be reviewed by the Instructional Support Team.

Intervention fidelity measures shall be reviewed by Team members to assess whether the intervention was implemented as intended and uniformly applied. Clear benchmarks will be established for student performance and performance charts will be plotted at the completion of the instructional period/intervention process.

### **Staff Development**

All staff members involved in the development, provision and/or assessment of the District's RTI program, including both general education and special education instructional personnel, shall receive appropriate training necessary to implement the District's RTI program. Staff development will include the criteria for determining the levels of intervention provided to students, the types of interventions, collection of student performance data, and the manner and frequency for monitoring progress.

### **Parent Notification**

Written notification shall be provided to parents when their child requires an intervention beyond that provided to all students in the general education classroom. Such written notice shall include the following information:

- a) The amount and nature of student performance data that will be collected and the general education services that will be provided as part of the RTI process;
- b) Strategies for increasing the child's rate of learning; and
- c) The parents' right to request an evaluation for special education programs and/or services.

34 Code of Federal Regulations (CFR) Sections 300.309 and 300.311

Education Law Sections 3208, 4002, 4401, 4401-a, 4402, 4402, and 4410

8 New York Code of Rules and Regulations (NYCRR) Sections 100.2(ii), 200.2(b)(7), 200.4(a), 200.4(j)(3)(i), and 200.4(j)(5)(i)(g)

### **7513 ADMINISTRATION OF MEDICATION**

The school's registered professional nurse may administer medication to a student during the school day under certain conditions. For the purpose of this policy, the term "medication" includes both prescription and non-prescription medications. The school must receive the following before medication will be administered to a student:

- a) The original written order from the student's provider stating the name of the medication, precise dosage, frequency, and time of administration;
- b) A written, signed consent from the student's parent or person in parental relation requesting the administration of the medication, as prescribed by the physician, to the student in school; and
- c) The medication, properly labeled in its original container, must be delivered to the school health office by the student's parent or person in parental relation. The term "properly labeled," in the context of this policy, means that the container must include the following information: the student's name, name of medication, dosage, frequency, and prescribing physician.

A student is not permitted to carry any medication on his/her person in school, or on the school bus, or keep any medication in his/her school locker(s). Exceptions may apply, however, for students diagnosed with asthma or other respiratory illnesses, diabetes, or allergies who will be permitted to carry and self-administer medication under certain conditions.

All medication orders must be reviewed annually by school health office personnel or whenever there is a change in dosage.

### **Students with Asthma or Other Respiratory Illnesses**

The District will make a nebulizer available on-site in school buildings where full- or part-time nursing services are provided. Only students with a patient-specific order may have access to the nebulizer. School nursing personnel will clean and maintain the District nebulizer as appropriate.

### **Self-Administration of Medication**

#### Generally

Each student who is permitted to self-administer medication should have an emergency care plan on file with the District. Further, the school will maintain a record of all written parental consents in the student's cumulative health record.

School health office personnel will also maintain regular parental contact in order to monitor the effectiveness of such self-medication procedures and to clarify parental responsibility as to the daily monitoring of their child to ensure that the medication is being utilized in accordance with the physician's or provider's instructions. Additionally, the student will be required to report to the health office on a periodic basis as determined by health office personnel so as to maintain an ongoing evaluation of the student's management of such self-medication techniques, and to work cooperatively with the parents and the student regarding such self-care management.

Students who self-administer medication without proper authorization will be referred for counseling by school nursing personnel, as appropriate. Additionally, school administration and parents will be notified of such unauthorized use of medication by the student, and school administration may determine the proper resolution of this behavior.

#### Students with asthma or another respiratory disease

A student will be permitted to carry and self-administer their prescribed inhaled rescue medication during the school day, on school property, and at any school function if the school health office has the following on file:

- a) Written order/permission and an attestation from a duly authorized health care provider stating that the student has a diagnosis of asthma or other respiratory disease for which inhaled rescue medications are prescribed to alleviate respiratory symptoms or to prevent the onset of exercise induced asthma; the student has demonstrated that he/she can self-administer the prescribed medication effectively; and the expiration date of the order, the name of the prescribed medication, the dose the student is to self-administer, times when the medication is to be self-administered, and the circumstances which may warrant the use of the medication; and
- b) Written consent from the student's parent or person in parental relation.

Upon written request of the student's parent or person in parental relation, the school will allow the student to maintain an extra inhaled rescue medication in the care and custody of the school's registered professional nurse, nurse practitioner, physician assistant, or school physician.

#### Students with Allergies

A student will be permitted to carry and self-administer his/her prescribed EpiPen during the school day, on school property, and at any school function if the school health office has the following on file:

- a) Written order/permission and an attestation from a duly authorized health care provider stating that the student has a diagnosis of an allergy for which an EpiPen is needed for the name of the medicine, the dose the student is to self-administer, and the circumstances which may warrant the use of the medication; and
- b) Written consent from the student's parent or person in parental relation.

Upon written request of the student's parent or person in parental relation, the school will allow the student to maintain an extra EpiPen in the care and custody of a licensed nurse, nurse practitioner, physician assistant, or school physician.

#### Students with Diabetes

A student will be permitted to carry and self-administer his/her prescribed insulin through an appropriate medication delivery device, carry glucagon, and carry and use equipment and supplies necessary to check blood glucose and/or ketone levels during the school day, on school property, and at any school function if the school health office has the following on file:

- a) Written order/permission and an attestation from a duly authorized health care provider stating that the student has a diagnosis of diabetes for which insulin and glucagon through appropriate medication delivery devices, and the use of equipment and supplies to check blood glucose and/or ketone levels are necessary; the student has demonstrated that he/she she can self-administer effectively, can self-check glucose or ketone levels independently, and can independently follow prescribed treatment orders; and the expiration date of the order, the name of the prescribed insulin or glucagon, the type of insulin delivery system, the dose of insulin and/or glucagon the student is to self-administer, times when the insulin and/or glucagon is to be self-administered, and the circumstances which may warrant administration by the student. The written permission must also identify the prescribed blood glucose and/or ketone test, the times testing is to be done, and any circumstances which warrant checking a blood glucose and/or ketone level.
- b) Written consent from the student's parent or person in parental relation.

Upon written request of the student's parent or person in parental relation, the school will allow the student to maintain extra insulin, insulin delivery system, glucagon, blood glucose meter, and related supplies to treat the student's diabetes in the care and custody of a licensed nurse, nurse practitioner, physician assistant, or school physician.

Students with diabetes will also be permitted to carry food, oral glucose, or other similar substances necessary to treat hypoglycemia in accordance with District policy.

#### **Alcohol-Based Hand Sanitizers**

The New York State Education Department (NYSED) permits the use of alcohol-based hand sanitizers in schools. The school medical director may approve and permit the use of alcohol-based hand sanitizers in the District's schools without a physician's order. Parents may provide written notification to the school in the event that they do not wish to have their child use this product.

#### **Sunscreen**

Students may carry and use FDA approved sunscreen products for over-the-counter use. The student's parent or person in parental relation must provide written permission for the student to carry and use sunscreen. This written parental consent will be maintained by the school. A student who is unable to physically apply sunscreen may be assisted by unlicensed personnel when directed to do so by the student, if permitted by a parent or person in parental relation, and authorized by the school.

## **Storage and Disposal**

The District will comply with relevant state laws, regulations, and guidelines governing the District's receipt, storage, and disposal of medication.

Individuals with Disabilities Education Improvement Act of 2004 [Public Law 108-446 Section 614(a)]

Individuals with Disabilities Education Act (IDEA), 20 USC Sections 1400 et seq.

Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.

Education Law Sections 902(b), 907, 916, 916-a, 916-b, 919, 921, 6527, and 6908(1)(a)(iv), 6909

Public Health Law Section 3000-a, c, 3309

8 NYCRR 136.6, 136.7

NOTE: Refer also to Policy #7521 -- Students with Life-Threatening Health Conditions

## **7521 STUDENTS WITH LIFE-TREATENING HEALTH CONDITIONS**

The Board of Education recognizes the need to provide all students with appropriate educational programs in the least restrictive setting and with reasonably adequate accommodations of their medical needs, including those with significant or even life-threatening medical conditions,. This policy encompasses any physician documented serious and/or life threatening medical condition, such as, but not limited to, life-threatening food or insect sting allergies, and acute or chronic serious diseases or medical conditions, such as but not limited to Anaphylaxis, Diabetes, Seizures, or Severe Asthma.

Accordingly, the Orchard Park Central School District will adhere to all state and federal laws governing the rights of students with special medical needs and will take reasonable measures to work with both the health care provider and the family to address the health and safety of all students including children with significant or life threatening conditions. This may include, but is not limited to:

- a) Providing necessary precautions and general training for staff in transportation, classrooms, the cafeteria, or the gymnasium;
- b) Providing initial and periodic update training by individuals with significant nursing or medical knowledge for adults in a supervisory role in the recognition and emergency management of a specific medical condition for specific students;
- c) Creating Individual Health Care Plans (IHP), Emergency Care Plans (ECP), 504 Plans, or Individualized Educational Plans (IEP) as appropriate for a student;
- d) Having standing emergency medical protocols, or non-patient specific medical orders, for nursing staff;
- e) Maintaining stock supplies of life saving emergency medications and/or devices, as allowed by the laws of NYS and as appropriate.
- f) Reviewing specific medical-legal documents duly executed in accordance with the laws of NYS with medical orders regarding the care of specific students with severe life threatening conditions
- g) allowing students as assessed by the school nurse and principal to carry life-saving medication with prior approval by the principal and according to district health practice and procedures, as long as duplicate life-saving medication is also maintained in the health office in the event the self-carrying student misplaces their medicines
- h) assuring the least restrictive, appropriate, and reasonable building accommodations are in place within a reasonable degree of medical certainty
- i) securing written parent permission granting HIPPA consent to exchange medical information between the school and the student's healthcare provider
- j) Participating in the education and co-management of the child as he/she works toward self-management.

- k) Health management may be different as a student progresses from elementary school to middle school and then high school.

Note: Refer also to Policy #7513 – Medications in School (7513F Parents & Prescribers Authorization for Administration of Medication in School)

**Correspondence – (attachment #4)**

- Letter from Erie 2 BOCES – Re: Board Member Election
- Letter from Resident – Re: Hiring Additional Coach for Soccer

**Adjournment**

Motion by Mr. Nielsen, seconded by Mrs. Quinlan, and unanimously carried (6-0) to adjourn at 9:01 p.m.

Respectfully submitted,

Cheryl A. Connors  
District Clerk

**Minute Attachments**

1. Financials – Treasurer’s Report – February 2016, Revenue Budget Detail – February 2016, & Health and Welfare Rates
2. MOA – Summer Work Schedule
3. Consensus Special Ed. Detail
4. Correspondence

**Other Meeting Attachments**

1. Official Meeting Announcement
2. Meeting Agenda