

8112-R HEALTH AND SAFETY COMMITTEE REGULATION

In accordance with Commissioner's Regulations and Policy [8112](#), the Board of Education will appoint a Health and Safety Committee (the "Committee") to participate in monitoring the condition of occupied school buildings and grounds to assure that they are safe and maintained in a state of good repair. This regulation provides the procedures under which the Board will appoint the Committee's members and under which the Committee will participate in monitoring health and safety issues.

Membership

The Board shall appoint certain individuals to the Committee by virtue of their position within the district and resulting direct relationship to the district's health and safety issues, as follows:

- Director of School Facilities, Operations & Maintenance (Co-Chair)
- Director of Health, Physical Education, Athletics & Wellness (Co-Chair)
- School nurses from each of CET, PVC, CHHS

The Committee shall also include other individuals representing various groups with an interest in health and safety issues in the district, and as required by the Commissioner's Regulations. Each of the following groups shall have an opportunity but not an obligation to select one individual (unless otherwise noted) to join the Committee, with such members selected annually in accordance with the selection procedures described later in this regulation:

- Parent representative(s): up to three total, no more than one from each of CET, PVC, CHHS
- Non-parent community member
- Croton Teachers' Association representative(s): up to three total, no more than one from each of CET, PVC, CHHS
- Croton Administrators Association representative(s): up to three total, no more than one from each of CET, PVC, CHHS
- CSEA Clerical Unit representative
- CSEA Custodial Unit representative
- Amalgamated Transit Union representative

Additional members during construction projects

During construction projects, the Committee shall be expanded with respect to such project to include the project's construction manager (if not already a member of the Committee), architect and contractor.

Liaisons

The Superintendent or his/her designee shall serve as a liaison to the Committee. The Board of Education shall also designate one of its members as a liaison. The liaisons shall not be considered members of the Committee for purposes of quorum requirements or for any matters requiring a vote.

Member selection procedure

Each of the Croton Teachers' Association, Croton Administrators Association, CSEA Clerical Unit, CSEA Custodial Unit, and Amalgamated Transit Union shall be responsible for developing its selection procedure, and if applicable determining its number of representatives.

Parent representatives shall be selected as follows:

1. The district shall send one communication per school, via K-12 alert or similar method, to all parents of students in each school. Each communication shall describe the Committee (its charges, the likely time of day and frequency of meetings, etc) and solicit nominations for the school's parent representative. An individual may nominate himself or herself to represent one, but not more than one, of the schools in the district by sending his or her name to the District Clerk along with the name of the school he or she seeks to represent and a statement indicating his or her qualifications for the role. Individuals are eligible for nomination if they have a child who is a student in the school they seek to represent.

2. Once nominee information is collected, a list of the names together with the statements of qualifications will be provided to each school's Parent Teacher Association or Parent Teacher Student Association, as the case may be, which may develop a selection procedure to choose from among the nominees. In accordance with New York State Education Department Guidelines, the selection should be made by the most democratic method possible. Furthermore, all parents from each school shall be given a fair opportunity to participate in the selection process, regardless of whether they are paid members in the Parent Teacher Association or Parent Teacher Student Association.

3. If any Parent Teacher Association or Parent Teacher Student Association chooses not to implement the above selection procedure or otherwise fails to submit a selection to the District Clerk within the prescribed time period, the Board of Education may either choose from among the nominees received or allow the position to remain unfilled.

The non-parent community member shall be selected by first openly soliciting the public for nominations. The forum for such solicitation should include, but not necessarily be limited to, publication through the Village of Croton-on-Hudson's alert system and in one or more local newspapers. Interested individuals shall be asked to submit their names to the District Clerk along with a statement indicating their qualifications for the role. To be eligible for this position, an individual must be a resident of the district but not have a member of his or her household attending a school in the district. After all nominations are received, the Board of Education shall select from among them.

The above selection procedures shall generally occur each year in May, with all selections being completed and provided to the District Clerk by May 31. Individuals selected under this procedure shall serve one-year terms beginning on July 1 and ending the following June 30; provided, however, that if at any time a vacancy is created it may be filled by the relevant group within 30 days of the vacancy's creation with the

term beginning immediately after selection and ending the following June 30. The failure of any group to designate a member shall not be deemed to create a vacancy until the next regularly occurring selection process in the following May, and until such time that position shall be considered unfilled and therefore not counted toward quorum requirements.

Meetings

Meetings of the Committee are subject to New York State's Open Meetings Law. Adequate notice must be provided (through the District Clerk), meetings must be held in public, appropriate minutes shall be taken, and a quorum is required at any meeting in order to conduct business. More than half the total membership of the Committee shall constitute a quorum. Under the Open Meetings Law, attendees count toward a quorum only when attending a meeting in person or by a properly-noticed videoconference arrangement.

It is anticipated that the Committee will have regularly scheduled meetings 3-4 times per year. However, the timing and frequency of meetings shall be determined by the Committee. Meetings will likely be more frequent during construction projects.

The Committee may choose to delegate certain of its functions to a subgroup of its members.

Resolution of Health and Safety Complaints

As prescribed in Policy [8112](#), the Committee shall be involved in the investigation and disposition of health and safety complaints. The procedure for handling such complaints shall be as follows:

- Complaints may be submitted by an affected person (community member, student, parent, faculty member) using a method to be published on the district's website.
- A copy of each complaint shall be sent to all Committee members, or to a subgroup of Committee members as may be designated by the Committee.
- Depending on the issue addressed in the complaint, one of the Co-Chairs is responsible for responding unless given the nature of the complaint it is more appropriate for a member of central administration to respond.
- No other member of the Committee is authorized to directly respond to complaints, but may provide comments to the Co-Chairs for consideration in the response.
- A copy of each response shall be sent to all members of the Committee, or to a subgroup of Committee members as may be designated by the Committee.
- The Committee shall maintain a file of all health and safety complaints and related responses, and shall make such complaints and responses available to the public upon request.

Responses to health and safety complaints must be in writing (which may include e-mail) and shall describe:

- the investigations, inspections or tests made to verify the substance of the complaint, or a statement explaining why further investigations, inspections or tests are not necessary;
- the results of any investigations, inspections or tests which address the complaint;
- the actions, if any, taken to solve the problem; and
- the action, if any, taken if the complaint involved a violation of law or of a contract provision.

Confidentiality

The Committee and each individual member of the Committee shall be responsible for maintaining the confidentiality of documents and information that must not be disclosed consistent with law and district policy including, but not limited to, matters related to litigation, student records, medical records or employee personnel records.

Cross-ref:

[8112](#), Health and Safety Committee

Ref:

[Education Law §§ 409](#) (School Building Regulations in Relation to Health and Safety); [409-d](#) (Comprehensive Public School Building Safety Program); [409-e](#) (Uniform Code of Public School Buildings Inspection, Safety Rating and Monitoring)

[8 NYCRR Part 155.4](#) (Uniform Code of Public School Building Inspections, Safety Rating and Monitoring); [Part 155.5](#) (Uniform Safety Standards for School Construction and Maintenance Projects)

NYS Department of State, Committee on Open Government OML-AO-3167 (June 2, 2000) and OML-AO-4306 (December 18, 2006)

NYS [Public Officers Law, Article 7](#) (Open Meetings Law)

NYSED *Guidelines for the Health and Safety Committee* (updated Apr 17, 2014)

Adoption date: January 15, 2015

Croton-Harmon Schools