

EXTREME HEAT CONDITION DAYS

This policy is adopted as required by Education Law § 409-n. The Board of Education adopts this policy to address the health and safety of students and employees on extreme heat condition days. “Extreme heat condition days” are defined by law as when occupiable educational and support services spaces are eighty-two (82) degrees Fahrenheit or higher.

In accordance with law, “support services spaces” do not include kitchen areas used in the preparation of food for consumption by students. The law requires room temperature to be measured at a shaded location, three feet above the floor near the center of the room.

The following actions are intended to be taken to ensure consistency, to the fullest extent practicable, with all laws applicable to school buildings which include fire and building codes. In adopting this policy, the Board recognizes the practical challenges with strict compliance. Those challenges include, in some cases: windows not designed to be opened; windows that do not have screens (which may let in insects that are dangerous to those with allergies); outdoor air quality concerns which can restrict opening windows for health and safety concerns; lack of window shades and adequate (inadequate) fans. Such practical realities in the District’s school buildings may prevent strict compliance with all aspects of Education Law §409-n.

Actions to be Taken at 82° Fahrenheit

Consistent with the above, when the temperature of an occupiable educational or support service space reaches eighty-two (82) degrees Fahrenheit, the District will take actions to relieve heat-related discomfort, consistent with fire and building codes and all applicable practice elements of each school building. Such actions include but are not limited to the following:

1. Turning off the overhead lights;
2. Pulling down shades or blinds (unless impractical for safety and security reasons);
3. Turning on fans;
4. Opening classroom doors and windows to increase circulation;
5. Turning off unused electronics that produce heat, and not utilizing electronic equipment to the extent practicable; and
6. Providing water breaks.

The Superintendent of Schools and/or their designee, with consultation with each Building Principal shall determine which actions to take, when to take them and in what order, and who will take them (consistent with applicable collective bargaining agreements).

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Actions to be Taken at 88° Fahrenheit

In accordance with law, students and staff will be removed from educational and support services spaces when the temperature reaches eighty-eight degrees (88°) Fahrenheit, when practicable. The Superintendent and/or their designee shall direct Building Principals to take necessary steps to ensure compliance with the law, including but not limited to the following:

1. Evacuate the space; or
2. Move students and staff to cooler locations; or
3. Offer remote instruction in accordance with Commissioner's regulations (8 NYCRR §175.5(e)) permitting remote instruction during emergencies which includes "*extraordinary adverse weather conditions.*"
4. When practicable, close school early and send students and staff home according to the district's early closing protocols.

The Board recognizes that Education Law §3604(7) allows an exception of up to five (5) days for "extraordinarily adverse weather conditions" and "a credible threat to student safety as reasonably determined by a lead school official," where the district cannot make up such days by using vacation days. The Board through this policy determines that extreme heat condition days as set forth in Education Law §409-n is an extraordinary adverse weather condition.

This policy further authorizes the Superintendent or their designee to consider commencing school starting earlier when heat is anticipated to be at or above 88° so long as such action is practicable and consistent with applicable collective bargaining agreements.

On days when the outside temperature is expected to be high enough that temperatures in occupiable educational or support service spaces are likely to reach 88°, even with the heat mitigation measures taken, the District is authorized to hold classes remotely (in accordance with the board-approved emergency remote instruction plan) or close school entirely (in accordance with required minimum instructional time). The Superintendent is authorized to make this decision. Remote learning may be district-wide, building-level, or for groups of students and staff affected by the extreme heat conditions.

Exams

During exams, if the temperature reaches 88° degrees in spaces where exams are being administered, the District is authorized to take measures consistent with NYSED handbooks on administering Regents and state exams. Such measures may include evacuating students and staff from the exam room with testing resuming at a time and place when it is safe to do so.

Cross-ref: 4765, Online, Distance and Remote Learning

Ref: Education Law §§409-n; 2801-a

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