

NEOLA POLICIES UPDATED JUNE 2021

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Section Vol 21 N 2 REVISED

Title REVISED POLICY - VOL. 21, NO. 2 - PREPARATION FOR VOTER REGISTRATION

Code po5724No Policy in Cape Coral

Status

REVISED POLICY - VOL. 21, NO. 2

5724 - PREPARATION FOR VOTER REGISTRATION

The School Board believes that preparing students to assume the responsibilities which our democratic society places on each of its citizens is an important function of the schools. Supplying our high school students with all pertinent information regarding voter registration is one crucial means of meeting this goal.

Accordingly, the Superintendent, ~~using such resources as the high school administration, faculty and student body, local officials, and others can provide,~~ shall develop a nonpartisan, voter education/registration program for all the high schools in the District.

Additionally, each high school in the District~~The administration of the high schools shall offer the opportunity for enrolled students, to all students who reach the age of majority, the opportunity to register as voters.~~

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Legal F.S. 1003.42

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Book	Policy Manual
Section	Vol. 21, No. 2 - Feb. 2021
Title	REVISED POLICY - VOL. 21, NO. 2 - PURCHASING AND CONTRACTING FOR COMMODITIES AND CONTRACTUAL SERVICES
Code	po6320
Status	From Neola
Adopted	April 12, 2016

REVISED POLICY - VOL. 21, NO. 2

6320 - PURCHASING AND CONTRACTING FOR COMMODITIES AND CONTRACTUAL SERVICES

Any School Board employee who has purchasing authority shall consider first the interests of the Board in all purchases and seek to obtain the maximum value for each dollar expended; not solicit or accept any gifts or gratuities from present or potential suppliers which might influence or appear to influence purchasing decisions; and refrain from any private business or professional activity that might present a conflict of interest in making purchasing decisions on behalf of the Board.

No person, unless authorized to do so under this policy, may make any purchase or enter into any contract involving the use of school funds. The Board will not approve any expenditure for an unauthorized purchase or contract.

Purchases may be made through an online procurement system, an electronic auction service, or other efficient procurement tool.

Scope

This policy shall generally apply to the District's purchase of commodities and contractual services, except it shall not apply to:

- A. employment contracts;
- B. acquisition of architectural, engineering, landscape architectural, construction management at risk, registered surveying and mapping, or other services pursuant to Policy 6330 - Acquisition of Professional Architectural, Engineering, Landscape Architectural, or Land Surveying Services;
- C. acquisition of auditing services pursuant to F.S. 218.391;
- D. acquisition of professional consultant services, including but not limited to services of lawyers, accountants, financial consultants, and other business or operational consultants, which shall be governed by Policy 6540 - Consultant Agreements;
- E. contracts which are exempted, in whole or in part, from this policy's requirements, as set forth below;
- F. proposals and agreements for public-private partnerships with private entities for qualifying projects pursuant to F.S. 287.057(12).

Definitions

- A. "Competitive solicitation" means purchasing made through the issuance of an invitation to bid, request for proposals and invitation to negotiate. Competitive solicitations are not required for purchases made through the pool purchase provisions of F.S. 1006.27.
- B. "Invitation to bid" means a written or electronic solicitation for competitive sealed bids. The invitation to bid is used when the Board is capable of specifically defining the scope of work for which a contractual service is required or when the Board is capable of establishing precise specifications defining the actual commodity or group of commodities required. A written solicitation includes a solicitation that is publicly posted.
- C. "Invitation to negotiate" means a written or electronically posted solicitation for competitive sealed replies to select one (1) or more vendors with which to commence negotiations for the procurement of commodities or contractual services. The

invitation to negotiate is used when the Board determines that negotiations may be necessary for it to receive the best value. A written solicitation includes a solicitation that is publicly posted.

- D. "Proposer" means those vendors submitting bids or responses to a competitive solicitation.
- E. "Request for proposals" means a written or electronically posted solicitation for competitive sealed proposals. The request for proposals is used when it is not practicable for the Board to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required and when the Board is requesting that a responsible vendor propose a commodity, group of commodities, or contractual service to meet the specifications of the solicitation document. A written solicitation includes a solicitation that is publicly posted.
- F. "Superintendent" means the "Superintendent or designee".
- G. "Request for Quotations" means an informal process to solicit three (3) or more price quotes on commodities or contractual services with standard specifications and valued under the threshold requiring formal competitive solicitations. Quotations may be obtained verbally or via facsimile or e-mail.

Standards and Specifications

Before making any purchase of commodities or contractual services which the Superintendent is authorized by the Board to make or before recommending any purchase to the Board, the Superintendent shall, insofar as possible, propose standards and specifications. S/He shall see that the commodities or contractual services conform to those standards and specifications, and shall take such other steps as are necessary to see that the maximum value is being received for any money expended.

Pre-Purchasing Review of Available Purchasing Agreements and State Term Contracts for Nonacademic Commodities and Contractual Services

Before purchasing nonacademic commodities and contractual services, the Board authorizes the Superintendent to review the purchasing agreements and State term contracts available under F.S. 287.056 to determine whether it is in the Board's economic advantage to use the agreements and contracts.

Each bid specification for nonacademic commodities and contractual services must include a statement indicating that the purchasing agreements and State term contracts available under F.S. 287.056 have been reviewed. The Board may use the cooperative State purchasing programs managed through the regional consortium service organizations pursuant to F.S. 1001.451. This policy does not apply to services that are eligible for reimbursement under the Federal E-rate program administered by the Universal Service Administrative Company.

Competitive Solicitation Requirements for Commodities and Contractual Services Other Than Construction Contracting

Except as authorized by law or policy, competitive solicitations shall be requested from three (3) or more sources for the purchase of any authorized commodities or contractual services in an amount greater than

☐ \$50,000.00.

☐ \$ _____.

[NOTE: The Board may set a threshold less than the \$50,000.00 established in State Board rule.]

The procurement of commodities or contractual services may not be divided so as to avoid this monetary threshold requirement.

A. Bid Solicitation

The Superintendent is authorized to issue invitations for bids.

B. Bid Publication

Notice of the invitation for bids or requests for proposals shall be published at least once in a newspaper of general circulation within the District and may be otherwise issued electronically, direct delivery, or other means which are appropriate under the circumstances. The required bid return date is to be announced at the time of the bid offering and shall not be less than five (5) working days from the bid offering date.

C. Bid Responses

The invitations to bid must be responded to by three (3) or more qualified vendors/bidders. Exceptions must be approved by

the Board.

D. Bid Opening

Bids will be opened in the office designated in the bid advertisement with the Superintendent's designee and at least one (1) other District employee present.

E. Bid Rejection

The Board may reject any or all bids and request new bids.

F. Bid Award

In acceptance of responses to invitations to bid, the Board may accept the proposal of the lowest responsive, responsible proposer. The Board may also choose to award contracts to the lowest responsive, responsible bidder as the primary awardee of a contract and to the next lowest responsive, responsible bidder(s) as alternate awardees, from whom commodities or contractual services would be purchased, should the primary awardee become unable to provide all of the commodities or contractual services required by the Board during the term of the contract. Nothing herein is meant to prevent multiple awards to the lowest responsive and responsible bidders, when such multiple awards are clearly stated in the bid solicitation documents.

For a bidder to be considered responsive, the proposal must respond to all bid specifications in all material respects and contain no irregularities or deviations from the bid specifications which would affect the amount of the bid or otherwise provide a competitive advantage.

For a bidder to be deemed responsible, the Board may request evidence from the bidder concerning:

1. ☐ the experience (type of product or service being purchased, etc.) of the bidder;
2. ☐ the financial condition;
3. ☐ the conduct and performance on previous contracts (with the District or other agencies);
4. ☐ the bidder's facilities;
5. ☐ management skills;
6. ☐ the ability to execute the contract properly;
7. ☐ a signed affidavit ensuring that neither the bidder nor any subcontractor has entered into an agreement with any labor organization regarding the public improvement project.

Award of a bid by the Board shall only represent an indication by the Board that a bid represents the lowest responsive bid from a responsible and responsive bidder meeting the requirements and criteria set forth in the invitation to bid. Award of a bid shall not create a binding obligation on the Board, and no obligation shall be created or imposed on the District until such time as the Board Chair/designee executes a contract.

☐ [OPTIONAL]

Identical/Tie Low Bids

When identical low bids are received from an out-of-District vendor and a local vendor, the local vendor shall be recommended for award. The term "local vendor" means a vendor who has an established business presence in the District indicated by the following:

- A. Has a physical business location within the District for at least six (6) months immediately prior to issuance of the competitive solicitation.
- B. Provides customer access at the business location.
- C. Holds any required business license through a jurisdiction in the District.
- D. Employs one (1) full-time or two (2) part-time employees in the District, or if the business has no employees, is at least fifty percent (50%) owned by one (1) or more persons whose primary residence(s) is located within the District.

When two (2) or more local vendors present tie low bids on the same items, the company receiving the larger dollar award of the total bid shall be recommended for tie items.

In the event two (2) or more local vendors present exact tie low bids and the dollar award is not a criterion, the successful bidder shall be selected by applying the following criteria in order:

- A. drug-free workplace program in accordance with Florida law
- B. minority business enterprise (MBE) certified by the State of Florida Office of Supplier Diversity
- C. veteran business enterprise, certified by the State of Florida Department of Management Services
- D. by lot or other method the Board may select

When two (2) out-of-District vendors submit identical low bids, the criteria noted above shall be used to determine the successful bidder.

[END OF OPTION]

() [OPTIONAL]

Vendor Preference For Certified Veteran Business Enterprises

As authorized by F.S. 295.187, "The Florida Veteran Business Enterprise Act", the Board shall provide a vendor preference in favor of certified veteran business enterprises.

The certification of a veteran business enterprise shall be granted by the Department of Management Services, with the assistance of the Department of Veterans' Affairs, as required by State law.

When two (2) or more bids, proposals or replies for procurement of commodities or contractual services, which are equal with respect to all relevant considerations, including price, quality, and service, are submitted and at least one (1) is from a certified veteran business enterprise, priority for award shall be given to the certified veteran business enterprise as defined by F.S. 295.187. In the event two (2) or more certified veteran business enterprises are entitled to the preference, then the award shall be given to the business having the smallest net worth.

To the extent that this provision is inconsistent with the provisions of this or any other Board policy, this provision shall prevail.

[END OF OPTION]

Exception to Competitive Bidding Requirements

Notwithstanding anything in this policy to the contrary, the Board may make certain purchases without the requirement for competitive solicitations, under the following conditions:

- A. In lieu of requesting competitive solicitations from three (3) or more sources, the Board may make purchases at or below the unit prices in contracts awarded by other Federal, State, city or county governmental agencies, other school boards, community colleges, or State university system cooperative bid agreements when the proposer awarded a contract by another entity will permit purchases by the Board at the same terms, conditions, and unit prices (or below such prices) awarded in such contract, and such purchases are to the economic advantage of the Board.

B. [Note: The following are optional under F.A.C. 6A-1.012(2)]

() The Superintendent is authorized to purchase commodities and contractual services where the total amount does not exceed \$_____ and does not exceed the applicable appropriation in the budget.

() The Superintendent is authorized to purchase commodities and contractual services under the Department of Management Services State term contracts.

[END OF OPTION]

- C. Competitive solicitations are not required for pool purchases made as provided in F.S. 1006.27.

- D. The State Board has waived the requirement for requesting competitive solicitations from three (3) or more sources for purchases by the Board of:

1. Professional services which shall include, without limitation, artistic services; academic program reviews; lectures by individuals; auditing services not subject to F.S. 218.391; legal services, including attorney, paralegal, expert witness, court reporting, appraisal or mediator services; and health services involving examination, diagnosis, treatment, prevention, medical consultation or administration; provided nothing herein shall be deemed to authorize the superintendent to acquire professional consultant services without Board approval as required by Board Policy 6540;
2. Educational services and any type of copyrighted materials including, without limitation, educational tests, textbooks, printed instructional materials, computer software, films, filmstrips, videotapes, DVDs, disc or tape recordings, digital recordings, or similar audio-visual materials, and for library and reference books, and printed library cards where such materials are purchased directly from the producer or publisher, the owner of the copyright, an exclusive agent within the state, a governmental agency or a recognized educational institution;
3. Commodities and contractual services when:

- a. competitive solicitations have been requested in the manner prescribed by this policy; and
- b. the Board has made a finding that no valid or acceptable firm proposal has been received within the prescribed time.

When such a finding has been officially made, the Board may enter into negotiations with suppliers of such commodities and contractual services and may execute contracts with such vendors under whatever terms and conditions as the Board determines to be in its best interests.

4. Commodities and contractual services when fewer than two (2) responsive proposals are received. The Board may then negotiate on the best terms and conditions or decide to reject all proposals. The Board will document the reasons that negotiating terms and conditions with the sole proposer is in the best interest of the District in lieu of re-soliciting proposals.
- E. Information technology resources, whether by purchase, lease, lease with option to purchase, rental, or otherwise as defined in F.S. 282.0041(1915), may be acquired by competitive solicitation or by direct negotiation and contract with a vendor or supplier, as best fits the needs of the District as determined by the Board.
- F. Purchases of insurance, risk management programs, or contracting with third party administrators for insurance-related services may be through competitive solicitation or by direct negotiation and contract with a vendor or supplier.
- G. The Board may dispense with requirements for competitive solicitation for the emergency purchase of commodities or contractual services when the Superintendent determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the District requires emergency action. After the Superintendent makes such a written determination, the Board may proceed with the procurement of commodities or contractual services necessitated by the immediate danger, without requesting competitive solicitations. However, such an emergency purchase shall be made by obtaining pricing information from at least two (2) prospective vendors, which must be retained in the contract file, unless the Superintendent determines in writing that the time required to obtain pricing information will increase the immediate danger to the public health, safety, or welfare or other substantial loss to the District.
- H. Commodities or contractual services available only from a single source may be exempted from the competitive solicitation requirements. When the Board believes that commodities or contractual services are available only from a single source, the Board will electronically post a description of the commodities or contractual services sought for a period of at least seven (7) business days. The description will include a request that prospective vendors provide information about their ability to supply the commodities or contractual services described. If it is determined in writing by the Board, after reviewing any information received from prospective vendors, that the commodities or contractual services are available only from a single source, the Board shall provide notice of its intended decision to enter a single source contract in the manner specified in Policy 6326 - Bid Protests, and may negotiate on the best terms and conditions with the single source vendor.
- I. The Board may make purchases of construction project materials directly from vendors, on behalf of the awarded construction contractor/manager, to take advantage of the District's "sales tax" exempt status.
- J. A contract for commodities or contractual services may be awarded without competitive solicitations if State or Federal law, a grant or a State or Federal agency contract prescribes with whom the Board must contract or if the rate of payment is established during the appropriations process.
- K. A contract for regulated utilities or government franchised services may be awarded without competitive solicitations.

Contract

Each Board contract for services must include a provision that requires the contractor to comply with public records laws, specifically to:

- A. keep and maintain public records that ordinarily and necessarily would be required by the Board in order to perform the service under the contract;
- B. provide the public with access to its public records on the same terms and conditions as the Board would provide the records, and at a cost that does not exceed the cost provided in Policy 8310 - Public Records;
- C. ensure that any of its public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law;
- D. meet all requirements for retaining public record and, upon termination of the contract, transfer to the Board, at no cost, all public records in its possession and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the Board in a format that is compatible with the Board's information technology systems;
- E. the contractor shall furnish a copy of any public records request or request for records in any way relating to the District, immediately upon receipt to the District's Director of Purchasing.

Each contract must also include the following statement, in substantially the following form, identifying the contact information of the District's custodian of public records in at least fourteen (14) point boldface type: "IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF F.S. CHAPTER 119 TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT _____. (Insert District's custodian of public records telephone number, e-mail address, and mailing address)".

[NOTE: The Board may set a threshold between zero and the \$50,000.00 established in State Board rule.]

Contracts shall be approved and executed as follows:

A. Superintendent/Designee Authority

The Superintendent is authorized to approve and execute contracts on behalf of the District involving expenditure of public funds in an amount no greater than \$_____, so long as the obligation created does not exceed the applicable appropriation within the District budget and the contract is otherwise in compliance with applicable District procedures, policies, and law. For purposes of this policy, any group of contracts purchase orders to the same provider which are connected in terms of time, location and services such that a reasonable person would view them as a single contract shall be deemed to be a single contract. The Superintendent shall not divide the procurement of commodities or contractual services so as to avoid the monetary cap imposed by this policy. Designations of contracting authority by the Superintendent shall be in writing and shall specify the maximum obligation permitted up to \$_____.

B. Emergency Purchases

Notwithstanding the general limit on the Superintendent's authority to enter into contracts involving expenditure of public funds in an amount no greater than \$_____, the Superintendent is authorized to approve and execute contracts on behalf of the District involving expenditure of public funds in an amount greater than \$_____ when the Superintendent determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the School District requires emergency action.

C. Board Approval

Except as expressly provided herein, the Board shall approve and execute all contracts on behalf of the District involving expenditure of public funds in an amount greater than \$_____.

Purchase Order Approval

A. Bids/Exceptions

The Superintendent is authorized to issue purchase orders in accordance with bids awarded pursuant to below without further action of the Board so long as the obligation created does not exceed the applicable appropriation within the District budget. The Superintendent shall inform the Board of the approval of all purchase orders greater than \$10,000, as soon as reasonably possible by a written report issued to the Board at a public meeting. This paragraph shall not be construed to require Board approval of purchase orders.

B. Contracts

The approval of a contract in accordance with this policy authorizes the Superintendent to approve and issue any purchase order required to fulfill the District's obligation under the approved contract without further action of the Board. The Superintendent shall inform the Board of the approval of all purchase orders greater than \$_____, as soon as reasonably possible by a written report issued to the Board at a public meeting. This section shall not be construed to require Board approval of purchase orders.

Debarment

The Director of Purchasing shall have the authority to debar a person/corporation, for cause, from consideration or award of further contracts. The debarment shall be for a period commensurate with the seriousness of the cause, generally not to exceed three (3) years. If a suspension precedes a debarment, the suspension period shall not be considered in determining the debarment period. When the offense is willful or blatant, a longer term of debarment may be imposed, up to an indefinite period.

A. Cause of Debarment

The term "debar" or "debarment" means to remove a vendor from bidding on District work. Causes for debarment include, but are not limited to the following:

1. conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or sub-contract, or in performance of such contract
2. conviction under State or Federal statutes for embezzlement, theft, forgery, bribery, falsification or destruction of records, or receiving stolen property, or any other offense indicating lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a vendor
3. conviction under State or Federal anti-trust statutes arising out of submission of bids or proposals
4. violation of contract provisions, including:
 - a. deliberate failure, without good cause, to perform in accordance with specifications or within the time limits provided in the contract(s); and
 - b. a recent record of failure to perform, or of unsatisfactory performance, in accordance with the terms of one (1) or more contracts; provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment
5. refutation of an offer by failure to provide bonds, insurance or other required certificates within the time period as specified in bid/RFP response
6. refusal to accept a purchase order, agreement, or contract, or to perform thereon, provided such order was issued timely and in conformance with the offer received
7. presence of principals or corporate officers in the business of concern who were principals within another business at the time when the other business was suspended within the last three (3) years under the provisions of this section
8. violation of the ethical standards set forth in State law
9. providing or offering to provide anything of value, including, but not limited to, a gift, loan, reward, promise of future employment, favor or service to any employee to influence the award of contract or purchase items from a contractor
10. existence of unresolved disputes between the contractor and the District arising out of or relating to prior contracts between the District and the contractor, work performed by the contractor, or services or products delivered
11. any other cause the Director of Purchasing determines to be so serious and compelling as to affect credibility as a District vendor, including debarment by another governmental entity for any cause listed in this policy

B. Notice of Recommended Decision

The Director of Purchasing or designee shall issue a notice letter that advises the party that it is debarred or suspended. The letter shall:

1. state the reason(s) for the action taken; and
2. inform the vendor of its right to petition the Board for reconsideration.

C. Right to Request a Hearing

Any person who is dissatisfied or aggrieved with the notification of the determination to debar or suspend must, within ten (10) calendar days of such notification, appeal such determination to the Board.

D. Hearing Date

The Board shall schedule a hearing at which time the person shall be given the opportunity to demonstrate why the debarment/suspension by the Director of Purchasing should be overturned. All parties shall be given notice of the hearing date.

F.S. 119.0701

F.S. 255.05

F.S. 255.0516

F.S. 255.0518

F.S. 282.0041

F.S. 287.056

F.S. 287.084

F.S. 287.087

F.S. 287.132

F.S. 287.133

F.S. 295.187

F.S. 1001.43

F.S. 1001.451

F.S. 1010.04

F.S. 1010.07(2)

F.S. 1010.48

F.A.C. 6A-1.012, Purchasing Policies

F.A.C. 5P-1.003, Responsibilities for the School Food Service Program

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Legal

F.S. 119.0701

F.S. 255.05

F.S. 255.0516

F.S. 255.0518

F.S. 282.0041

F.S. 287.056

F.S. 287.084

F.S. 287.087

F.S. 287.132

F.S. 287.133

F.S. 295.187

F.S. 1001.43

F.S. 1001.451

F.S. 1010.04

F.S. 1010.07(2)

F.S. 1010.48

F.A.C. 6A-1.012, Purchasing Policies

F.A.C. 5P-1.003, Responsibilities for the School Food Service Program

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Book Policy Manual

Section Vol. 21, No. 2 - Feb. 2021

Title REVISED POLICY - VOL. 21, NO. 2 - FACILITIES PLANNING

Code po7100 jc 4/20/21

Status

Adopted April 12, 2016

REVISED POLICY - VOL. 21, NO. 2

7100 - FACILITIES PLANNING

The CCCCSA recognizes that careful, prudent planning is essential to the efficient operation of the schools and that planning must be grounded on accurate data. In order to assure that future CCCCSA construction supports the educational program and responds to community needs, the Superintendent will prepare a Five Year Facilities Work Plan and submit it to the Board for approval. Upon approval of the plan, the Superintendent will revise the plan and submit it to the Board for approval by October 1st annually.

The plan shall include a thorough description and analysis of local and regional demographic factors which influence general population growth and public school enrollments.

In order to apprise the Board of the continuing relevance of the CCCCSA's plan, the Superintendent shall:

A. ☒ annually report to the Board on the

☒ number of resident students attending school;

☐ number of new residential units approved in the CCCCSA;

B. ☒ report to the Board on the enrollment by grades during the school year

☐ monthly;

☐ each semester;

☒ annually;

C. ☒ conduct a "kindergarten roundup" each spring of the number of students who will be enrolled in the schools of the CCCCSA in September of the year in which the estimate is made and report the results to the Board;

D. ☒ prepare student enrollment projections every

☒ year

☐ two (2) years

☐ _____

and compare the actual enrollment figures to the previously projected figures to detect early, for the benefit of the Board, any changes in enrollment trends.

All educational and ancillary facilities constructed by the Board shall comply with the uniform Statewide building code for planning and construction of public educational and ancillary plants, including adopted standards.

In planning for the enlargement or modification of its facilities, the Board shall consider not only the number of children whose educational needs must be met but also the physical requirements of the program it deems best suited to meet those needs. The CCCCSA shall provide suitable accommodations to carry out the educational program of the school including provision for the disabled, pursuant to law and regulation.

Further, when new construction or a remodeling or renovation project over \$300,000.00 will be undertaken pursuant to the CCCCSA's plan, the Superintendent will evaluate alternative construction methods, including exceptions to standards for innovative planning and construction techniques, to determine the most appropriate method for completing the particular project. In conducting that evaluation the Superintendent will consider the use of new materials, systems, and applications in the design and construction of educational facilities. Based on the evaluation of the alternative methods, the Superintendent will recommend to the Board the methods for design and construction determined most appropriate for the project. Upon approval of the CCCCSA's building official, the Board, and the Florida Department of Education, the CCCCSA shall proceed with contracting for the project in accordance with Policy 6322 - Construction Contracting and Bidding.

Exceptions to Construction Requirements

The Board may, with a supermajority vote at a public meeting that begins no earlier than 5 p.m., adopt a resolution to implement one (1) or more of the exceptions to the educational facilities construction requirements described below.

~~Before voting on the resolution, the Board will conduct a cost-benefit analysis prepared according to a professionally accepted methodology that describes how each exception selected by the Board achieves cost savings, improves the efficient use of CCCCSA resources, and impacts the life cycle costs and lifespan for each educational facility to be constructed, as applicable, and demonstrates that implementation of the exception will not compromise student safety or the quality of student instruction.~~

~~The Board will conduct at least one public workshop to discuss and receive public comment on the proposed resolution and cost-benefit analysis, to begin no earlier than 5 p.m. The workshop may occur at the same meeting at which the resolution will be voted upon.~~

The Board's resolution may propose the implementation of exceptions to requirements of the uniform Statewide building code for the planning and construction of public educational and ancillary plants relating to the following:

- A. Interior non-load bearing walls by approving the use of fire-rated wood stud walls in new construction or remodeling for interior non-load bearing wall assemblies that will not be exposed to water or located in wet areas.
- B. Walkways, roadways, driveways, and parking areas by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas.
- C. Standards for relocatables used as classroom space by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite.
- D. Site lighting by approving construction specifications for site lighting that:
 - 1. Do not provide for lighting of gravel or grassed auxiliary or student parking areas.
 - 2. Provide lighting for walkways, roadways, driveways, paved parking lots, exterior stairs, ramps, and walkways from the exterior of the building to a public walkway through installation of a timer that is set to provide lighting only during periods when the site is occupied.
 - 3. Allow lighting for building entrances and exits to be installed with a timer that is set to provide lighting only during periods in which the building is occupied. The minimum illumination level at single-door exits may be reduced to no less than one (1) foot-candle.
- E. Any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school pursuant to F.S. 1002.33(18), so long as the regional planning council determines that there is sufficient shelter capacity within the CCCCSA as documented in the Statewide Emergency Shelter Plan.

F.S. 553.73

F.S. 1013.37

F.S. 1013.385

F.A.C. 6A-2.0010

Section 114, Florida Building Code

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F.S. 553.73

F.S. 1013.37

F.S. 1013.385

F.A.C. 6A-2.0010

Section 114, Florida Building Code

Last Modified by Jacquelin Collins on April 20, 2021

Book	Policy Manual
Section	Vol. 21, No. 2 - Feb. 2021
Title	REVISED POLICY - VOL. 21, NO. 2 - VIDEO SURVEILLANCE AND ELECTRONIC MONITORING
Code	po7440.01 jc 4/20/21
Status	
Adopted	February 9, 2021

REVISED POLICY - VOL. 21, NO. 2

7440.01 - VIDEO SURVEILLANCE AND ELECTRONIC MONITORING

The School Board authorizes the use of video surveillance and electronic monitoring equipment at various school sites throughout the District and on school buses. The video surveillance/electronic monitoring equipment shall be used to protect Board property and assets from theft and vandalism, through deterrence and video documentation. The system is not designed nor intended to protect individuals from being victims of violent or property crimes, nor to detect other potentially illegal and undesirable activities that may occur, although information may be used as evidence in such cases.

The monitoring of actions and behavior of individuals who come onto school property is a significant factor in maintaining order and discipline. Video surveillance/electronic monitoring systems serve to complement other means being employed in the District to promote and foster a safe and secure teaching and learning environment for students and staff. The Board recognizes that the use of a video surveillance/electronic monitoring system does not replace the need for the ongoing vigilance of designated school staff to monitor and supervise the school building; rather, the video surveillance/electronic monitoring system serves as an appropriate and useful tool with which to augment or support the in-person supervision provided by staff. The principal is responsible for verifying that due diligence is observed in maintaining general campus security.

The Superintendent is responsible for determining where to install and operate fixed-location video surveillance/electronic monitoring equipment in the District. The determination of where and when to use video surveillance/electronic monitoring equipment will be made in a nondiscriminatory manner. Any person who takes action to block, move, or alter the location and/or viewing angle of a video camera shall be subject to disciplinary action.

Any information obtained from video surveillance/electronic monitoring systems may only be used to support the orderly operation of the School District's schools and facilities, and for law enforcement purposes, and not for any other purposes. As such, recordings obtained through the use of video surveillance/electronic monitoring equipment may be used as evidence in any disciplinary proceedings, administrative proceeding or criminal proceeding, subject to Board policy and regulations. Further, such recordings may become a part of a student's education record or staff member's personnel file. The Board will not use video surveillance/electronic monitoring equipment to obtain information for the purpose of routine staff appraisal/evaluation or monitoring. However, prerecorded lessons or observations of on-line or virtual learning sessions may be included as part of an employee's evaluation in accordance with an applicable collective bargaining agreement or Memorandum of Understanding approved by the Board.

Ordinarily, video surveillance/electronic monitoring equipment will not be used to make an audio recording of conversation occurring on school grounds or property where individuals have a reasonable expectation of privacy; however, notice shall be given to all individuals present on the grounds of a school site or on a school bus that their conversations may be recorded through the video surveillance/electronic monitoring equipment and, as a result, individuals on the grounds of a school site or on a school bus should not have an expectation that their conversations will remain private.

Recordings of students will be treated as confidential. Consequently, because the Board is bound by Florida's Public Records Act and the Family Educational Rights and Privacy Act (FERPA), copies of video recordings containing personally identifiable information about students shall not be released except to school officials with legitimate educational interests. Parents or guardians of minor students, and students who are eighteen (18) years of age or older, who are charged with disciplinary violations may view relevant portions of any video recording related to the charge, upon written request to the principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any other students whose images appear on the recording). Likewise, school personnel may view relevant portions of any video relating to any disciplinary charge against them, upon written request to the building principal, provided that viewing the recording does not violate State and/or Federal law (i.e., the privacy rights of any students whose images appear on the recordings). Otherwise, such confidential recordings shall only be released as authorized under or required by State and Federal laws.

Video surveillance/electronic monitoring recordings may be retained beyond the retention period required by law if they are going to be utilized for training purposes or as required by law pursuant to Policy 8315 - Information Management and Administrative Procedure 8315 - Litigation Hold Procedure. This policy does not address or cover instances where school officials record a specific event (e.g., a play, music performance, athletic contest, graduation, or Board meeting) or an isolated instance where a classroom is videotaped for educational or research purposes. Authorized videotaping for educational, instructional and/or research purposes is permitted and is not addressed by this policy.

Video surveillance is to be implemented in accordance with this policy and the related administrative procedures. The Board will not accept or tolerate the improper use of video surveillance/electronic monitoring equipment and will take appropriate action in any cases of wrongful use of this policy.

Periodically, the Superintendent shall conduct a review to verify that this policy and its implementing procedures are being adhered to and report to the Board on the use of video surveillance/electronic monitoring equipment in the District.

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F.A.C. 1B-24.003(1)(a)

Title I of the Electronic Communication Privacy Act of 1986

18 U.S.C. 2510

18 U.S.C. 2511

18 U.S.C. 2512

18 U.S.C. 2513

18 U.S.C. 2515

18 U.S.C. 2516

18 U.S.C. 2517

18 U.S.C. 2518

18 U.S.C. 2519

18 U.S.C. 2520

18 U.S.C. 2521

20 U.S.C. 1232g

34 C.F.R. 99.1-99.67

Last Modified by Jacquelin Collins on April 20, 2021

Book Policy Manual

Section Vol. 21, No. 2 - Feb. 2021

Title REVISED POLICY - VOL. 21, NO. 2 - FOOD SERVICE PROGRAM

Code po8500 jc 5/20/21

Status

Adopted April 12, 2016

Last Revised February 9, 2021

REVISED POLICY - VOL. 21, NO. 2

8500 - FOOD SERVICE PROGRAM

The School Board shall provide cafeteria facilities in all school facilities where space and facilities permit and will provide food service for the purchase and consumption of lunch for all students. The Board shall annually encumber the funds needed to operate the program.

It is the intent of the Board to participate in the National School Lunch and School Breakfast Program and to offer paid, free, or reduced-price meals in accordance with the Child Nutrition Program, the National School Lunch Act, and Florida law. The operation of the food service program shall also be in compliance with the regulations set forth in State law and the Florida Administrative Code.

The Board does not discriminate on the basis of race, color, national origin, sex (including transgender status, sexual orientation, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "protected classes") in its educational programs or activities. Students and all other members of the School District community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. See Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity.

Students who are eligible for free or reduced-price meals shall be approved and properly accounted for by the Principal in accordance with criteria established by the Child Nutrition Program and National School Lunch Act. The Board requires that the identity of students receiving free or reduced-price meals be safeguarded and kept confidential.

Each elementary, middle, and high school shall make a breakfast meal available if a student arrives at school on the bus less than ~~fifteen (15)~~ ten (10) minutes before the first bell rings and shall allow the student at least ~~fifteen (15)~~ ten (10) minutes to eat the breakfast.

The operation and supervision of the food service program shall be the responsibility of the **(x) School Nutrition Program Director ()** _____. The District will adhere to the professional standards for school nutrition personnel who manage and operate the food service program, including the requirements related to hiring and training that are set forth in USDA regulations and AP 8500A.

Further, as required by USDA regulations and upon recommendation of the Superintendent, the Board will annually certify:

- A. the School Nutrition Program Director meets the hiring standards and training requirements set forth in USDA regulations; and
- B. each employee in the food service program has completed the applicable training requirements set forth in USDA regulations.

[NOTE: F.S. 595.405(4) requires the Board to conduct two (2) public hearings before adopting or rejecting a policy which makes universal-free school breakfast meals available to all students in each elementary, middle, and high school in which eighty percent (80%) or more of the students are eligible for free or reduced-price meals. Following the public hearings, the Board may choose whether or not to include either Option 1 or the second paragraph of Option 2 in this section of the policy.]

Option 1

Breakfast meals shall be available to all students in each elementary, middle, and high school. The Board will do so by participating in the National School Breakfast Program and offering paid, free, and reduced-price breakfast meals in accordance with the USDA Guidelines.

The food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards as well as to the fiscal management of the program.

Option 2

Breakfast meals shall be available to all students in each elementary, middle, and high school. The Board will do so by participating in the National School Breakfast Program and offering paid, free, and reduced-priced breakfast meals in accordance with USDA Guidelines.

☒ Further, the Board shall offer breakfast meals free of charge to all students in each elementary, middle, and high school in which eighty percent (80%) or more of the students are eligible for free or reduced-price meals.

[END OF OPTIONS]

The School District of Lee County, not the ~~CCCSA Board~~ shall provide a Federal food service program for students during summer intervention programs that are mandated under Federal law. If the Board determines that it is unable to provide a Federal food service program during the summer, for financial reasons, the Board will communicate that decision to its residents in a manner it determines to be appropriate.

The Board shall approve and implement nutrition standards governing the types of food and beverages that may be sold on the premises of its schools and shall specify the time and place each type of food or beverage may be sold.

In adopting such standards, the Board shall:

- A. consider the nutritional value of each food or beverage;
- B. consult with a dietitian licensed under F.S. 468.509, a dietetic technician registered by the commission on dietetic registration, or a school nutrition specialist certified or credentialed by the school nutrition association;
- C. consult and incorporate to the maximum extent possible the dietary guidelines for Americans jointly developed by the United States Department of Agriculture (USDA) and the United States Department of Health and Human Services; and
- D. consult and incorporate the USDA Smart Snacks in School nutrition guidelines.

No food or beverage may be sold on any school premises except in accordance with the standards approved by the Board.

The Superintendent shall recommend and the Board shall approve the cost of meals for elementary, middle, and high schools annually.

Meal Charges

The Board recognizes that circumstances may result in a student needing to charge for meals if his/her account has an insufficient balance to cover the charge. However, no account will be allowed to exceed a significant negative balance except as established below.

The Superintendent shall develop procedures regarding meal charges, which shall be implemented by the Director of Food Services. This procedure will provide direction so that students Districtwide who are eligible for reduced price or who pay the established price for meals, but do not have funds in their account or in hand to cover the cost of their meal at the time of service are treated consistently, that parents of students who charge meals are notified when a student charges a meal, and that efforts are made to collect the charges made so that the unpaid charges are not classified as "bad debt" at the end of the school year.

A student whose account has a significant negative balance may not charge or purchase "a la carte" items, including extra main course entrees.

[CHOOSE ONE OPTION]

~~[] OPTION 1~~

If a student has a significant negative lunch account balance, s/he shall be provided a regular reimbursable meal that follows the USDA meal pattern, the cost of which shall continue to accrue to his/her significant negative balance. The student's parent(s) shall be contacted to collect the outstanding charges.

[END OF OPTION 1]

[x] OPTION 2

If a student has a significant negative lunch account balance, s/he shall be provided an alternate meal () at a reduced price recommended by the Superintendent and approved by the Board **[End of Option]**, the cost of which shall continue to accrue to his/her significant negative balance, and his/her parent(s) shall be contacted to collect the outstanding charges. The alternate meal will be a low-cost alternative to the regular reimbursable meal and shall meet USDA nutritional standards or the Smart Snacks in Schools regulations so that it qualifies for reimbursement under the National School Lunch/Breakfast Program.

[END OF OPTION 2]

If the negative balance is not brought to a positive balance within 30 days of these efforts, the School District will take action to collect the unpaid debt by means of () collection agencies () small claims court (x) other legal methods deemed necessary by the School District.

If a student withdraws or graduates and has a positive balance of less than \$ 5, the balance may be receipted into the (x) school lunch fund ~~() extra-curricular activity fund where the school lunch program funds are maintained unless the parent requests a refund~~. If a student withdraws or graduates with a positive balance greater than \$ 5 **[use the same amount as above]**, the (x) parents ~~() student~~ shall be notified by mail and given the option of receiving a refund within 30 days. If no response is received within 30 days, the account will be closed and the funds will no longer be available. Unclaimed balances will be transferred to (x) the school lunch fund ~~() the extra-curricular activity fund where the school lunch program funds are maintained~~.

The Board's policy and Superintendent's procedure related to meal charges shall be distributed in writing to all households at the start of each school year and to households transferring to the school or School District during the school year. This guideline will provide directions for students who are eligible for reduced price or paid meals but do not have funds in their account or in hand to cover the cost of their meal at the time of service.

Dietary Modifications

A request for substitutions to the standard meal requirements due to food allergies shall be accommodated, when requested by an adult student with a disability or the parent of a student with a disability, without delay and at no additional charge. The adult student with a disability or the parent of a student with disability making such a request of the Food Service Director shall be informed that medical certification that the student has a disability that restricts his/her diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b must be submitted within (10) school days from a health care provider who has prescriptive authority in the State of Florida or the dietary modification may be discontinued until such statement is received.

The medical certification must identify:

- A. the child's physical or mental impairment and why the student's disability or medical conditions necessitates such a restriction of the child's diet;
- B. an explanation of why the food service program must do to accommodate the child's disability; and
- C. the food(s) to be omitted from the student's diet and the recommended food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

After a request for a dietary modification is submitted to the Director of Food Service, the Director of Food Service shall, in turn, notify the Principal, school nurse, and the members of the student's IEP or 504 Team that the dietary modification shall be made for the student, pending the receipt of the required medical certification.

If deemed necessary by the student's IEP or 504 Team, the dietary modification shall be included in the student's IEP or 504 plan.

An adult student with a disability or the parent of a student with a disability who believes the accommodation requested is not being appropriately addressed may access the processes and assistance described in Policy 2260 and/or Policy 2260.01 by contacting the District's Compliance Coordinator named in those policies.

A request for substitutions to the standard meal requirements due to food allergies shall be accommodated, only with milk substitute when requested by an adult student who is not identified as having a disability or the parent of a student who is not identified as having a disability, without delay and at no additional charge. An adult student who is not identified as having a disability or the parent of a student who is not identified as having a disability making such a request of the Director of Food Service shall be

informed that a signed medical statement from a health care provider who has prescriptive authority in the State of Florida that the student cannot consume certain food items due to a medical condition or some other special dietary need must be submitted within _____ (10) school days or the dietary modification may be discontinued until such statement is received.

To qualify for continuing consideration and substitutions the medical statement must identify:

- A. the medical or dietary need that restricts the student's diet;
- B. the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted; and
- C. the food(s) to be omitted from the student's diet and the recommended food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

The request for such dietary modifications shall be submitted to the Director of Food Service, who shall, in turn, notify the Principal and school nurse that the dietary modification shall be made for the student. Upon request of the parent or adult student, a meeting of a team including the parent, the Director of Food Service, school nurse, and Principal shall be convened to determine the specific substitution(s) that will be made to the standard meal pattern for the student.

For non-disabled students who need a nutritionally equivalent milk substitute, only a signed request by a parent or guardian is required.

[Choose one of the following two options.]

☒ The food service program shall not accommodate a student's request for specific substitutions to the standard meal pattern requirements that is based solely on religious or lifestyle choices.

~~☐ The food service program shall accommodate a student's request for specific substitutions to the standard meal pattern requirements that is based solely on religious or lifestyle choices.~~

[End of Options]

In addition to students, lunches sold by the school may be purchased by staff members and community residents in accordance with administrative guidelines established by the Superintendent. Lunches may be made available, free of charge, to senior citizens who are serving as volunteers to the District.

During all times while the food service program is operating and students are being served food, at least one (1) employee shall be present in the area in which the food is being consumed who has received instruction in methods to prevent choking and demonstrated an ability to perform the Heimlich maneuver.

Food Safety Compliance

In addition, as required by law, a food safety program that is based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service program staff and other authorized persons.

In accordance with Federal law, the Director of Food Service shall take such actions as are necessary to obtain a minimum of two (2) food safety inspections per school year, which are conducted by the State or local governmental agency responsible for food safety inspections. The report of the most recent inspection will be posted in a publicly visible location, and a copy of the report will be available upon request. **[Please note: Schools participating in more than one (1) child nutrition program are only required to obtain two (2) food safety inspections per school year if the nutrition programs offered use the same facilities for the preparation and service of meals. Also, the requirement for two (2) inspections does not apply to schools that only offer the Special Milk Program.]**

A periodic review of the food-service accounts shall be made by the Director of Food Service. Any surplus funds from the National School Lunch Program shall be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a-la-carte foods may accrue to the food-service program.

Bad Debt

Meal charges that are not collected in the year when the debt was incurred shall be classified as bad debt. Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Once classified as bad debt, non-Federal funding sources shall reimburse the school lunch program account for the total amount of the bad debt. If funds to reimburse the District for this bad debt are not available from another source, such as school or community organizations (like the PTA) or any other non-Federal source, the funds to reimburse the school lunch program shall be transferred from the District's general fund or other State or local funding to make that reimbursement.

Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 C.F.R. 210.9(b)(17) and 7 C.F.R. 210.15(b).

Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectible are also unallowable.

Operation of the Food Service Program

With regard to the operation of the school food service program, the Superintendent shall require:

- A. the maintenance of sanitary, neat premises free from fire and health hazards;
- B. the preparation of food that complies with Federal food safety regulations;
- C. the planning and execution of menus in compliance with USDA requirements;
- D. the purchase of food and supplies in accordance with State and Federal law, USDA regulations, and Board policy; (see Policy 1129, Policy 1214, Policy 3129, Policy 3214, Policy 4129, Policy 4214, and Policy 6460)
- E. complying with food holds and recalls in accordance with USDA regulations;
- F. the administration, accounting, and disposition of food-service funds pursuant to Federal and State law and USDA regulations;
- G. the safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;
- H. the regular maintenance and replacement of equipment;
- I. all District employees whose salaries are paid for with USDA funds or non- Federal funds used to meet a match or cost share requirement must comply with the District's time and effort record-keeping policy (see Policy 6116).

The Superintendent will require that the food service program serve foods in the schools of the District that reinforce the nutrition concepts taught in the classrooms.

The District shall serve only nutritious food in accordance with the nutritional standards adopted by the Board in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines. Foods and beverages in competition with the District's food-service program must comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines, and may only be sold in accordance with Board Policy 8550.

The Superintendent is responsible for implementing the food service program in accordance with the adopted nutrition standards and shall provide a report regarding the District's compliance with the standards at one of its regular meetings annually.

See also AP 8500A.

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F.S. 595.405

F.S. 1001.41

F.S. 1001.42

F.S. 1001.51

F.S. 1013.12

F.A.C. 5P-1.002

F.A.C. 5P-1.003

F.A.C. 5P-1.004

F.A.C. 5P-1.005

42 U.S.C. 1758

Health, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.

Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

7 C.F.R. Part 15b

7 C.F.R. Part 210

7 C.F.R. Part 215

7 C.F.R. Part 220

7 C.F.R. Part 225

7 C.F.R. Part 226

7 C.F.R. Part 227

7 C.F.R. Part 235

7 C.F.R. Part 240

7 C.F.R. Part 245

7 C.F.R. Part 3015

80 F.R. 11077

OMB Circular No. A-87 USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)

SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

Last Modified by Jacquelin Collins on May 20, 2021

Book	Policy Manual
Section	Vol. 21, No. 2 - Feb. 2021
Title	REVISED POLICY - VOL. 21, NO. 2 - WELLNESS
Code	po8510 jc 4/26/21
Status	
Adopted	April 12, 2016
Last Revised	August 14, 2018

REVISED POLICY - VOL. 21, NO. 2**8510 - WELLNESS**

As required by law, the School Board establishes the following wellness policy for the School CCCSA as a part of a comprehensive wellness initiative.

The Board recognizes that good nutrition and regular physical activity affect the health and well-being of the CCCSA's students. Furthermore, research suggests that there is a positive correlation between a student's health and well-being and his/her ability to learn. Moreover, schools can play an important role in the developmental process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, by supporting the development of good eating habits, and by promoting increased physical activity both in and out of school.

Schools alone, however, cannot develop in students healthy behaviors and habits with regard to eating and exercise. It will be necessary for not only the staff, but also parents and the public at large to be involved in a community-wide effort to promote, support, and model such healthy behaviors and habits.

The Board sets the following goals in an effort to enable students to establish good health and nutrition habits:

A. With regard to nutrition education, the CCCSA shall:

[Select one or more of the following:]

1. ☐ Nutrition education shall be included in the health curriculum so that instruction is sequential and standards-based and provides students with the knowledge, attitudes, and skills necessary to lead healthy lives.
2. ☐ Nutrition education shall be included in the sequential, comprehensive health curriculum in accordance with the curriculum standards and benchmarks established by the State.
3. ☒ Nutrition education shall be integrated into other subject areas of the curriculum, when appropriate, to complement, but not replace, the standards and benchmarks for health education.
4. ☐ Nutrition education standards and benchmarks shall be age-appropriate and culturally relevant.
5. ☐ The standards and benchmarks for nutrition education shall be behavior focused.
6. ☒ Nutrition education shall include enjoyable, developmentally appropriate and culturally relevant participatory activities, such as contests, promotions, taste testing, and others.
7. ☒ Nutrition education shall include opportunities for appropriate student projects related to nutrition, involving, when possible, community agencies and organizations.
8. ☐ Nutrition education shall extend beyond the classroom by engaging and involving the school's food service staff.
9. ☒ Nutrition education posters, such as the Food Pyramid Guide, will be displayed in the cafeteria.
10. ☐ The school cafeteria shall serve as a learning lab by allowing students to apply the knowledge, attitudes, and skills taught in the classroom when making choices at mealtime.
11. ☐ Nutrition education shall extend beyond the school by engaging and involving families and the community.
12. ☐ Nutrition education shall reinforce lifelong balance by emphasizing the link between caloric intake (eating) and exercise in ways that are age-appropriate.
13. ☐ Nutrition education benchmarks and standards include a focus on media literacy as it relates to food marketing strategies.
14. ☐ Nutrition education standards and benchmarks promote the benefits of a balanced diet that includes fruits, vegetables, whole grain products, and low-fat and fat-free dairy products.
15. ☐ Staff responsible for providing instruction in nutrition education shall regularly participate in professional development activities designed to better enable them to teach the benchmarks and standards.
16. ☐ Instruction related to the standards and benchmarks for nutrition education shall be provided by highly qualified teachers.
17. ☐ The CCCSA shall provide information to parents that is designed to encourage them to reinforce at home the standards and benchmarks being taught in the classroom.
18. ☐ other: _____
19. ☐ other: _____
20. ☐ other: _____

minimum of 20 minutes.]

- e. ~~()~~ The school shall provide information to families to encourage and assist them in their efforts to incorporate physical activity into their children's daily lives.
- f. ~~()~~ The school shall encourage families and community organizations to help develop and institute programs that support physical activity of all sorts.
- g. ~~()~~ The school shall provide students in grades _____ with the opportunity to use physical activity in which they participate outside the regular school day (other than organized interscholastic athletics) to satisfy physical activity requirements.
- h. ☒ In addition to planned physical education, the school shall provide age-appropriate physical activities (e.g., recess during the school day, intramurals and clubs before and after school, and interscholastic sports) that meet the needs of all students, including males, females, students with disabilities, and students with special health care needs.

[NOTE: This is a NASPE recommendation in their position statement on Comprehensive School Physical Activity Programs (2008).]

- i. ~~()~~ All students in grades _____ shall have the opportunity to participate in extra-curricular activities and intramural programs that emphasize physical activity.
- j. ☒ All students in grades 6 -12 shall have the opportunity to participate in interscholastic sports programs.
- k. ~~()~~ Schools shall offer a wide range of physical activities outside the regular school day that meet the needs, interests, and abilities of all students, including males, females, students with disabilities, and students with special health care needs.
- l. ~~()~~ All before/after school programs shall provide developmentally appropriate physical activity for the students who participate.
- m. ~~()~~ Schools shall discourage extended periods of student inactivity, without some physical activity.
- n. ~~()~~ other: _____
- o. ~~()~~ other: _____
- p. ~~()~~ other: _____

C. With regard to other school-based activities the CCCSA shall CCCSA :

Free drinking water shall be available to students during designated meal times and may be available throughout the school day.

[Select one or more of the following:]

1. ☒ The schools shall provide at least thirty (30) minutes daily for students to eat.
2. ☒ The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.
3. ☒ The school shall provide attractive, clean environments in which the students eat.
4. ~~()~~ Students at _____ (insert name(s) of building(s)) are not permitted to have drinks in the classroom.
5. ~~()~~ Students at _____ (insert name(s) of building(s)) are permitted to have bottled water only in the classroom.
6. ☒ Activities, such as tutoring or club meetings, shall not be scheduled during mealtimes, unless students may eat during those meetings.
7. ~~()~~ Schools ~~() may () shall~~ limit the number of celebrations involving serving food during the school day to no more than _____ () party(ies) per class per month.
8. ~~()~~ Students, parents, and other community members shall have access to, and be encouraged to use, the school's outdoor physical activity facilities outside the normal school day.
9. ☒ An organized wellness program shall be available to all staff.
10. ~~()~~ The schools ~~() shall () may~~ use environmentally friendly practices, such as the use of locally grown foods and non-disposable tableware and dishes.
11. ~~()~~ The schools ~~() shall () may~~ provide opportunities for staff, parents, and other community members to model healthy eating habits by dining with students in the school dining areas.
12. ☒ The schools ☒ shall () may demonstrate support for the health of all students by hosting health clinics and screenings and encouraging parents to enroll their eligible children in Medicaid or in other children's health insurance programs for which they may qualify.
13. ☒ Schools in our system utilize electronic identification and payment systems, therefore, eliminating any stigma or identification of students eligible to receive free and/or reduced meals.
14. ☒ Students are discouraged from sharing their foods or beverages with one another during meal times, given concerns about allergies and other restrictions on some students' diets.
15. ~~()~~ other: _____
16. ~~()~~ other: _____

D. With regard to nutrition promotion, the CCCSA shall: any foods and beverages marketed or promoted to students on the school campus, during the school day, will meet or exceed the USDA Smart Snacks in School nutrition standards.

Additionally, the CCCSA shall:

1. ☒ encourage students to increase their consumption of healthful foods during the school day;

B. With regard to physical activity, the CCCSA shall:

[It is recommended that one (1) or more of the following be selected from both categories:]

1. Physical Education

- a. ~~()~~ A sequential, comprehensive physical education program shall be provided for students in K-12 in accordance with the physical education academic content standards and benchmarks adopted by the State.
- b. ~~()~~ The sequential, comprehensive physical education curriculum shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate knowledge, attitudes, and skills necessary to engage in lifelong, health-enhancing physical activity.
- c. ~~()~~ Planned instruction in physical education shall be sufficient for students to achieve a proficient level with regard to the standards and benchmarks adopted by the State.
- d. ~~()~~ Planned instruction in physical education shall promote participation in physical activity outside the regular school day.
- e. **(x)** All students in grades K-12, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive daily physical education for the entire school year, for at least 150 minutes per week for K-5 students and at least 225 minutes per week for students in grades 6 - 12.

[NOTE: The National Association for Sport and Physical Education (NASPE) defines a quality physical education program in the terms and minutes specified above.]

- f. ~~()~~ All students in grades _____, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive instruction in physical education for _____ () minutes ~~()~~ daily ~~()~~ _____ days per week for the entire school year.
- g. ~~()~~ All students, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive instruction in physical education for _____ () minutes ~~()~~ per day ~~()~~ _____ days per week for at least _____ semesters in grades _____-12.
- h. **(x)** The physical education curriculum shall provide sequential instruction related to the knowledge, attitudes, and skills necessary to participate in lifelong, health-enhancing physical activity.
- i. ~~()~~ Physical education classes shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate knowledge, attitudes, and skills necessary to engage in lifelong, health-enhancing physical activity.
- j. ~~()~~ The sequential, comprehensive physical education curriculum shall stress the importance of remaining physically active for life.
- k. **(x)** The K-12 program shall include instruction in physical education as well as opportunities to participate in competitive and non-competitive team sports to encourage lifelong physical activity.
- l. ~~()~~ Planned instruction in physical education shall require students to be engaged in moderate to vigorous physical activity for at least fifty percent (50%) of scheduled class time.
- m. **(x)** Teachers properly certificated/licensed in the subject area of physical education shall provide all instruction in physical education.
- n. ~~()~~ Professional development opportunities should focus on the physical education content area.
- o. ~~()~~ All physical education classes shall have a student/teacher ratio comparable to the student/teacher ratio in other curricular areas.

[NOTE: NASPE includes this option in the definition of a quality physical education program.]

- p. ~~()~~ Planned instruction in physical education shall teach cooperation, fair play, and responsible participation.
- q. **(x)** Planned instruction in physical education shall meet the needs of all students, including those who are not athletically gifted.
- r. **(x)** Planned instruction in physical education shall be presented in an environment free of embarrassment, humiliation, shaming, taunting, bullying, or harassment of any kind.
- s. ~~()~~ Planned instruction in physical education shall include cooperative as well as competitive games.
- t. ~~()~~ Planned instruction in physical education shall take into account gender and cultural differences.
- u. ~~()~~ other: _____
- v. ~~()~~ other: _____
- w. ~~()~~ other: _____

2. Physical Activity

- a. **(x)** Physical activity ~~()~~ shall **(x)** should not be employed as a form of discipline or punishment.
- b. ~~()~~ Physical activity and movement shall be integrated, when possible, across the curricula and throughout the school day.
- c. **(x)** Schools shall encourage families to provide physical activity outside the regular school day, such as outdoor play at home, participation in sports sponsored by community agencies or organizations, and in lifelong physical activities like bowling, swimming, or tennis.
- d. **(x)** All students in grades K- 5/6 shall be provided with a daily recess period at least twenty (20) minutes in duration. Recess shall not be used as a reward or punishment.

NOTE: NASPE's recommendation is that all elementary school students should be provided with at least one daily period of recess for a

2. ☒ create an environment that reinforces the development of healthy eating habits, including offering the following healthy foods that comply with the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards:

- a. ☒ a variety of fresh produce to include those prepared without added fats, sugars, refined sugars, and sodium;
- b. ☒ a variety of vegetables daily to include specific subgroups as defined by dark green, red/orange, legumes, and starchy;
- c. ☒ whole grain products – half of all grains need to be whole grain-rich upon initial implementation and all grains must be whole grain-rich within two (2) years of implementation;
- d. ☒ fluid milk that is fat-free (unflavored and flavored) and low-fat (unflavored);
- e. ☒ meals designed to meet specific calorie ranges for age/grade groups;
- f. ☒ eliminate trans-fat from school meals;
- g. ☒ require students to select a fruit or vegetable as part of a complete reimbursable meal;
- h. ☐ designate wellness champions at each school that will promote resources through the CCCSA's website for wellness for students, families and the community;
- i. ☒ provide opportunities for students to develop the knowledge and skills for consuming healthful foods.

E. ☐ ~~The CCCSA nutrition department will promote and encourage Farm to School efforts in order to provide the healthy foods identified above.~~

F. ☐ ~~All foods and beverages sold to students as fund-raisers outside of the school meals program during the regular and extended school day for consumption on the school campus shall meet the USDA Competitive Food regulations, the Alliance for a Healthier Generation's Competitive Foods and Beverages Guidelines, and the USDA Smart Snacks in School nutrition standards.~~

G. ☐ ~~Rewarding children in the classroom should not involve candy and other foods that can undermine children's diets and health and reinforce unhealthy eating habits. A wide variety of alternative rewards can be used to provide positive reinforcement for children's behavior and academic performance.~~

H. ☐ Promotions/Partnerships

1. ☐ Through partnership with _____ [insert local running organization] each school has the opportunity to earn _____ [identify dollar amount or other gift] to start and implement a mileage or running club.
2. ☐ Through USTA partnerships, each K-12 school has the opportunity to receive more than _____ [insert dollar amount] worth of equipment to teach and implement tennis appropriate to grade level in the curriculum.
3. ☐ Through community partnerships, the elementary schools will receive training and equipment to implement _____ [insert name of a golf program; e.g., First Tee Golf] into the curriculum.
4. ☐ Through grants from _____ [insert source of grants] and local businesses, each elementary school has the opportunity to implement _____ [insert name of local bike safety program].
5. ☐ _____
6. ☐ _____

Furthermore, with the objectives of enhancing student health and well-being, and reducing childhood obesity, the following guidelines are established:

- A. In accordance with Policy 8500, entitled Food Service, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program.
- B. The sale of foods of minimal nutritional value in the food service area during the lunch period is prohibited.
- C. As set forth in Policy 8531, entitled Free and Reduced Price Meals, the guidelines for reimbursable school meals are not less restrictive than the guidelines issued by the U.S. Department of Agriculture (USDA).
- D. All foods offered on the school campus during the school day shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as classroom snacks, or from vending machines, for classroom parties, or at holiday celebrations.

[DRAFTING NOTE: THE FINAL RULES STATE THAT A POLICY MUST HAVE STANDARDS FOR FOOD AND BEVERAGES "PROVIDED" AT SCHOOL, SUCH AS PROVIDED FOR A CLASS PARTY OR AS A REWARD TO STUDENTS. THESE STANDARDS DO NOT HAVE TO MEET THE REQUIREMENTS IMPOSED ON FOOD SOLD AT SCHOOL. A CCCSA CAN ADOPT THE SAME STANDARD AS FOR SOLD FOOD OR ESTABLISH ITS OWN STANDARDS AS LONG AS IT HAS SOMETHING IN PLACE FOR FOOD PROVIDED IN SCHOOL OTHER THAN THROUGH SALE. THIS DOES NOT APPLY TO FOOD BROUGHT IN FOR INDIVIDUAL CONSUMPTION, I.E., A SACK LUNCH.]

- E. All food and beverages that are provided, other than through sale, on the school campus during the school day (which may include for classroom parties and at holiday celebrations) shall comply with the

☐ current USDA Dietary Guidelines for Americans.

OR

☐ food and beverage standards approved by the ☐ Superintendent ☐ _____.

OR

☒ the following standards:

1. It is recommended that no more than one food or beverage that does not meet nutrition standards be sold or promoted.

2. _____
3. _____
4. _____

[It is recommended that one (1) or more of the following be selected:]

- F. ☐ The food service program will strive to be financially self-supporting; however, if it is necessary to subsidize the operation, it will not be through the sale of foods with minimal nutritious value.
- G. ☒ The food service program will provide all students affordable access to the varied and nutritious foods they need to be healthy and to learn well regardless of unpaid meal balances.
- H. ☒ All food items and beverages available for sale to students for consumption on campus between midnight and ☒ **thirty (30) minutes** ☐ **sixty (60) minutes** after the close of the regular school day shall comply with the current USDA Dietary Guidelines for Americans, including, but not limited to, competitive foods that are available to students a la carte in the dining area, as well as food items and beverages from vending machines, from school stores, or as fund-raisers by student clubs and organizations, parent groups, or boosters clubs.
- I. ☒ All foods available to students in the dining area during school food service hours shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods available to student a la carte or from vending machines.
- J. ☐ Beginning with _____ - _____ school year, all foods available to students on campus during the school day and outside school food service hours shall comply with the current USDA Dietary Guidelines for Americans, including foods available to students as classroom snacks, from vending machines for fund-raisers, for classroom parties, or at holiday celebrations.
- K. ☐ All foods available on campus at any time shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as well as foods that are served as classroom snacks, from vending machines, for fund-raisers, for classroom parties, at holiday celebrations, at concession stands, or at any school-related event.
- L. ☐ The school food service program ☐ **may** ☐ **shall** involve ☐ students, ☐ parents, ☐ staff, ☐ school officials in the selection of competitive food items to be sold in the schools.
- M. ☐ Nutrition information for competitive foods available during the school day shall be readily available near the point of purchase.
- N. ☐ All foods available to students in CCCSA programs, other than the food service program, shall be served with consideration for promoting student health and well-being.
- O. ☐ Any food items sold ☐ **for consumption on campus** from thirty (30) minutes after the end of the last lunch period until ☐ **thirty (30) minutes** ☐ **sixty (60) minutes** after the school day ends as a fund-raiser by student clubs and organizations, parent groups, or booster clubs shall meet the current USDA Dietary Guidelines for Americans.
- P. ☒ The school shall prepare and distribute to staff, parents, ~~and after-school program personnel~~ a list of snack items that comply with the current USDA Dietary Guidelines for Americans.
- Q. ☐ The food service program shall be administered by a qualified nutrition professional.
- R. ☒ The food service program shall be administered by a director who is properly qualified, certificated, licensed, or credentialed, according to current professional standards.
- S. ☒ All food service personnel shall receive pre-service training in food service operations.
- T. ☒ Continuing professional development shall be provided for all staff of the food service program.
- U. ☐ other: _____
- V. ☐ other: _____

The Board designates ☒ **the Superintendent** ☐ **the building principals** as the individual(s) charged with operational responsibility for measuring and evaluating the CCCSA's implementation and progress under this policy. The Superintendent shall develop administrative procedures necessary to implement this policy.

The _____ Director of Food Services shall appoint the CCCSA wellness committee that ☒ **meets at least four (4) times one (1) time per year** and includes parents, students, representatives of the school food authority, educational staff (including health and physical education teachers), mental health and social services staff, school health professionals, members of the public, and school administrators to oversee the development, implementation, evaluation, and periodic update, if necessary, of the wellness policy. School-level health advisory teams may assist in the planning and implementation of these Wellness initiatives.

☒ The Superintendent shall be an ex officio member of the committee.

The wellness committee shall be an ad hoc committee of the Board with members recruited and appointed annually. The appointed CCCSA wellness committee shall be responsible for accomplishing the following:

- A. assess the current environment in each of the CCCSA's schools;
- B. measure the implementation of the CCCSA's wellness policy in each of the CCCSA's schools;
- C. review the CCCSA's current wellness policy;
- D. recommend revision of the policy, as necessary; and
- E. present the wellness policy, with any necessary revisions, to the Board for approval or re-adoption if revisions are necessary.

Before the end of each school year, the wellness committee shall submit to the Superintendent and Board their report in which they describe the environment in each of the CCCSA's schools and the implementation of the wellness policy in each school, and identify any revisions to the policy the committee deems necessary. In its review, the wellness committee shall consider evidence-based strategies in determining its recommendations.

The ~~Superintendent~~ Superintendent or designee shall report annually to the Board on the work of the wellness committee, including their assessment of the environment in the CCCSA, their evaluation of wellness policy implementation CCCSA-wide, and the areas for improvement, if any, that the committee identified. The committee shall also report on the status of compliance by individual schools and progress made in attaining goals established in the policy.

The Superintendent shall also be responsible for informing the public, including parents, students, and community members, on the content and implementation of this policy. In order to inform the public, the Superintendent shall:

- A. ☒ distribute information at the beginning of the school year to families of school children on each school's website
- B. ☐ include information in the student handbook
- C. ☐ _____
- D. ☐ _____

and post the wellness policy on the CCCSA's website, including the assessment of the implementation of the policy prepared by the CCCSA.

The CCCSA shall assess this policy at least once every three (3) years on the extent to which schools in the CCCSA are in compliance with the CCCSA policy, the extent to which the CCCSA policy compares to model wellness policies, and the progress made in attaining the goals of this policy. The assessment shall be made available to the public

- A. ☐ in the parent and staff handbooks.
- B. ☐ in the School CCCSA Annual Report to the public.
- C. ☒ on the School CCCSA's website.
- D. ☒ on each individual school's website.
- E. ☐ in the School CCCSA's calendar.
- F. ☐ _____.

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Legal	42 U.S.C. 1751 et seq.
	42 U.S.C. 1771 et seq.
	F.S. 595.405
	F.S. 1001.41
	F.S. 1001.42
	F.S. 1001.43
	F.S. 1003.453
	F.A.C. 5P-1.003

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Book Policy Manual

Section Vol. 21, No. 2 - Feb. 2021

Title REVISED POLICY - VOL. 21, NO. 2 - PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS

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Status

Adopted March 9, 2021

REVISED POLICY - VOL. 21, NO. 2

8450.01 - PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS

During times of elevated communicable disease community spread (pandemic or epidemic), the Superintendent will issue periodic guidance through Governing Board School Board plans/resolution(s) in alignment with public health officials and/or in accordance with government edicts and including any Pandemic Plan developed by the CCCCSA's Pandemic Response Team.

School settings can be a source of community spread. Wearing face masks/coverings is especially important during these times and can help mitigate the risk of exposure from person to person.

As such, during times of elevated communicable disease community spread, the Superintendent may activate this policy by notifying the school community, requiring all school staff, volunteers and visitors (including vendors) to wear appropriate face masks/coverings on school grounds unless it is unsafe to do so or where doing so would significantly interfere with the CCCCSA's educational or operational processes.

[☒] Face masks/shields will be provided by the CCCCSA to employees. Alternatively, employees may elect to wear their own face coverings if they meet the requirements of this policy as well as any requirements issued by State or local health departments.

In addition, the Board may require that

~~() students in ____ grade and higher shall wear a face mask unless they are unable to do so for a health or developmental reason. Efforts will be made to reduce any social stigma for a student who, for medical or developmental reasons, cannot and should not wear a mask.~~

OR

(☒) students shall wear a face mask unless they are unable to do so for a health or developmental reason. Efforts will be made to reduce any social stigma for a student who, for medical or developmental reasons, cannot and should not wear a mask.

If face masks/coverings are required, and no exception is applicable, students shall be subject to disciplinary action in accordance with the Student Code of Conduct/Student Discipline Code, and in accordance with policies of the Board

(☒) and/or may be reassigned by the Superintendent to an online/virtual learning environment if the Superintendent determines that reassignment is necessary to protect the health and safety of the student or others. **[DRAFTING NOTE: CCCCSAs should consult with legal counsel before reassigning a student with a disability to a virtual learning format. This might constitute a change in placement in violation of state and federal law.]**

[☒] During times of elevated communicable disease community spread as determined by the Board in consultation with health professionals, all students are required to wear masks while being transported on CCCCSA school buses or other modes of school transportation or while waiting for a school bus outdoors and unable to maintain a distance of six (6) feet or more from individuals who are not members of their household.

[DRAFTING NOTE: The majority opinion among medical experts appears to be that children kindergarten through 5th grade can wear masks as long as consideration is given for the age and developmental level of the child and the physical situation the child is in at that moment.]

Use of Mask/Face Covering

Face coverings/masks should:

- A. fully cover the mouth, nose, and chin;
- B. fit snugly against the side of the face so there are no gaps;
- C. not create difficulty breathing while worn; and
- D. be held securely through either a tie, elastic, etc. to prevent slipping.

Facial masks/coverings generally should not include surgical masks or respirators unless medically indicated (as those should be reserved for healthcare workers) or masks designed to be worn for costume purposes.

All employee facial masks/coverings shall meet the requirements of the appropriate dress/staff grooming policies (Policy 3216/4216). All student facial masks/coverings shall meet the requirements of the appropriate Student Code of Conduct/Student Discipline Code [] and Policy 5511 Dress and Grooming.

Any person may be required to temporarily remove a face mask or covering when instructed to do so for identification or security purposes. Failure to comply with such a request violates this policy and may lead to disciplinary or other action.

Exceptions to the use of masks/face coverings include when:

- A. facial masks/coverings in the school setting are prohibited by law or regulation;
- B. facial masks/coverings are in violation of documented industry standards;
- C. facial masks/coverings are not advisable for health reasons;
- D. facial masks/coverings are in violation of the school's documented safety policies;
- E. facial masks/coverings are not required when the individual staff works alone in an assigned work area;
- F. there is a functional (practical) reason for a staff member or volunteer not to wear a facial mask/covering in the workplace;
- G. settings where face masks/coverings might present a safety hazard (i.e. science labs);
- H. individuals for individuals who have difficulty wearing a face mask/covering; or
- I. the individual is communicating with students who are hearing impaired or otherwise disabled, where an accommodation is appropriate or necessary;
- J. the individual is actively participating in outdoor recess and/or physical activity where students are able to maintain a distance of six (6) feet or more or athletic practice, scrimmage, or competition that is permitted under a separate Department of Health order;
- K. the individual is seated and actively consuming food or beverage;
- L. students and staff can maintain distancing of at least six (6) feet and removal of the facial covering is necessary for instructional purposes, including instruction in foreign language, English language for non-native speakers, and other subjects where wearing a facial covering would prohibit participation in normal classroom activities, such as playing an instrument;
- M. students are able to maintain a distance of six (6) feet or more and a mask break is deemed necessary by the educator supervising the educational setting;
- N. an established sincerely held religious requirement exists that does not permit a facial covering to assist with communication for hearing impaired students.

The Board may be required to provide written justification to the local health officials upon request explaining why a staff member is not required to wear a facial covering in the school. Therefore, if any exceptions are made to the requirement for facial coverings, the request for such exception must be submitted in writing to the individual's supervisor with appropriate documentation provided. A decision on the request will be provided in writing.

Use of Face Shields

Face shields that wrap around the face and extend below the chin may be permitted as an alternative to face masks/coverings with permission of the Superintendent as the Board recognizes that face shields may be useful in some situations, including:

- A. when interacting with students, such as those with disabilities, where communication could be impacted;
- B. when interacting with English-language learners or when teaching a foreign language;
- C. settings where face masks/coverings might present a safety hazard (i.e. science labs); or
- D. for individuals who have difficulty wearing a face mask/covering.

If employees receive approval from the CCCCSA administration after discussing their request not to wear a face mask/covering/shield due to a physical, mental or developmental health condition, and/or if wearing a mask/covering/shield would lead to a medical emergency or would introduce significant safety concerns, the CCCCSA administration may also discuss other possible accommodations for the staff member. Such discussion shall follow Board policies and guidelines under the ADA.

School nurses or staff who care for individuals with symptoms consistent with those of a communicable disease must use appropriate personal protective equipment (PPE), provided by the school, in accordance with OSHA standards.

When facial masks/coverings are required by the Board, and no exception has been applied, staff members who violate this policy shall be subject to disciplinary action in accordance with policies of the Board.

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