**POLICIES**

**OF**

**THE GOVERNING AUTHORITY**

**OF**

**UTICA SHALE ACADEMY**

An Ohio Non-Profit Corporation  
and  
Ohio Community School

**PART 2 OF 2**

**SECTION 3:**

**STAFF POLICIES**

**Welcome to Utica Shale Academy**

Dear Staff Member:

It is my pleasure to welcome you to service at Utica Shale Academy. With the commitment of hardworking staff like you, we are able to successfully serve students and their families.

This section is a general guide that we hope will help you understand how you, Southern Local School District, and the School can work together toward a shared success. You are an employee of Southern Local. You are not an employee of the Utica Shale Academy. However, because you work in a public school, there are certain supplemental policies that all persons working in a public school must follow. We ask that you take the time to read and familiarize yourself with both the Southern Local and the School’s separate policies. If anything is not clear to you, or if you need more information, please ask your direct supervisor or me.

Thank you for being a part of our team. We hope your experience will be challenging, fun, and rewarding.

Best wishes,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Director

**301 About This Section[[1]](#footnote-1)©**

The School has rules, procedures, policies, and other matters of interest to you. The information expressed in this section, or any future additions or revisions does not constitute an agreement or create any contractual rights. Such agreement or assurance must be in writing and signed by the Principal. The policies and matters contained in this Section 3 are subject to revisions at any time by the School.

You are expected to read all New Leaf and School policies thoroughly so that you understand all contents. You are encouraged to bring questions regarding any policies or benefits to any member of management. You are required to sign an Acknowledgment form and return it. We encourage you to ask questions so that misunderstandings will be kept to a minimum and we can concentrate on our number one job - teamwork and service to Students.

We want you to enjoy your job and sincerely hope that you find your job to be pleasant, personally challenging, rewarding, and profitable. As an employee of New Leaf, all staff matters should go to your employer for guidance and resolution.

**302 About Our School**

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Please see the Employer Policies and Handbook.

**303 Our Mission Statement**

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Please see the Employer Policies and Handbook.

**304 Our Values**

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Please see the Employer Policies and Handbook.

**305 Non-Discrimination Policy[[2]](#footnote-2)©**

The Management Company must be an Equal Opportunity Employer. All employment practices, including those pertaining to recruitment, hiring, placement, transfer, promotion or compensation (i.e. wage rate), layoff or termination, and selection for training shall be administered in a nondiscriminatory manner without regard to age, color, sex, national origin, disability, race, religion, status of a Vietnam veteran, military status, or on any other basis prohibited by federal, state, or local law. The Employer is required to make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship.

Any employee with a question or concern about discrimination in the workplace is encouraged to bring their concern to the attention of the Principal or his or her designee in accordance with New Leaf’s policies. Please refer to your New Leaf Staff Handbook for New Leaf non-discrimination policies and procedures.

*29 USC 631; 29 USC 206(d); 42 USC 2006(c); 42 USC 12101; R.C. 4112.02; 4111.17*

**306 Harassment**

**306.1 Statement of Philosophy[[3]](#footnote-3)©**

The School strives for a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in an atmosphere which promotes equal opportunities and prohibits discriminatory practices and harassment based upon age, color, disability, national origin, race, religion, or gender/sex, military or veteran status, genetic information, or sexual orientation. Harassment, whether verbal, physical, or environmental, is unacceptable and will not be tolerated.

**306.2 Definition of Harassment[[4]](#footnote-4)©**

For purposes of this policy, harassment is defined as unwelcome or unwanted conduct of an offensive nature (whether verbal, visual, or physical) when: 1) submission to or rejection of this conduct by an individual is used or threatened to be used as a factor in decisions affecting hiring, evaluation, promotion, or other aspects of employment; or 2) this conduct has the purpose or effect of unreasonably interfering with an individual's employment performance or creating an intimidating, abusive, hostile, or offensive work environment.

Examples of harassment include, but are not limited to: unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; repeated jokes which include offensive references to age, disability, national origin, race, religion, or gender; unwelcome flirtations, advances, or propositions; verbal abuse of a sexual nature; graphic, verbal commentary about an individual's body, sexual prowess, or sexual deficiencies; leering; whistling; touching; pinching; assault; coerced sexual acts; suggestive, insulting, threatening, or obscene comments or gestures; dissemination or display in the workplace of objects, written materials, or pictures which include offensive references to age, color, gender/sex, national origin, disability, race, religion, military or veteran status, genetic information, sexual orientation; asking questions about sexual conduct; or racial or ethnic slurs or epithets.

Harassment is unacceptable in the workplace itself and in other work-related settings, such as business trips, meetings, or business-related social events.

*29 USC 631; 29 USC 206(d); 42 USC 2006(c); 42 USC 12101; R.C. 4112.02.*

See also Policy 264.1 Anti-Harassment, Intimidation, and Bullying.

**306.3 Individuals Covered Under the Policy[[5]](#footnote-5)©**

This policy protects all Staff. The School will not tolerate, condone, or allow harassment, whether engaged in by Staff or other non-Staff who conduct business with the School or Employer. The School encourages reporting of all incidents of harassment, regardless of who the offender may be.

**306.4 Reporting a Complaint[[6]](#footnote-6)©**

The School encourages all individuals who believe they are being harassed to firmly and promptly notify the offender that his or her behavior is unwelcome. The School does, however, recognize that, in some instances, power and status disparities between the alleged harasser and the individual may make such a confrontation impossible. In the event that such informal, direct communication between individuals is either ineffective or impossible, the following steps should be followed in reporting a harassment complaint. A complaint may be filed by one experiencing or witnessing harassment.

Notification of Appropriate Staff

Individuals who believe they have been subjected to harassment should report the incident to the Principal or his/her designee. When appropriate, the Principal or his/her designee will immediately consult with the Employer. If the Principal or his/her designee is allegedly involved in the incident, then the individual should report the incident directly to the Superintendent of Southern Local School District. If the Superintendent of Southern Local School District is allegedly involved in the incident, then the individual should report the incident directly to the Principal, who will report to the Academy Board. If both the Principal and the Superintendent of Southern Local Schools are allegedly involved in the incident, then the individual should report the incident directly to the Academy Board.

The School encourages prompt reporting of complaints so that rapid response and appropriate action may be taken, but no limited time frame applies. Late reporting of complaints will not in and of itself preclude the School from taking remedial action.

Protection against Retaliation

The School will not in any way retaliate or permit retaliation against any individual who makes a good faith report of harassment or who assists or cooperates in an investigation thereof. Retaliation is a serious violation of this harassment policy and should be reported immediately. Any person found to have violated this policy by retaliating against another individual for making a report of harassment or for assisting or cooperating in the investigation thereof will be subject to the same disciplinary action provided for harassment offenders.

Investigating the Complaint

Any allegation of harassment brought to the attention of the Principal will be thoroughly and promptly investigated. Confidentiality will be maintained where possible throughout the investigatory process to the extent practical and appropriate under the circumstances.

Resolving the Complaint

Upon completing the investigation of a harassment complaint, the Principal will communicate its findings and intended actions. If the investigation finds that harassment occurred, the harasser will be subject to appropriate disciplinary procedures, as listed below. If the investigation determines that no harassment has occurred, this finding will be communicated as appropriate.

Sanctions

Individuals found to have engaged in misconduct constituting harassment will be disciplined, up to and including discharge. Appropriate actions will be determined by the Employer. For example, action may include reprimanding the offender, documenting the occurrence in the personnel file, referral to counseling, withholding of a promotion, demotion, reassignment, temporary suspension without pay, or termination of employment.

Although the School's ability to discipline a non-employee harasser is limited by the degree of control, if any, that the School has over the alleged harasser, any individual who has been subjected to harassment by such an individual should still file a complaint and be assured that the School will take those actions it deems appropriate to end any harassment.

**307 Immigration Law Compliance**

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Please see the Employer Policies and Handbook.

**SECTION 310**

**YOUR EMPLOYMENT AT THE SCHOOL**

**311 Employment Status[[7]](#footnote-7)©**

You are not an employee of the School even if you are placed as Staff of the School. Your employer is New Leaf. Your employment status, contract, and salary are governed by the New Leaf Employer Policies and Handbook. You must comply with the contracts, policies, and procedures of your Employer.

Full time and part time status are defined by your Employer’s policies.

*29 U.S.C. 201 et seq.; R.C. 3319.086*

**312 Employment Contracts**

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Please see the Employer Policies and Handbook.

**313 Compensation and Benefits[[8]](#footnote-8)©**

Compensation, overtime pay, exempt or nonexempt status, salaries, recording time and benefits are established, maintained, controlled, and enforced by the Staff Member’s Employer. You are expected to review and know the policies, benefits, and procedures of your Employer.

**SECTION 315**

**EMPLOYEE QUALIFICATIONS**

**315 Background Checks[[9]](#footnote-9)©**

Public law requires Staff to undergo both federal and state background checks. You must, and by signing the acknowledgment to this section 300s, you do, consent to release of any background checks to New Leaf, the Board, and the School’s Sponsor, or the Ohio Department of Education.

**316 Teachers[[10]](#footnote-10)©**

Every New Leaf employee is required to complete an application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law

Certain convictions as outlined in Ohio Law, referred to as “absolute bar offenses,” will prohibit an individual from working in a public school. A listing of the disqualifying offenses may be obtained from the School’s office or its attorney. Teachers must comply with all licensure requirements established by the Ohio Department of Education.

In certain circumstances, an individual who would otherwise be disqualified may be hired by New Leaf if that individual’s offense has been rehabilitated. Rehabilitation is limited to certain offenses. A complete list of offenses that cannot be rehabilitated (“absolute bar offenses”) may be obtained from the School’s office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) for a felony, at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or the individual has had his/her conviction sealed or expunged; (3) for a misdemeanor, at least five years have elapsed since the date of conviction or the individual has had the record of his/her conviction sealed or expunged; (4) the individual is not a “repeat offender” (has not been convicted of any of the offenses listed in R.C. 3319.39(B)(1) or R.C. 3319.31 two or more times in separate criminal actions); (5) the individual has provided written confirmation of rehabilitation efforts, the results of those efforts, and whether the terms of his/her probation, parole, or deferred adjudication have been completed; and (6) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. New Leaf has discretion to decide whether the offense has been rehabilitated. Written confirmation required in item (5), above, will not be conclusive evidence that the applicant has met the other rehabilitation requirements required by the Board and by law.

*R.C. 3319.291; R.C. 3319.30; 3319.39; R.C. 3313.71; OAC 3301-20-01.*

**316.1** **Ohio Resident Educator Program Policy[[11]](#footnote-11)©**

The School shall institute the Ohio Resident Educator Program which is a four-year, entry-level program for classroom teachers.

New Leaf shall comply with the requirements of the Program as established by the Ohio Department of Education (education.ohio.gov; “Resident Educator Program”), which shall include the following components:

1. mentoring by teachers who hold a five-year professional license or two year provisional license that has been renewed two or more times under Ohio law;
2. counseling to ensure that program participants receive needed professional development; and
3. measures of appropriate progression through the Program.

Every New Leaf Employee who holds a Resident Educator License or an Alternative Resident Educator License issued under Ohio law must participate in the Teacher Resident Educator Program. Successful completion of the Program is required to qualify for a Professional Educator License issued under Ohio law.

*R.C. 3319.223; O.A.C. 3301-24-04; 3301-24-18; 3301-24-19; 3301-24-20; 3301-24-21.*

See Appendix 316.1-A Ohio Resident Educator Rules.

**317 Educational Assistants/Paraprofessionals[[12]](#footnote-12)©**

An educational assistant/paraprofessional is a nonteaching employee who directly assists a teacher by performing duties for which a teaching license is not required.

Every prospective New Leaf employee must complete an application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law.

Certain convictions as outlined in Ohio Law, referred to as “absolute bar offenses,” will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School’s office. Educational assistants must comply with all licensure/permit requirements established by the Ohio Department of Education.

In certain circumstances, an individual who would otherwise be disqualified may be hired if that individual’s offense has been rehabilitated. Rehabilitation is limited to certain offenses. A complete list of offenses that cannot be rehabilitated (“absolute bar offenses”) may be obtained from the School’s office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) for a felony, at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or the individual has had his/her conviction sealed or expunged; (3) for a misdemeanor, at least five years have elapsed since the date of conviction or the individual has had the record of his/her conviction sealed or expunged; (4) the individual is not a “repeat offender” (has not been convicted of any of the offenses listed in R.C. 3319.39(B)(1) or R.C. 3319.31 two or more times in separate criminal actions); (5) the individual has provided written confirmation of rehabilitation efforts, the results of those efforts, and whether the terms of his/her probation, parole, or deferred adjudication have been completed; and (6) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. New Leaf has discretion to decide whether the offense has been rehabilitated. Written confirmation required in item (5), above, will not be conclusive evidence that the applicant has met the other rehabilitation requirements required by the Board and by law.

An educational assistant/paraprofessional must be under the supervision and direction of an assigned teacher at all times in the performance of their duties, although such duties need not necessarily be performed in the physical presence of the teacher except as otherwise stated in this policy. An educational assistant/paraprofessional working in the School in a Title I supported program may be assigned to duties consistent with any of the following:

* providing one-on-one tutoring for eligible students during times when the teacher would not otherwise be instructing the student;
* assisting with classroom management, such as organizing instructional and other materials;
* providing assistance in a computer laboratory;
* providing support in a library or media center;
* conducting parental involvement activities;
* acting as a translator;
* providing instructional services to students, if working under the direct supervision of a teacher.

An educational assistant/paraprofessional will be considered to be working under the “direct supervision” of a teacher if:

* the teacher plans the instructional activities that the educational assistant/paraprofessional carries out;
* the teacher evaluates the achievement of the students with whom the educational assistant/paraprofessional is working; and
* the educational assistant/paraprofessional works in close and frequent physical proximity to the teacher.

Nonteaching employees whose functions are solely secretarial and clerical and who do not perform duties as educational assistants are not required to hold a license even though they work under the direction of a teacher.

Educational assistants/paraprofessionals are prohibited from divulging personal information concerning any pupil in the school which was obtained or obtainable while employed, except to the teacher to whom assigned, or the Principal in such teacher’s absence, or when required to testify in a legal proceeding.

*R.C. 3319.088; R.C. 3319.291; R.C. 3319.39; R.C. 3319.391; O.A.C. 3301-20-01; 3301-24-05; 3301-25.*

**318 Other Employees[[13]](#footnote-13)©**

Prior to employment, applicants for positions that do not require a license issued by the State Board of Education or that involve the operation of vehicles of public transportation must submit an application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law.

Every non-licensed New Leaf employee must undergo a criminal background check at the time of application and then by the fifth of September every five years thereafter, unless the employee is a bus driver, in which case every six years thereafter.  After the initial background checks, the employee will need to provide only an updated FBI criminal background check if the school previously requested a BCI criminal background check, and if he/she presents proof of having been an Ohio resident for the five-year period preceding September 5 of the applicable year. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School's office.

In certain circumstances, an individual who would otherwise be disqualified may be hired or retained as an employee if that individual’s offense has been rehabilitated. Rehabilitation is limited to certain offenses; a complete list of offenses that cannot be rehabilitated may be obtained from the School’s office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) the individual has provided written confirmation of rehabilitation efforts and the results of those efforts; and (3) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated.

To qualify as rehabilitated, bus drivers must also establish that (1) at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or since the individual entered a guilty plea, and (2) the individual has not pled guilty, been found guilty by a court, or been convicted of a rehabilitative offense two or more times in separate criminal actions. New Leaf has discretion to decide whether the offense has been rehabilitated.

Employees must possess both physical and mental health to be able to fulfill the duties of employment or the continuation of employment.

Employees may be required to possess such other experience, training or special skills as may be required by the Board or New Leaf for the position.

*R.C. 3319.291; R.C. 3319.39; R.C. 3327.10(J); R.C. 3319.391; O.A.C. 3301-20-03; O.A.C. 3301-20-03; O.A.C. 3301-83-23 (Bus Drivers).*

**319 Substitute Teachers[[14]](#footnote-14)©**

Substitute teachers must possess a valid substitute teacher license issued by the Ohio Department of Education. If an applicant can provide evidence that application for a substitute teacher license has been made, that person may be employed conditionally for up to sixty (60) days pending receipt of the license. If a license is not obtained within that period of time, employment will be terminated.

All substitute teachers must complete an application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees may be employed on a conditional basis pending receipt of a satisfactory background check.

Certain convictions as outlined in Ohio Law, referred to as “absolute bar offenses,” will prohibit an individual from working in a public school. A listing of the disqualifying offenses may be obtained from the School's office.

In certain circumstances, an individual who would otherwise be disqualified may be hired if that individual’s offense has been rehabilitated. Rehabilitation is limited to certain offenses. A complete list of offenses that cannot be rehabilitated (“absolute bar offenses”) may be obtained from the School’s office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a student; (2) for a felony, at least five years must have passed since the individual was fully discharged from imprisonment, probation, or parole or the individual has had his/her conviction sealed or expunged; (3) for a misdemeanor, at least five years must have passed since the date of conviction or the individual has had the record of his/her conviction sealed or expunged; (4) the individual must not be a “repeat offender” (has not been convicted of any of the offenses listed in R.C. 3319.39(B)(1) or R.C. 3319.31 two or more times in separate criminal actions); (5) the individual must provide written confirmation of rehabilitation efforts, the results of those efforts, and whether the terms of his/her probation, parole, or deferred adjudication have been completed; and (6) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. New Leaf has discretion to decide whether the offense has been rehabilitated. Written confirmation required in item (5) above will not be conclusive evidence that the applicant has met the other rehabilitation requirements required by the Board and by law.

*R.C. 3319.226; R.C. 3319.291; R.C. 3319.36; R.C. 3319.101; 1964 O.A.G. No. 903; OAC 3301‑20-01.*

**SECTION 320**

**EMPLOYMENT STATUS/PERSONNEL FILES**

**321 Full-Time Employee**

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Please see the Employer Policies and Handbook.

**322 Part-Time Employee**

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Please see the Employer Policies and Handbook.

**323 Outside Activities[[15]](#footnote-15)©**

New Leaf Staff may be prohibited from engaging in personal activities and associations that may be in conflict with the interests of the School. Examples of such activities include, but are not limited to private enterprises with competitors or vendors, campaigning for a candidate for political or elected office not in a personal capacity, or, on the School premises or at School events, and soliciting fees for private tutoring of students. Staff Members who have any question regarding a potential conflict of interest should confer with their Employer.

See also Policy 114 Conflicts of Interest

**324 Personal Information and Access to Personnel Files[[16]](#footnote-16)©**

“Personal Information” is any information describing anything about a person who is an employee at the School or about actions done to or by, or about personal characteristics of such an employee, if such Personal Information can be retrieved from a system by a name or other identifying number or symbol assigned to such employee.

New Leaf maintains personnel files on each of its employees, even though they are not employees of the School. These files may contain the following Personal Information: application for employment; resume; copies of personal references; job evaluations; professional credentials or certification; copies of performance appraisals; disciplinary warning notices; letters of recommendation; criminal background reports and any notices, and writings or reports related to the Employee.

To ensure that personnel files are accurate, relevant, timely and complete at all times, it is the responsibility of each Employee to promptly notify New Leaf of any changes in name, telephone number, home address, marital status, change in legal name, addition or deletion of dependents, change in beneficiaries, change in Federal or State tax deductions, scholastic achievements, the individuals to notify in case of an emergency, or any other Personal Information. Personal Information shall be updated annually by the Director or his/her designee.

Personnel files are the property of New Leaf, and access to the information they contain is restricted. This is subject only to any applicable requirements of public records law which New Leaf determines it may comply with as a private vendor of the School. The Director is directly responsible for the Personal Information systems and may adopt further procedural rules consistent with this policy. No Personal Information may be accessed without first completing a written request to the Principal. The Director may grant blanket access to all or part of the Personal Information systems for employees whose jobs require such access. All Employees granted access to any Personal Information in the files shall be informed of the substantive provisions of the policy and accompanying appendices. In an effort to protect Personal Information in the system from unauthorized modification, destruction, use or disclosure, the Director shall keep a log of authorized parties and specific access granted, and all Personal Information systems shall be password protected.

The School shall maintain and use only Personal Information that is necessary and relevant to the functions that the School is required to perform and shall eliminate Personal Information when it is no longer necessary and relevant to those functions.

If an Employee is asked to supply Personal Information to be maintained in the School’s personnel files, the School shall inform the Employee whether that information is legally required, or whether the Employee may refuse to provide the Personal Information.

The Director shall establish disciplinary measures for the unauthorized use of information contained in the system, which shall include, but not be limited to the following: reprimand; suspension or administrative leave with or without pay; termination; referral to authorities for prosecution.

Employees who wish to review their own files should contact the Director or his/her designee. With reasonable advance notice, Employees may review their own personnel files by appointment.

Procedural rules regarding the operation of the Personal Information System are in Appendix 324-A Personal Information Procedure. Each Employee, by signing the acknowledgment to this Section 300s, is informed of the rules contained in Appendix 324-A Personal Information Procedure.

*Ohio Privacy Act; R.C. Chapter 1347; R.C. 149.43*.

See **Appendix 324-A** Personal Information Procedure; See **Appendix 324-B** Personal Information Notice.

**325 Access to Other Files**

**325.1 Public Records[[17]](#footnote-17)©**

Public records are recorded accounts or information that are kept by the School for the conduct of School business and instruction. Any person may inspect the public records of the School during regular business hours of the office in which such records are kept, provided adequate advance notice is given to the custodian of the records. An Employee or representative will be present during the inspection of the records. A person may purchase copies of the School's public records upon payment of a fee, which is equal to the exact cost of making the copies. The School's public records may not be removed from the School except by an Employee who is authorized to do so.

*R.C. 149.43.*

See also Policy 147 Public Records Policy and Policy 147.1 Records Retention and Disposal Policy.

**325.2 Student Records[[18]](#footnote-18)©**

Student records will be collected and maintained in the School office. These records shall be available only to Students, their Parents, legal guardians or School personnel who have a legitimate educational or instructional purpose for the records. Both Parents shall have equal access to their child's records unless a court has ordered otherwise. Upon receiving notification that a student has transferred and when the new school requests student records, the School will forward the records to the new school. Copies may be made of a student's record if requested by a Parent or court appointed guardian. The Principal or his/her designee shall maintain a log of persons who have accessed School records and the specific record(s) which were inspected or copied. An Employee shall be present during the inspection of the records.

*R.C. 3319.321.*

See also Policy 294 Student Records and Release of Information and Appendix 294-B Request and Consent for Release of Records.

**325.3 Confidentiality of Records**

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Please see the Employer Policies and Handbook.

**326 Board-Staff Communications**

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Please see the Employer Policies and Handbook.

**SECTION 330**

**ETHICAL BEHAVIOR**

**330.1 General Ethical Behavior**

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Please see the Employer Policies and Handbook.

See also Policy 114 Ethics and Conflicts Policy.

**331 Use of Alcohol and Drugs**

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Please see the Employer Policies and Handbook.

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**333 Weapons in the Workplace[[19]](#footnote-19)©**

Objective

To create a safe working environment for our employees and students by prohibiting the possession and/or use of weapons in the workplace. The School will not tolerate any weapon possession or use.

Scope

Persons subject to the terms of this policy are as follows:

1. All employees of New Leaf.
2. All substitute teachers working in the School.
3. All employees of contractors providing services on behalf of the School.
4. All applicants for employment with, or to work in, the School.
5. All other persons, including visitors, vendors, subcontractors, students, etc.
6. All persons, except
7. law enforcement personnel or state or federal officers, agents, or employees who are authorized to carry deadly weapons or dangerous ordnance and are acting within the official duties of such position;
8. security officers employed by the Governing Authority who are on duty and authorized to convey or possess deadly weapons or dangerous ordnance in(to) the school safety zone;
9. any other person with written authorization from the Governing Authority to convey or possess deadly weapons or dangerous ordnance in(to) the school safety zone.

Policy

This policy prohibits possession and/or use of prohibited weapons at any time on School grounds, a School vehicle, or at a School sponsored event. However, an individual with a valid concealed-carry license or temporary emergency license who is either a driver or passenger in a motor vehicle and who is immediately in the process of dropping off or picking up a child in a school safety zone may convey, attempt to convey, or possess an unloaded handgun in(to) the school safety zone if one of the following applies:

1. the handgun is in a closed case, bag, box or other container that is in plain sight and that has a lid, cover or closing mechanism with a zipper, snap or buckle, which lid, cover or closing mechanism must be opened for a person to gain access to the handgun;

2. the handgun is located in a compartment that can be reached only by leaving the vehicle; or

3. the handgun is located in plain sight and secured in a holder for the purpose.

Prohibited weapons include any form of weapon and any form of explosive restricted under local, state or federal law or regulation. This includes all firearms, illegal knives or other weapons restricted by the law. The terms “deadly weapon” and “dangerous ordnance” are defined in R.C. 2923.11. If you have a question about whether an item is covered by this policy, please contact the Director or his/her designee. You will be held responsible for making sure beforehand that any potentially covered item you possess is not prohibited by this policy.

Prohibitions

The School's policy prohibits:

A. Use or possession of weapons on School grounds, on a School vehicle, or at a School sponsored event.

B. Use or possession of weapons while performing any task on the School’s behalf.

C. Refusing to sign a statement agreeing to abide by the School’s Weapons in the Workplace Policy.

D. Failing or refusing to report a known violation of this policy.

E. Failing or refusing to cooperate with any investigation relating to a possible violation of this policy.

Consequences for Violation of This Policy

A. Violation of the School's Weapons Policy may result in severe disciplinary action, including discharge, at the School's sole discretion.

B. Using or possessing a weapon on School grounds in violation of this policy will be considered an act of criminal trespass and will be grounds for immediate removal from School grounds and may result in criminal prosecution.

If you become aware of anyone violating this policy, take no action and immediately report it to your supervisor or to the Director or his/her designee.

*Gun Free School Zones Act, 18 USC 922(q); Gun Free Schools Act, 20 USC 7151; R.C. 2923.11; R.C. 2923.122; R.C. 2923.126; R.C. 2923.16.*

See Appendix 333-A Notice Regarding Weapons in the Workplace. See also Policy 421 Dangerous Weapons.

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**335 Mandatory Reporting of Misconduct by Licensed Employees[[20]](#footnote-20)©**

The Board recognizes its responsibility to comply with Ohio law concerning employee misconduct and requires New Leaf to comply with these responsibilities as the Employer.

Definitions

“Licensed professional staff member” refers to employees who hold an educator's license or certification with the Ohio Department of Education (“ODE”) (including the Treasurer and Business Manager), educational assistants (aides with a permit and paraprofessionals with a license from ODE), employee holding a one (1) year conditional teaching permit in the area of intervention specialist or seeking an alternative educator license, and those employees who do not hold a valid educator's license but who are employed by the Board under a Pupil Activity Program Permit. For purposes of this policy, licensed professional staff member will be referred to as “employee.”

“Conduct unbecoming the teaching profession” is defined to mean:

A. crimes or misconduct involving minors;

B. crimes or misconduct involving school children;

C. crimes or misconduct involving academic fraud;

D. crimes or misconduct involving the school community;

E. making, or causing to be made, any false or misleading statement or concealing a material fact in obtaining the issuance or renewal of any educator licensing documents;

F. the violation of the terms and conditions of a consent agreement with the State Board of Education;

G. a plea of guilty to or a finding of guilt or conviction upon any offense enumerated under R.C. 3319.39.

The complete rule adopted by the State Board of Education is in **Appendix 335-A**.

Reporting Professional Misconduct

The Principal is responsible for reporting teacher misconduct to ODE. If the Principal is the employee who must be reported, the Board president or chairperson must make the report. The Principal must report misconduct by an employee of an operator who is working in the School.

Reports

Reports must be filed about School and/or operator’s employees working in the School under the following circumstances:

A. When the Principal, Board president, or chairperson knows that an employee has a **guilty plea or conviction**, or has been found to be eligible for intervention in lieu of conviction, or for a pre-trial diversion program concerning a disqualifying or other criminal offense applicable to teachers;

B. When the Principal or Board president or chairperson has initiated **termination or nonrenewal** proceedings against, has terminated, or has not renewed the contract of the employee because the Principal or Board president or chairperson has reasonably determined that the employee has committed an act that is unbecoming to the teaching profession or a disqualifying criminal offense or other criminal offense applicable to teachers.

C. When the employee has **resigned under threat** of termination or nonrenewal for an act that is unbecoming to the teaching profession or a disqualifying or other criminal offense applicable to teachers.

D. When the employee has **resigned because of or in the course of an investigation** by the Board regarding whether the employee has committed an act that is unbecoming to the teaching profession or a disqualifying or other criminal offense applicable to teachers.

The report must be made to ODE and must include the name and social security number of the employee in question together with a factual statement. The making of a report does not itself create any legal presumption that the described misconduct or any related crime has in fact occurred. The form for reporting misconduct is in **Appendix 335-B.**

A report must be kept in the employee’s personnel file. The State Board of Education may proceed to conduct an investigation to determine whether further action is warranted. If, after an investigation, ODE determines that the results of that investigation do not warrant initiating action, the Board must move such reports from the employee’s personnel file to a separate public file.

*R.C. 3314.40-3314.403, R.C. 3314.99.*

**336 Social Networking Websites/Teacher Blogging[[21]](#footnote-21)©**

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Please see the Employer Policies and Handbook.

**SECTION 340**

**EMPLOYEE AND STUDENT CARE AND SAFETY**

**341 Staff Student Relationship[[22]](#footnote-22)©**

Professional and support Staff Members, because of their proximity to Students, are frequently confronted with situations which, if handled incorrectly, could result in liability. Compliance with the following Board guidelines will minimize that possibility.

* Each Staff Member shall maintain a standard of care for supervision, control, and protection of Students commensurate with assigned duties and responsibilities.
* A Staff Member should not voluntarily assume responsibility for duties s/he cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
* A Staff Member shall provide proper instruction in the safety matters presented in assigned curriculum guides.
* Each Staff Member shall immediately report to the Principal or his/her designee any accident or safety hazard s/he detects.
* A Staff Member shall not send students on any personal errands.
* A Staff Member shall not associate with Students at any time in a manner which gives the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as tobacco, alcohol, or drugs.

This provision should not be construed as precluding a professional or Staff Member from associating with Students in private for legitimate, legal and proper reasons.

* If a Student comes to a Staff Member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, the Staff Member may help the student make contact with certified or licensed individuals in the community or the facility who specialize in the assessment, diagnosis, and treatment of the Student's problem. Under no circumstances should a Staff Member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the Student's problem or behavior.
* A Staff Member shall not transport Students in a private vehicle without the approval of the Principal or his/her designee. Such approval shall be granted for emergencies only or pursuant to a Parental consent and waiver, and shall not operate to subject the School to liability for accidents or injuries.
* A Student shall not be required to perform work or services that may be detrimental to his/her health.
* Possession of weapons or any device designed to inflict bodily harm by any Staff Member, Student or visitor while on School grounds, on a School vehicle, or at a School sponsored event is prohibited and shall result in suspension or dismissal of the Student, or, the New Leaf employee (subject only to the current conceal carry laws and permits, if applicable).

Pursuant to the Ohio laws, each Staff Member shall report immediately to the Principal or his/her designee any sign of suspected child abuse or neglect. The Principal or his/her designee shall follow required procedures for reporting suspected child abuse or neglect to proper legal authorities.

See also Policy 229 Child Abuse and Neglect; Policy 342 General Safety Rules; Policy 343 Reporting Accidents; and Policy 426 Accidents to Students Policy.

**342 General Safety Rules[[23]](#footnote-23)©**

The School has written and posted fire, tornado and emergency safety procedures. These procedures are reviewed on a regular basis.

Projects, field trips, experiments, and similar activities, which could have some measure of potential danger, must first be approved by the Principal or his/her designee.

See Section 400s for more health, safety, and welfare policies.

**343 Reporting Accidents[[24]](#footnote-24)©**

All accidents on School property, on School testing sites, and at School-sponsored events must be reported to the Principal or his/her designee immediately. An accident report form must be completed as soon as possible following the accident and turned into the Principal or his/her designee. These reports must be compiled and summarized annually by the Principal.

*R.C. 4123.5; R.C. 4123.511*.

See Policy 426 Accidents to Students; Appendix 426-A Form for Reporting Accidents to Students. See also Policy 405 Emergency Medical Procedures, Policy 409 Control of Blood-Borne Pathogens, Policy 410 Head Lice; Policy 412 Infectious Disease Policy; and Policy 454 Hand-Washing Procedures.

**344 Injuries**

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Please see the Employer Policies and Handbook.

**345 Special Medical Needs**

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Please see the Employer Policies and Handbook.

**346 Student Abuse and Neglect[[25]](#footnote-25)©**

Any Staff member acting in his or her official capacity who knows or reasonably suspects that a child has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates child abuse or neglect shall immediately report the suspicions to the proper authorities as required by law and the Principal or his/her designee. The Staff member shall make such a report to the public children services agency or a municipal or county peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred. The Principal or his/her designee shall then investigate and, if necessary, contact the appropriate authorities on his or her own behalf. The identity of a reporting Staff member shall be kept confidential to the fullest extent permitted by law. The identity of the Student and any information pertaining to the report shall not be shared with any unauthorized person.

*R.C. 2151.421; R.C. 3319.073.*

See Policy 229 Child Abuse and Neglect.

**347 Student Transportation by Private Vehicle[[26]](#footnote-26)©**

The School authorizes the incidental transportation by private vehicle of School students. Any such transportation must be approved in advance and in writing by the Principal or his/her designee. The parent of the participating student will be given, upon request, the name of the driver, the owner of the vehicle, and the description of the vehicle.

No person shall be approved for the transportation of students in a private vehicle who is not an employee of New Leaf or an approved volunteer; or the parent of a student enrolled in the School; and the holder of a currently-valid license to operate a motor vehicle in the State of Ohio (“Approved Driver”).

No person shall be permitted to transport students if s/he does not possess and maintain automobile liability and personal injury insurance.

Guidelines for Transportation of a Student in a Private Vehicle

These guidelines are to be followed whenever an Approved Driver will be transporting students by a private vehicle whether it is in his/her vehicle or another private vehicle:

1. Determine that transportation by School vehicle is unavailable or not feasible.

2. Obtain written consent from each student's parent using **Appendix 347-A-Parental Consent for Transportation by Private Vehicle Permission Form**. No student shall be allowed to ride in the vehicle without his/her parent's written consent.

3. Submit form **Appendix 347-B- Request for Transportation by Private Vehicle** to the Principal for his/her approval prior to the trip. Attach the parent consent forms to the request form.

4. The Approved Driver shall keep a copy of each student's Emergency Medical Authorization Form.

5. The Approved Driver shall provide the School office with a list of names of the students who will be riding in the vehicle.

This guideline does not apply if an Employee regularly uses a vehicle to transport School students on behalf of the School. In such case, the Employee must comply with the Ohio Pupil Transportation Operation and Safety Rules of OAC 3301-83 et seq.

**348 Safety and Health Plan Emergency Drills/Evacuation[[27]](#footnote-27)©**

All fire and emergency drills and evacuation plans are set out in the School policies or procedures.

See also Policy 422 Public Conduct on School Property; Policy 423 Facility Security; Policy 424 Emergency Preparedness and Evacuation; Appendix 424-A Safety and Health Plan Emergency Drills; Policy 425 Use of Equipment; Appendix 425-A General Safety Procedures; Policy 426 Accidents to Students; Appendix 426-A Form for Reporting Accidents to Students; Policy 427 Visitors, Volunteers and Guests; Policy 428 Bomb Threat Procedures; Appendix 428-A Bomb Threat Form and Call Checklist; and Policy 429 Crisis Media Situations.

**349 Threatening Behavior toward Staff Members[[28]](#footnote-28)©**

The Board believes that all Staff Members should work in an environment free of threatening speech or actions. Threatening behavior that consists of words or deeds that intimidate the Staff Member or cause anxiety concerning his/her physical well-being are strictly forbidden. Any student, parent, visitor, Staff Member, representative of the School, vendor of the School or guest, invitee, or trespasser who is found to have threatened a member of the Staff will be subject to discipline or reported to the authorities. The Principal shall implement the appropriate procedures for prompt and effective action on any reported incidents.

See Appendix 349-A Threatening Behavior Toward Staff Members Procedure. See also Policy 422 Public Conduct on School Property and Policy 427 Visitors, Volunteers, and Guests.

**SECTION 350**

**SCHOOL STAFFING, ORGANIZATION, AND TRAINING**

**351 General Policy**

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Please see the Employer Policies and Handbook.

**352 Staff Development[[29]](#footnote-29)©**

In-service training is conducted throughout the School year as required by the Principal, governmental officials such as the Ohio Department of Education, or by the Sponsor or the Management Company. Absence requests must be submitted to the Principal or his/her designee for prior approval.

**353 Performance Evaluation and Coaching of Staff[[30]](#footnote-30)©**

Evaluation and coaching are obligations of the Management Company or the Principal. Please see your New Leaf Employer Policies and Handbooks.

**354 Performance Coaching**

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Please see the Employer Policies and Handbook.

**355 Reduction of Staff[[31]](#footnote-31)©**

The Principal or Management Company shall make decisions for Staff reduction and report such decisions to the Board.

**356 Local Professional Development Committee[[32]](#footnote-32)©**

Professionals working at the School are required to follow all policies, rules, guidelines, and procedures of New Leaf concerning professional development.

In compliance with R.C. 3314.03, the School will follow the requirements for establishing a Local Professional Development Committee (“LPDC”), as is required by R.C. 3319.22. In establishing the LPDC, the following shall apply:

1. The LPDC shall be a consortium with other regional Ohio public community schools managed by New Leaf (“consortium” or “constituents”).
2. The certified/licensed general education teachers in the constituent schools shall elect, by majority vote, at least three (3) certified/licensed teachers to be members of the LPDC.
3. Representation of a principal on the LPDC shall be determined by majority vote of the principals of the constituents participating in the LPDC.
   1. The principals of the constituents shall vote at a time concurrent with the vote by the teacher constituents.
   2. The principals of the consortium shall vote on an order of membership on the LPDC whereby the principals’ representation shall revolve between the consortium schools on a yearly basis.
4. An additional member of the LPDC may be appointed by the Director.
5. The activities of the LPDC shall apply to each constituent as though the consortium were a district.
6. The terms of the members of the LPDC shall be one (1) year and the members may be re-elected in accordance with 2, 3, and 4 above. Members may serve additional terms, except for the principal in accordance with 3(b) above, if applicable.
7. Mid-term vacancies on the LPDC shall be filled by: for teachers, by a majority vote of the remaining LPDC members, and, for others, by the Director.
8. The LPDC shall meet at least two (2) times per school year, but may meet more. This policy empowers the LPDC to determine the frequency, time, and place of the meetings and such decisions shall have a binding effect.
9. An educator wishing to appeal the decision of the LPDC may appeal to a three member Appeals Board, consisting of one member chosen by the educator, one member chosen by the LPDC, and one member agreed to by both the educator and the LPDC.
10. Any tie vote or any vote without a majority shall be decided by the Director.
11. The LPDC shall 1) set the requirements for teachers requiring renewal of Ohio Department of Education certificates or licenses, 2) make decisions regarding participation in external training or professional development, 3) address the performance improvement processes internally, and 4) all other matters required by law.

*R.C. 3319.22*

See also LPDC Guidelines in **Appendix 356-A**.

**SECTION 360**

**EMPLOYEE MISCONDUCT, DISCIPLINE, AND TERMINATION**

**361 General Employee Discipline[[33]](#footnote-33)©**

The Employer’s policies, practices, and procedures will be established, maintained, and enforced by the Employer. New Leaf must adhere to the School’s whistleblower policy in accordance with the Ohio Revised Code Section 4113.52 (see Policy 365) and the proper reporting procedures of employee misconduct to the State of Ohio pursuant to the Ohio Revised Code (see Policy 335).

The Employer is authorized to discipline Employees based on the Employer’s policies as well as any School Policy.

**362 Disciplinary Procedure**

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Please see the Employer Policies and Handbook.

**363 Termination**

[Intentionally left blank]

Please see the Employer Policies and Handbook.

**364 Resignation**

[Intentionally left blank]

Please see the Employer Policies and Handbook.

**365** **Whistleblower Policy[[34]](#footnote-34)©**

The Ohio Revised Code prohibits employers from taking any disciplinary or retaliatory action against an employee for making a report of a violation of any state or federal statute which an employee believes is:

1. a criminal offense that is likely to cause either an imminent risk of physical harm to persons or a hazard to public safety,

2. is a felony;

3. an improper solicitation for a contribution.

In order to receive the protection afforded by the Revised Code, the Employee must orally notify his or her supervisor of the violation and subsequently file a written report with the supervisor that provides sufficient detail to identify and describe the violation. If the Employee is unable to report the violation to his or her supervisor, the oral and written reports must be made to the Board. Employees must make a reasonable and good faith effort to determine the accuracy of any information that is reported verbally or in writing.

If the Employer does not correct the violation or make a reasonable and good faith effort to correct the violation within twenty-four hours after the oral notification or the receipt of the report, whichever is earlier, the Employee may file a written report that provides sufficient detail to identify and describe the violation with the prosecuting authority of the county or municipal corporation where the violation occurred, with a peace officer, with the inspector general if the violation is within the inspector general's jurisdiction, or with any other appropriate public official or agency that has regulatory authority over the employer and the industry, trade, or business in which the Employer is engaged.

The Employer may not retaliate or take part in any form of reprisal against the Employee bringing the complaint. Employees who believe they may have been subject to retaliation should report suspected retaliation to the Board President.

An Employee may be subject to discipline if it is determined that the report of wrongdoing was knowingly fabricated by the Employee or was, knowingly distorted, exaggerated or minimized to either injure someone else or, to protect the reporting party or others.

Complaints of harassment will be handled in accordance with the anti-harassment policy.

*R.C. 4113.51, et seq.; R.C. 117.103(B)(1)*

**SECTIONs 370 and 380**

**COMPENSATION, BENEFITS, AND TIME OFF FROM YOUR JOB**

**371 General Policy**

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Please see the Employer Policies and Handbook.

**372 Scheduling**

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Please see the Employer Policies and Handbook.

**373 Recording Work Time**

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Please see the Employer Policies and Handbook.

**374 Overtime Pay**

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Please see the Employer Policies and Handbook.

**375 Salary Deduction Policy[[35]](#footnote-35)©**

The School requires compliance with the “salary basis” requirements of the Fair Labor Standards Act (“FLSA”). Therefore, the School directs that New Leaf not make any improper deductions from the pay of exempt employees. The Board wants New Leaf Staff to be aware of this policy and that deductions that violate the FLSA are not allowed.

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, New Leaf is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

If you believe that an improper deduction has been made from your salary, you should immediately report this information to New Leaf or the appropriate governmental agency.

*29 C.F.R. 531, et. seq.*

**376 Tuition Reimbursement Program**

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Please see the Employer Policies and Handbook.

**380 Time Off From Your Job**[[36]](#footnote-36)©

All benefits, including but not limited to, if any, personal leave, paid holidays, medical leave, military leave, family or child care leave, jury duty, the Family Medical Leave Act as applicable, or otherwise, are established, maintained, and enforced by your Employer. Please see your Employer’s policies and procedures for these types of benefits.

**381 Personal Leave**

[Intentionally left blank]

Please see the Employer Policies and Handbook.

**382 Paid School Holidays**

[Intentionally left blank]

Please see the Employer Policies and Handbook.

**383 Medical Leave of Absence**

[Intentionally left blank]

Please see the Employer Policies and Handbook.

**384 Other Leave**

[Intentionally left blank]

Please see the Employer Policies and Handbook.

**385** Family and Medical Leave (FMLA)

[Intentionally left blank]

Please see the Employer Policies and Handbook.

**386** **Serious and Communicable Diseases**

[Intentionally left blank]

Please see the Employer Policies and Handbook.

**387** **Military Leave for Family Member**

[Intentionally left blank]

Please see the Employer Policies and Handbook.

**388 Genetic Information**

[Intentionally left blank]

Please see the Employer Policies and Handbook.

**SECTION 390**

**MISCELLANEOUS POLICIES**

**391 Insurance**

**391.1 Health Insurance and Annuities[[37]](#footnote-37)©**

Medical or health insurance, and annuities, if any are provided, are established, maintained, controlled, and enforced by the policies, procedures, and handbooks of your Employer.

**391.2 Workers' Compensation Insurance[[38]](#footnote-38)©**

As required by Ohio law, all employees of New Leaf working in Ohio are covered by Workers' Compensation Insurance, which may provide benefits for injuries or illness that occur as a result of employment. Any injury, regardless of its apparent seriousness must be reported immediately to your supervisor.

*R.C. 4123.01; R.C. 4123.83.*

**391.3 STRS/SERS[[39]](#footnote-39)©**

You may be covered by the State Teachers Retirement System (STRS) or the State Public Employee Retirement System (SERS). Please see your Employer for details. The School directs New Leaf to comply with any Board obligations of STRS or SERS to the extent that those obligations apply to New Leaf.

*R.C. Chapters 3307 and 3309.*

**391.4 Unemployment Compensation[[40]](#footnote-40)©**

By law, most workers are insured for unemployment compensation, which provides income payment in certain conditions for a period of weeks if you lose your job under certain conditions.

*R.C. 4141.01.*

**392 Staff Dress and Grooming [[41]](#footnote-41)©**

Staff shall dress in a manner that:

* respectfully represents the School;
* is appropriate, not provocative or offensive in the judgment of the Principal; and
* does not threaten the health and safety of students or other Staff.

Your Employer may institute a dress code that is more restrictive than the above.

**393 Student Activities[[42]](#footnote-42)©**

The formation of all student activities (clubs, teams, groups etc.) must first be approved by the Principal or his/her designee. The Principal or his/her designee will give consideration to all factors in determining the potential value to students before final approval is given. Copies of all the necessary forms, rules and regulations pertaining to the establishment of a student activity are available from the Principal or his/her designee.

See also Policy 283 Equal Access for Non-School Sponsored Student Clubs and Activities

**394 Fundraising Activities and Projects[[43]](#footnote-43)©**

All fundraising activities conducted at or on behalf of the School must be approved in advance of the proposed activity by the Principal or his/her designee. Copies of the forms and rules and regulations are available from the Treasurer. There is a potential personal liability associated with maintaining proper and accurate records, safeguarding and depositing funds, and assuming responsibility for conducting and overseeing a fundraising project. Staff Members are advised to carefully follow all rules, regulations, and policies governing fundraising activities.

**395 Purchasing Policies**

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Please see the Employer Policies and Handbook.

**396 Staff Gifts[[44]](#footnote-44)©**

Students and their parents are discouraged from the routine presentation of gifts to Staff on occasions such as religious holidays. Where a student feels a spontaneous desire to present a gift to a Staff Member, the gift should not be elaborate or unduly expensive. The Board considers as always welcome, and in most circumstances more appropriate, the writing of letters to Staff Members, expressing gratitude or appreciation.

**397 Use and Return of Property[[45]](#footnote-45)©**

**397.1 Use of Electronic Equipment[[46]](#footnote-46)©**

To ensure that the School’s electronic equipment is used only for lawful and appropriate purposes and to further its business interests, the School has adopted the following Policy which applies to all persons working in the School. Each Staff Member and Student having access to the electronic equipment of the School is required to abide by this Policy. The School will strictly enforce this Policy. This Policy is in addition to your Employer’s technology and equipment policies.

See Policy 149 Use of Cellular Telephones and Other Wireless Technologies; Policy 232 Technology and Internet Acceptable Use; Policy 234 Electronic Communication Devices; and Policy 264.1 Anti-Harassment, Intimidation, and Bullying Policy.

**397.2 Acceptable Uses of the School’s Equipment[[47]](#footnote-47)©**

Software and business equipment, including telephones, facsimile machines, computers, the School’s electronic mail system, the School’s Internet access, and copy machines (collectively, the “Equipment”) are intended to be used for business purposes only. The Equipment is the exclusive property of the School, and its sole purpose is to facilitate the business of the School. Each student and staff member has the responsibility to maintain and enhance the public image of the School and to use the Equipment in a productive and appropriate manner.

**397.3 Unacceptable Uses of the School’s Equipment[[48]](#footnote-48)©**

The School’s Equipment may not be used for transmitting, receiving, or storage of any communications of a defamatory, discriminatory, or harassing nature, or materials that are sexually explicit, pornographic, or obscene. Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual’s race, sex, age, disability, religion, national origin, sexual orientation, or physical attributes shall be transmitted through the School’s Equipment. The School will not tolerate actions that may create a hostile environment. Equipment may not be used for any purpose which is illegal or against the School’s policies or contrary to the School’s best interest. Sensitive or confidential information respecting the School or its students or vendors should not be transmitted via the Internet or over facsimile machines without the consent of the School. Solicitation of non-School business, or any use of the School’s Equipment for personal gain, is prohibited.

See also Policy 232 Technology and Internet Acceptable Use (to be signed by Staff as well as Students).

**398 Communications[[49]](#footnote-49)©**

Students and Staff are responsible for the content of all information that they transmit over the School’s equipment. All electronic communications must correctly identity the student or employee responsible for the communication. Any information sent to an individual outside of the School via the School’s Equipment is information that reflects on the School. All communications sent by students and Staff via the School’s Equipment must comply with this and other School policies.

**398.1 Software and Copyright Issues[[50]](#footnote-50)©**

To prevent computer viruses from being transmitted through the School’s Equipment, there will be no downloading or copying of any software onto the School’s Equipment without prior approval of the School. No files of any kind will be downloaded from the Internet without prior approval of the School. License agreements relating to any software, whether individually owned or owned by the School, will be strictly complied with. Any student or employee desiring to reproduce or store information of any sort downloaded from the Internet should contact the Principal or his/her designee to determine whether the intended use is permissible. Copyright laws are very complex and can apply even to information that appears to be freely available for any use. No copyrighted material will be copied illegally on the School’s Equipment or transmitted through the School’s Equipment.

The Board encourages teachers and staff assigned to the School to make judicious use of appropriate printed materials, sound recordings, and electronic programs in the curriculum but recognizes that Federal law, applicable to public school districts, protects authors and composers from the unauthorized use of their copyrighted work.

The copyright law of the United States (Title 17, USC) governs the making of photocopies or other reproductions of copyrighted materials. According to the copyright law, it is illegal to copy or reproduce on disk or paper, by use of school equipment or any other means, materials for which the person reproducing or the School does not own the copyright, unless the written permission of the copyright owner has been obtained, or unless the activity is within some of the limited exceptions to the copyright laws. Copyright infringement carries with it serious civil and criminal penalties under law.

Title 17, Section 107, regarding the Fair Use of copyrighted work, reads in pertinent part:

. . . [T]he fair use of a copyrighted work, including such use by reproduction in copies or photo-records or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include B:

1. the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. the nature of the copyrighted work;
3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. the effect of the use upon the potential market for or value of the copyrighted work.

*17 USC 107*

See **Appendix 398.1-A** Copyright Guidelines.

**398.2 Security[[51]](#footnote-51)©**

No student or employee may use a pass code or voice-mail access code that has not been issued to that employee by the School. The School has the technical means, and the legal right, to monitor all office electronic mail and Internet communications sent to or from the School’s Equipment. The School will exercise this right as deemed necessary by the School. There are several legitimate business reasons for the School monitoring the use of its Equipment including: (1) ensuring that the sole use of the Equipment is to further its business purposes; (2) preventing inappropriate and unprofessional comments, or even illegal activity, via its Equipment; (3) preventing and controlling the spread of viruses in its Equipment; (4) the need for supervision, control, and the efficient operation of the workplace; and (5) controlling costs.

In some respects, communication via the Internet is not completely private. For instance, certain information with regard to sender’s name, receiver’s name, and subject matter is tracked and recorded automatically at various stages of the transmission process. In addition to these automatic tracking features of Internet communications, the School has the added capability, as well as the right, to monitor and record all information with regard to Internet communications into and out of the School, as well as all internal e-mail communications. Despite certain equipment features that may give the appearance of creating privacy, such as passwords and the ability to delete and purge messages, students and employees have no expectation of privacy with regard to any communications or data transfer utilizing the School’s Equipment. By using the School’s Equipment, students and employees consent to the monitoring of their activities on the School’s Equipment and forfeit any expectation of privacy.

**398.3 Violations[[52]](#footnote-52)©**

Any Student or Staff who abuses the privilege of using the School’s Equipment will be subject to appropriate disciplinary action. The School also reserves its right to advise appropriate authorities of any illegal use of the School’s Equipment.

**Staff Acknowledgment Form[[53]](#footnote-53)©**

I understand that this handbook does not imply or constitute a contract or employment agreement between myself and Utica Shale Academy or Southern Local School District. I have received the School policies, and I understand that it is my responsibility to read and comply with the policies and any revisions made to them because I am working in a public school.

I understand that my contract is with my Employer and not with the Utica Shale Academy.

I understand that this handbook contains general statements about current School policy, and that the School retains the right to revise or modify the terms, information, policies, and benefits at its sole discretion and at any time.

I understand that if I have knowledge, either direct or indirect, of harassment or discrimination in any form, I am obliged to report the circumstances immediately to the Principal or his/her designee, or to another supervisor if necessary.

I understand the Management Company expectations regarding attendance and hours of work.

I understand that I should consult with the Principal regarding any questions I may have about School policies and practices or Southern Local policies.

Staff Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Staff Name Printed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SECTION 4:**

**HEALTH AND SAFETY POLICIES**

**SECTION 400**

**GENERAL HEALTH AND WELFARE**

**401 Health Services[[54]](#footnote-54)©**

Prior to November 1 of the school year in which a child is enrolled for the first time in either kindergarten or first grade, the child shall be screened for disorders in hearing, vision, speech and communication, for general health or medical problems, and for developmental disorders. This screening, or any of its elements, may be provided directly by the School or by contract with another person or governmental entity. The School may also establish a list of approved providers of screening services and request the parents to utilize one of these providers.

Prior to August 1, the parents or guardians of any child entering school for the first time must be provided with information about the screening program. If the School has determined that screening is to be obtained by the parents or guardians, it must prepare a list of providers together with information about screening services available in the community to those who cannot afford them. A parent or guardian may reject the requested screenings by signing a written statement to the effect that he/ she does not wish to have his/ her child screened.

If the School provides hearing and vision screenings directly or by contract, the School shall utilize methods and testing devices that are approved by the department of health. The School shall keep an accurate record of such tests and of measures taken to correct such hearing and visual defect on a form approved by the Director of Health, and shall make statistical data from such records available to official state and local health, education, and human services departments and agencies. Individual records shall be made available to such departments and agencies only under the circumstances described in R.C. 3313.50. If the results of any health screening reveal the possibility of special learning needs, the School is required to conduct further assessment in accordance with Ohio's handicapped education laws.

*R.C. 3313.50; 3313.673; 3313.69; 3314.03.*

**402 Use of Medications Policy[[55]](#footnote-55)©**

The School shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, or the student would not be able to attend school if the medication or treatment were not made available during school hours, and, only if a physician’s request is completed. See Appendix 402-A Physician’s Request for Medication Form.

In the case of an emergency, only the custodial parent can authorize treatment or designate alternative individuals to make those decisions in his or her absence. However, if all reasonable measures to contact the custodial parent and his/her designees have failed, the School may seek authorization from an involved non-custodial parent (i.e. a parent who has rights of unsupervised visitation with the child).

For purposes of this policy, “medication” shall include all medicines including those prescribed by a physician or other licensed health professional authorized to prescribe medicine and any nonprescribed (over-the-counter) drugs, preparations, and/or remedies. “Treatment” refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization.

The total responsibility for dispensing or administering any medication or treatment shall rest solely with the parent(s) and their child. Before any medication or treatment may be administered to any student during school hours, the School shall require the written prescription from the child’s physician with detailed instructions, written promises of the physician and the parent to forward any changes in the prescription or instructions to the school immediately upon change and to ensure delivery to the appropriate staff. This must be accompanied by the written authorization and waiver of the parent. This document shall be kept on file in the main office of the School with the secured medical files.

Only medication in its original prescription bottle labeled with the date of prescription, student’s name, and exact dosage will be administered and only in the presence of another adult. Parents, or students authorized in writing by physician and parents, may administer medication or treatment but only in the presence of an adult staff member assigned for that purpose.

Only Staff Members who are licensed health professionals or who have completed a Board-approved drug administration program conducted by a licensed health professional may administer to a student a drug prescribed for the student. They may also assist a student with self-administration of medications by doing the following (1) remind the student when it is time to take a medication and observe to ensure that the student follows the directions on the container; (2) assist the student in the self-administration of medication by taking the medication in its container from the area where it is stored and handing the container with the medication in it to the student; (3) assist upon request by or with the consent of, a physically impaired but mentally alert student, in removing oral or topical medication from the container and in taking or applying the medication.

A licensed health professional, or a Staff Member who has completed a Board-approved drug administration program conducted by a licensed health professional, may administer any medication requiring intravenous or intramuscular injection or the insertion of a device into the body when both the medication and the procedure are prescribed by a licensed health professional authorized to prescribe drugs, and the nurse/Staff Member has completed any and all necessary training.

Students who may require administration of an emergency medication may have such medication, identified as stated above, stored in or by the School’s office and administered in accord with this policy. The Principal or his/her designee may prepare and distribute administrative guidelines to ensure the proper implementation of this policy.

As long as the School or any person administering medication (a) is authorized by the Board to administer medication; (b) has the prescriber’s signed statement; (c) has the parents signed authorization, which includes a promise to submit any changes to the prescription; and (d) the person has not acted in a grossly negligent or wonton or reckless manner, then that person shall not be liable for civil damages for administering or failing to administer medication.

*R.C. 3313.711; 3313.712; 3313.713.*

See Appendix 402-A Physician’s Request for Medication Form and Appendix 402-B Notice to Parents Regarding Medication Policy.

**402.1 Care of Students with Diabetes[[56]](#footnote-56)©**

The School shall ensure that each Student with diabetes enrolled in the School receives appropriate care in accordance with orders signed by the Student’s treating practitioner. Appropriate care may include any of the following:

1. Checking and recording, or assisting the Student with checking and recording, Student’s blood glucose levels and ketone levels;
2. Responding to blood glucose levels that are outside of the Student’s target range;
3. Administering glucagon and/or other emergency treatments, as prescribed, in the event that Student experiences severe hypoglycemia;
4. Administering, or assisting the Student in self-administering, insulin through whatever insulin delivery method the Student uses;
5. Providing oral diabetes medications as needed and prescribed;
6. Understanding recommended schedules and food intake for meals and snacks so that dosages may be calculated pursuant to the orders of the Student’s treating practitioner;
7. Following any instructions regarding meals, snacks and physical activity provided by the Student’s treating practitioner; and
8. Administering diabetes medication by the School nurse or by a School employee trained in diabetes care.

Diabetes medication shall be kept in a location that is easily accessible.

No Student shall be restricted from attending the School on the basis that the Student has diabetes, that the School does not employ a full-time school nurse, or that the School does not have an employee trained in diabetes care. Parents of a Student with diabetes shall not be required or otherwise pressured to provide diabetes care at the School or during School-related activities.

Parental Notice of Rights under Section 504

The Principal or his/her designee shall inform the Student’s Parent that the Student may be entitled to a Section 504 plan regarding the Student’s diabetes no later than fourteen (14) days after receiving an order signed by a Student’s treating practitioner indicating that a Student has diabetes. See **Appendix 402.1-A** Sample Letter to Parents About 504 Plans.

Once notice has been given to the Parent, the School shall comply with all other policies and procedures for the development of a Section 504 plan as if the Student was any other Student with a qualifying disability.

School Administration of Diabetes Medication

Diabetes medication prescribed for a Student may be administered so long as all of the following conditions are met:

1. The Principal or his/her designee has a signed, written request from the Parent that the diabetes medication is to be administered, which includes a promise to submit any changes to the prescription;
2. The Principal or his/her designee receives a statement, signed by the prescriber of the medication that includes:
   1. the name and address of the Student,
   2. identifies the School and class in which the Student is enrolled,
   3. states the name and dosage of the diabetes medication and the times or intervals at which the medication is to be administered,
   4. the date administration of the diabetes medication should begin and end,
   5. any severe adverse reactions that should be reported to the prescriber and one or more phone numbers at which the prescriber can be reached in the event of an emergency, and
   6. any other special instructions for administration of the diabetes medication, including sterile conditions and storage; and
3. The Parent provides the diabetes medication in the original container in which it was dispensed by the prescriber or a licensed pharmacist and the container indicates that the Student is the proper recipient of any dosage of the medication.

Student Self-Administration of Diabetes Medication

On the written request of the Student’s Parent or treating practitioner, the School shall permit a Student to provide for his/her own diabetes care in accordance with the orders of the Student’s treating practitioner during regular school hours and School-sponsored activities in his/her classroom, in any area of the School or school grounds, and at any school-related activity. At the request of the Student or his/her Parent, the School shall provide the Student with access to a private area for performing diabetes care tasks.

The Student shall be permitted to possess on his/her person all necessary supplies and equipment to perform such tasks at all times. If the Principal or his/her designee determines that the Student has performed any diabetes care tasks or used medical equipment for purposes other than the Student’s own care, the Board or its designee may revoke the Student’s permission to provide for his/her own care.

Training

The Board may approve training that complies with the nationally recognized guidelines adopted by the Ohio Department of Education in order to instruct employees of the School who wish to be able to attend to Students with diabetes. Participation in training is voluntary. Training shall be coordinated by the School’s nurse, or if the School does not employ a nurse, by a licensed health care professional with expertise in diabetes. Upon completion of the training, the Principal or his/her designee shall have the discretion to determine which employees are competent to provide diabetes care to Students.

Training shall take place prior to the beginning of each school year or as needed but not later than fourteen (14) days after the School receives an order signed a treating practitioner indicating that a Student has diabetes.

The Principal or his/her designee may distribute written notice to each employee of the School in search of employees to be trained. The notice must contain a description of the tasks to be performed, that training will be provided by a licensed health care professional, and the method of indicating interest in participating in such training. Any notice must state that participation in training is voluntary, that the employee will not be adversely affected should he/she choose not to participate in training, and that a trained employee will be immune from liability for their actions in providing for the care of a Student with diabetes.

The Board may approve training in the recognition of hypoglycemia and hyperglycemia and emergency response procedures for any School employee who has the primary responsibility of supervising a Student with diabetes during some portion of the school day or to any bus driver that the School employs or contracts with who is responsible for providing transportation to a Student with diabetes.

The Board shall not discourage employees from agreeing to provide diabetes care nor will employee be subject to a penalty or discipline for refusing to volunteer to be trained in diabetes care or for providing care or performing duties required to provide care for a Student with diabetes.

Reporting

The Board shall report to the Department of Education by December 31 of each year: (1) the number of Students with diabetes enrolled in the School during the previous school year, and (2) the number of errors in the administration of diabetes medication to Students with diabetes during the previous school year.

Immunity

Neither the School nor any member of the Board or employee of the School shall be held liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing care or performing duties pursuant to R.C. 3313.7112, unless the act or omission constitutes willful or wanton conduct. Nothing in R.C. 3313.7112 serves to eliminate, limit, or reduce any other immunity or defense that a School, member of the Board, or employee of the School may be entitled to under Chapter 2744 or any other provision of the Ohio Revised Code or under common law of the State of Ohio.

A school nurse or other licensed health care professional shall be immune from disciplinary action by the Board of Nursing or any other regulatory board for providing care or performing duties under R.C. 3313.7112 if the care provided or duties performed are consistent with applicable professional standards.

*R.C. 3313.7112; R.C. 3313.713*

See Appendix 402.1-A Sample Section 504 Notice Letter. See also Policy 228 Section 504 of the Rehabilitation Act of 1973 and Policy 402 Use of Medications.

**403 Use of Inhaler/Epinephrine Autoinjector[[57]](#footnote-57)©**

A student may possess and use a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, and/or an epinephrine autoinjector to treat anaphylaxis at School, any School-related activity, event, or program sponsored by the School or in which the School participates, if both of the following conditions are satisfied:

1. The student has the written approval of the student's physician and, if the student is a minor, the written approval of the parent, guardian, or other person having care or charge of the student. The physician's written approval shall include at least all of the following information:
   1. the student's name and address;
   2. the names and dose of the mediation contained in the inhaler;
   3. the date the administration of the medication is to begin;
   4. the date, if known, that the administration of the medication is to cease;
   5. circumstances in which the inhaler and/or autoinjector should be used;
   6. acknowledgement that the prescriber has determined the student is capable of possession and using the inhaler and/or autoinjector appropriately and has provided the student with training in the proper use;
   7. written instructions that outline procedures School personnel should follow in the event that the asthma medication does not produce the expected relief from the student's asthma attack; and/or in the case of an epinephrine autoinjector, the Student is unable to administer the medication or the medication does not produce the expected relief from the student’s anaphylaxis;
   8. any severe adverse reactions that may occur to the student using the inhaler and that should be reported to the physician;
   9. any severe adverse reactions that may occur to another student, for whom the inhaler is not prescribed, should such a student receive a dose of the medication;
   10. at least one (1) emergency telephone number for contacting the physician in an emergency;
   11. at least one (1) emergency telephone number for contacting the parent, guardian, or other person having care or charge of the student in an emergency;
   12. any other special instructions from the physician.
2. The Principal or his/her designee has received copies of the written approvals required by Subparagraph 1 of this section.

If these conditions are satisfied, the student may possess and use the inhaler at School or at any activity, event, or program sponsored by or in which the student's School is a participant.

The School, a member of the Board or the Board's representatives, or any Staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a Staff Member's prohibiting a student from using an inhaler because of a Staff Member's good faith belief that the conditions of Subparagraphs 1 and 2 of this Section had not been satisfied. The School, a member of the Board, the Board's representatives, or any Staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a Staff Member's permitting a student to use an inhaler because of a Staff Member's good faith belief that the conditions of Subparagraphs 1 and 2 of this Section had been satisfied. Furthermore, when the School is required by this Section to permit a student to possess and use an inhaler because the conditions of Subparagraphs 1 and 2 of this Section have been satisfied, the School, any member of the Board, or the Board's representatives, or any Staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the inhaler by a student for whom it was not prescribed.

This Section does not eliminate, limit, or reduce any other immunity or defense that a School, member of a Governing Authority, or Staff or employee may be entitled to under Chapter 2744, or any other provision of the Revised Code or under the common law of this state.

*R.C. 3314.14; R.C. 3314.141; R.C. 3313.716, R.C. 3313.718*

See Appendix 403-A Inhaler Permission Form and Appendix 403-B Epinephrine Autoinjector Permission Form.

**403.1 Procurement of Inhaler/Epinephrine Autoinjector for Emergency Use**[[58]](#footnote-58)

In accordance with state law, the School, as authorized by the Board, may procure or attempt to procure Inhalers and/or Epinephrine Autoinjectors (“Epi-Pens”) to be readily available on the premises of the School for use in emergency situations.

Inhalers are devices that deliver medication to alleviate asthmatic symptoms, and may include a spacer, holding chamber, or other attachment to the inhaler that is used to improve the delivery and administration of the medication. Epi-Pens are devices used to administer epinephrine to treat life-threatening allergic reactions.

Prior to the purchase or acquisition of any Inhalers and/or Epi-Pens, the Principal or his/her authorized representative shall obtain a Prescriber-Issued Protocol directing the administration, proper dosage, frequency of use, and method of disposal of Inhalers and/or Epi-Pens. The Principal or his/her designee shall consult with a licensed health professional authorized to prescribe drugs to obtain the Prescriber-Issued Protocol prior to adoption of this Policy. See **Appendix 403.1-A**.

The School may procure Epi-Pens by having a licensed health professional authorized to prescribe drugs personally furnish Epi-Pens to the School or issue a prescription for Epi-Pens in the name of the School.

Inhalers and/or Epi-Pens will be located in the School office and shall be stored in a secure location that is accessible only to those authorized to administer the medication. Storage shall be consistent with any manufacturer recommendations, written directions provided by a prescribing physician, or the directions of the licensed health professional consulted in the creation and approval of this policy and the corresponding Prescriber-Issued Protocol.

The School shall follow the written orders of the drug manufacturer, any prescribing physician, or the licensed health professional consulted in the creation and approval of this policy and the corresponding Prescriber-Issued Protocol to determine when and how each Inhaler and/or Epi-Pen must be disposed of and replaced.

The School’s licensed nurse and/or licensed athletic trainer are authorized to access and administer an Inhaler and/or Epi-Pen consistent with the Prescriber-Issued Protocol in the event of an emergency. Any other person employed by or in contract with the School may be authorized to access and administer an Inhaler and/or Epinephrine, so long as the individual has completed training as required by the Prescriber-Issued Protocol. Inhalers and/or Epi-Pens shall only be used for the emergency treatment of students and staff.

Emergency situations necessitating the use of an Inhaler include, but are not limited to, circumstances in which an individual who suffers from asthma experiences wheezing, coughing, and/or shortness of breath consistent with the symptoms of an asthma attack. Emergency situations necessitating the use of an Epi-Pen include, but are not limited to, circumstances in which an individual who suffers from severe allergies comes into contact with a known allergen and experiences itching skin, swelling mouth or throat, shortness of breath, and/or difficulty breathing.

The Principal or his/her designee shall immediately seek emergency assistance by calling 911 after the administration or use of an Inhaler or Epi-Pen. If an Inhaler and/or Epi-Pen is used for the treatment of a student, the Principal or his/her designee shall notify the Student’s parent within twenty-four (24) hours of administration.

In procuring Inhalers and/or Epi-Pens, the School will accept donations of Inhalers and/or Epi-Pens from wholesale distributors of dangerous drugs or manufacturers of dangerous drugs, as well as donations of money from any person to purchase Inhalers and/or Epi-Pens. The Principal shall report to the Ohio Department of Education (“ODE”), in the form and manner determined by ODE, each procurement of Inhalers and/or Epi-Pens and each occurrence in which an Inhaler and/or Epi-Pen is used from the School’s supply.

The School, a member of the Board or the Board's representatives, or any employee or contractor of the School shall not be liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the acts or omissions associated with procuring, maintaining, accessing, or using of Inhalers and/or Epi-Pens pursuant to this policy, unless the act or omission constitutes willful or wanton misconduct. A licensed health professional authorized to provide drugs who personally furnishes or prescribes Epi-Pens, consults with the Principal or his/her designee, or issues a Protocol regarding Epi-Pens under this Policy shall not be liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with procuring, maintaining, accessing, or using an Epi-Pen pursuant to this Policy, unless the act or omission constitutes willful or wanton misconduct.

This Policy does not eliminate, limit, or reduce any other immunity or defense that a School, member of a Governing Authority, any employee or contractor of the School, or licensed health professional may be entitled to under Chapter 2744 or any other provision of the Revised Code or under the common law of this state.

*R.C. 3314.143; R.C. 3314.144; R.C. 3313.7110; R.C. 3313.7113.*

See Appendix 403.1-A Prescriber-Issued Protocol.

**OR**

**403.1 Procurement of Inhaler/Epinephrine Autoinjector for Emergency Use**[[59]](#footnote-59)

The School chooses not to procure or attempt to procure Inhalers and/or Epinephrine Autoinjectors (“Epi-Pens”) to be available on the premises of the School for use in emergency situations.

Should the Board decide to procure Inhalers or Epi-Pens in the future, the School will consult with a licensed health professional authorized to prescribe drugs to obtain a Prescriber-Issued Protocol and adopt a policy addressing the procurement of Inhalers and/or Epi-Pens, prior to any such procurement.

**404 Health Examinations and Immunizations[[60]](#footnote-60)©**

Students enrolled in the School are required to have, at the time of initial entry into School and at the beginning of each School year thereafter, written evidence on file that they have been immunized against diphtheria, tetanus, pertussis, poliomyelitis, measles (rubeola), mumps, chicken pox, rubella, hepatitis B, and meningococcal disease, as required by Ohio law and applicable Ohio Department of Health (“ODH”) regulations and guidelines (collectively “Laws”). Adequate written evidence of such required immunizations shall consist of: (1) a signed physician’s statement indicating that the Student has received the required immunizations, including the immunizations received and the date of receipt; or (2) a signed statement by the Parent indicating that the Student has received the required immunizations, including the immunizations received and the date of receipt. In the case of a Parent’s statement, the Principal, in his/her sole discretion, may require any other evidence as s/he believes is needed to determine compliance with this policy including, but not limited to, a physician’s statement.

The School shall keep an immunization record for each student, available in writing to the student’s parent or guardian. No later than October 15 of each year, the School shall report a summary of the immunization records of all initial entry students to the director of health using the prescribed online reporting form, which may be accessed on the following website: https://www.odh.ohio.gov/odhprograms/bid/immunization/schdayca.aspx.

In the event that (1) a Student has not received the required immunizations OR the Student is not “in the process” of receiving the required immunizations, as defined in Laws, and (2) the Student’s Parent has failed to submit adequate written evidence of the required immunizations as set forth in this policy, the Student shall be:

☐ Excluded from School until such time as the Student’s Parent submits adequate written evidence that the Student has received the required immunizations or is “in the process” of receiving required immunizations as defined by law, or that the Student is exempted from immunization requirements in accordance with this policy.

X Permitted to remain in School for no more than fourteen (14) days after initial enrollment in the School or, for a student previously enrolled in the School, more than fourteen (14) days after the beginning of the school year.

Students who do not comply with this policy and any other immunization requirements of Laws shall be excluded from School no later than the fifteenth day after admission or, for students not being initially admitted, no later than the fifteenth (15th) day after the beginning of the school year.

Any Student who is admitted or commences a school year who is “in the process” of receiving the required immunizations, pursuant to Laws, and who does not complete the required immunizations, shall be excluded from School no later than the fifteenth (15th) day of the following school year.

Any Student who is excluded for failure to comply with this policy shall be readmitted upon submission to the Principal of adequate written evidence, as set forth above, of compliance with this policy and the Laws.

Students may be exempted from required immunizations, subject to any requirements of Laws under the following circumstances:

1. A Parent may present a written statement to the Principal of objection to immunization for good cause, including religious convictions.
2. A Parent may present a written statement signed by a physician certifying that certain or all required immunizations are medically contraindicated.
3. A Parent may present a written statement from the Parent or physician that the student has a history of measles (rubeola), mumps, and/or chicken pox and need not be immunized against the disease(s) for which the history so exists.
4. Pursuant to ODH regulations and guidelines, a parent may present laboratory testing results signed by a physician demonstrating that detectable rubella antibody is present in the Student and the Student need not be immunized against German measles (rubella).
5. Any other circumstances required by the Laws.

The Principal may require any other evidence s/he believes is needed to consider a request for exemption and, in his/her sole discretion, may determine whether to grant an exemption to required immunizations.

The School may deny admission to a Student otherwise exempted from the chicken pox immunization requirement, if the Director of the ODH notifies the Principal that a chicken pox epidemic exists in the School’s population. The denial of admission shall cease when the ODH notifies the Principal that the epidemic no longer exists. The academic standing of a Student who is denied admission during a chicken pox epidemic may be preserved in accordance with the admission, testing, and other policies of the School, and subject to Principal and Board approval.

The Board and School shall follow the requirements and recommendations of Ohio law and the ODH, if any, with regard to tuberculosis testing of students.

*R.C. 3313.67; 3313.671*

**405 Emergency Medical Procedures[[61]](#footnote-61)©**

Serious Illness Requiring Medical Attention

If a Staff member or Student is seriously ill or injured, and needs medical attention, that Staff or Student, or any Staff or Student who believes another person is seriously ill or injured, and needs medical attention, shall notify the Principal or his/her designee or another Staff member immediately.

If a Staff member is unsure about the severity of a person's condition or unable to evaluate the situation, he/she shall call the Principal’s Office and:

1. Provide the name of person who is ill or injured.
2. Indicate where the injured or ill person is located.
3. Describe the main symptoms observed.
4. Request medical assistance.
5. Indicate whether it will be necessary to call the Rescue Squad.
6. Stay with the person and do not attempt to move him or her.
7. Be sure there is a person posted to route the Rescue Squad to the ill or injured.
8. Be sure the area is clear of unnecessary traffic and on-lookers.
9. Call 911.

**406 Emergency Medical Authorization[[62]](#footnote-62)©**

The School will annually distribute to parents or guardians of all students the “Health & Fitness Parental Consent Form” and the “Emergency Medical Authorization Form.” In the event emergency medical treatment for a student is necessary, the School will adhere to the instructions on the authorization form.

Emergency Medical Authorizations will be kept in a separate, easily accessible file in the care of the Principal or his/her designee during the school year. At the end of the school year, the authorizations will be stored until being replaced the following school year.

Any time a student or a group of students are taken away from the School's facilities as participants in a school event, the staff in charge of the event must take the Emergency Medical Authorizations for those students. This includes, and is not limited to, music trips, athletic trips, field trips, and academic contest participants. This does not include student spectators at events.

Whenever it is necessary for staff members to use emergency procedures in order to care properly for a student, they are to take standard safety precautions, follow the procedures described in the Emergency Medical Procedures policy (Policy 405), and are not to abide by any “Do Not Resuscitate” (DNR) agreement that may exist for a student, unless ordered to do so by a court of law.

See Appendix 406-A Health and Fitness Parental Consent Form and Appendix 406-BEmergency Medical Authorization Form.

**407 Control of Communicable Diseases[[63]](#footnote-63)©**

The School recognizes that control of the spread of communicable disease is essential to the well-being of the school community and to the efficient operation of the School.

For purposes of this policy, “communicable diseases” shall include Amebiasis Campylobacteriosis, Chickenpox, Cholera, Conjunctivitis, Cryptosporidiosis, Cyclosporiasis, Diarrhea (infectious or of unknown cause), Diphtheria, Ebola Virus, Escherichia coli (E. coli) O157:H7 or hemolytic uremic syndrome (HUS), Giardiasis, Hepatitis A, Measles, Meningitis (aseptic, and viral meningoencephalitis, but not including arthropod-borne disease), Meningococcal disease, Mumps, Pediculosis, Pertussis (whooping cough), Plague, Rubella, Salmonellosis, Scabies, Shigellosis, Smallpox, Streptococcal infection, Tuberculosis (TB), Typhoid fever, Typhus, Viral hemorrhagic fever (VHF), Yellow fever, and Yersiniosis. This list is not exhaustive and may be modified in accordance with State and Federal law.

In order to protect the health and safety of the students, school personnel, and the community at large, the School shall follow all state and federal laws and Board of Health regulations that pertain to communicable disease.

On the recommendation of a physician or a nurse, a teacher may exclude from the classroom and the Principal or his/her designee may exclude from the building or isolate in the School any student who appears to be ill or has been exposed to a communicable disease.

The School shall:

1. instruct teaching staff members in the detection of disease and measures for its prevention and control;
2. remove from School property to the care of a responsible adult any student identified and excluded in accordance with this policy;
3. prepare standards for or follow the health department of Center for Disease Control guidelines for the readmission of a student who has recovered from communicable disease; and
4. file reports as required by law and the State Department of Health.

Specific procedures outlined in the Appendices should be adhered to where applicable.

See Appendix 407-A Communicable Disease Procedure and Appendix 407-B Ebola Virus Disease Specific Procedures. See also Policies 405, 408, 409, 411, and 412.

**408 Non-Casual-Contact Communicable Diseases[[64]](#footnote-64)©**

The Board seeks to provide a safe educational environment for Students. This can best be accomplished by assuring that all persons in the school community understand the method of transmission and prevention of diseases that are not contracted through air-borne pathogens, but rather through direct contact with body fluids and excretions, especially blood, vomit, feces, or urine. The Board is also committed to assuring the confidential status of individuals who may have been diagnosed with a blood-borne communicable disease.

For purposes of this policy, these diseases shall include:

1. HIV (human immunodeficiency virus);

2. AIDS (acquired immune deficiency syndrome);

3. AIDS related complex (condition);

4. HAV, HBV, HCV (Hepatitis A, B, C); and

5. other diseases that may be specified by the State Department of Health as contact communicable diseases.

The Board recognizes that Students who have contracted these diseases may not exhibit symptoms for many years after exposure and may, in fact, not be aware that they have contracted the disease. They are, however, able to transmit the disease to other individuals.

The Board directs the Principal to assure that Students who reveal the fact they have contracted one of these diseases will have their status safeguarded in accordance with federal and state statutes dealing with confidentiality and that their civil rights will be respected. Should a Student be unable to attend school as a result of illness, an alternative education program shall be provided in accordance with the Board's policy, Ohio law, and administrative guidelines.

**409 Control of Blood-Borne Pathogens[[65]](#footnote-65)©**

The School seeks to protect those Staff Members who may be exposed to blood-borne pathogens and other potentially-infectious materials in their performance of assigned duties at the School.

If the School identifies a category of employee whose duties create a reasonable anticipation of exposure to blood and other infectious materials, then it shall contact its legal counsel to devise an appropriate procedure.

**410 Head Lice[[66]](#footnote-66)©**

When a suspected case of head lice is brought to the Principal or his/her designee’s attention, the Student will be examined. If the examination detects the presence of head lice and/or nits (lice eggs) in the scalp and hair, the Student’s Parents will be informed via telephone of the discovery and of the Student’s exclusion from classes. Parents will be advised to remove the Student from the School for proper pediculicide treatment. The School will give Parents a copy of **Appendix 410-A** Ohio Department of Health Head Lice Information Pamphlet. If any siblings attend the School, the siblings will be examined for head lice and/or nits.

After the Student has been treated and is ready to return to School, the Student must first report to the Principal’s office or school nurse’s office accompanied by an adult to be examined by the school nurse or Principal or his/her designee. The Student may return to class if: [check one]  the Student is free of live head lice; or  the Student is free of both live head lice and nits. If Principal or his/her designee is not satisfied that the Student is sufficiently free of live lice and/or nits as required by this policy, the Student will be sent home with the Parents and may attempt to return to School again the following day. The Student will be re-examined for live head lice one (1) week after the Student is allowed to return to class.

When lice are detected in a classroom, the rest of the class will be examined to identify possible presence of lice or nits. When three or more students in any classroom are found to have head lice, the Principal or his/her designee shall send informative materials home with each class member.

See Appendix 410-A Ohio Department of Health Head Lice Information Pamphlet.

**411 Infectious Disease Policy[[67]](#footnote-67)©**

Viral infections may be present in human blood or other bodily fluids. Therefore, the following routine procedures should be used when providing care that will expose the care giver to human blood, bodily fluids, and excrement unless directed by emergency medical or other healthcare provider, law enforcement or fire department, or local, state, or federal official. These procedures are necessary to safeguard against caretaker infection and the spread of infection within the classroom environment.

1. The caretaker should observe good hand washing, including before and after all contact with a child suspected of being ill, after any exposure to blood, bodily fluids (urine, saliva, sweat, feces, vomit, semen, etc.), and other potentially infectious materials and/or surfaces, and before caring for another child. If hands are visibly soiled, hands should be washed using soap and water and not alcohol-based hand rubs.
2. Waterproof disposable gloves must be worn to protect against possible open lesions on the caretaker’s hands.
3. If available, personal protective equipment should be worn by the caretaker to protect against possible expose of mucous membranes where there is a threat of possible exposure to certain highly communicable diseases, such as Ebola virus disease. Additional personal protective equipment, such as waterproof disposable gloves, fluid resistant or impermeable gowns, eye protection, surgical facemasks, disposable shoe covers, and leg coverings should be worn when entering areas where a caretaker could be exposed to a potentially infectious materials and/or surfaces or a child suspected of being ill with a highly communicable disease. Caretakers should carefully remove all personal protective equipment to avoid contaminating one’s eyes, mucous membranes, clothing or other surfaces with potentially infectious materials and good hand washing should be performed immediately after removal of personally protective equipment.
4. Any open lesions on the child’s body must be covered.
5. Any pregnant caretaker should wear a surgical mask when providing care involving exposure to a child’s excrement.
6. Surfaces soiled with blood, urine, feces, vomits, etc., must be thoroughly washed with soap and water and then be disinfected with the disinfectant agent provided (MATAR or its equivalent), used per manufacturer’s recommendation.
7. Personnel cleaning the spill must wear disposable gloves and wash hands thoroughly after removal of contaminated gloves. Personnel cleaning the spill of blood, bodily fluids, or surfaces that may have come into contact with materials or a child suspected of infection with a highly communicable disease should wear all appropriate personal protective equipment (see number 3 above). Hands should be washed thoroughly after removal of contaminated personal protective equipment. Personnel should follow closely the instructions of any emergency medical or other healthcare provider, law enforcement, or fire department, or local, state, and federal public health official in cleaning a spill.
8. Mops and towels must be thoroughly rinsed in the disinfecting agent and properly stored if they are to be reused. If further use will not occur, they must be properly double bagged and disposed with other waste materials. If mops, towels, or any other materials were used in the cleaning of blood, bodily fluids, materials or surfaces that may have come into contact with materials or a child suspected of infection with a highly communicable disease then the materials should be soaked in an appropriate disinfectant with a 10% solution of household bleach and water (1 part bleach, 9 parts water), double-bagged in a leak proof bag, and placed in a leak proof HAZMAT container.

Specific procedures for certain highly communicable diseases outlined in these guidelines should be followed.

*49 C.F.R., Parts 171-180.*

See Appendix 407-A Communicable Disease Procedure and Appendix 407-B Ebola Virus Disease Specific Procedure. See also Policies 405, 407, 408, 409, 411, and 412.

**412 AIDS Policy[[68]](#footnote-68)©**

The School will not discriminate with respect to compensation, terms, conditions, benefits, or privileges of employment against applicants and employees because they have Acquired Immune Deficiency Syndrome (AIDS), Human Immunodeficiency Virus (HIV), or related conditions, as long as the applicant or employee is able to meet work performance standards and perform essential job functions (with or without reasonable accommodation).

Recognizing the ongoing research on AIDS and such diseases as Hepatitis B, the Board maintains an ongoing commitment to educating staff, while reviewing policies to reflect the most current research. The Principal is to institute procedure to deal with infectious diseases of students which are passed through direct contact of body fluids.

Educational Commitment

The most effective way to handle the issue of venereal diseases such as AIDS and other infectious diseases is through the educational process. The first line of defense is prevention. Therefore, teachers may include material appropriate to the age and grade of the children with whom they are working, regarding the transmission of AIDS and other diseases such as Hepatitis B. If the parent or guardian of a student provides a written request to be excused from taking venereal disease instruction, then the student shall not receive the instruction.

The School will take steps needed to maintain confidentiality and to address student and employee safety issues, and will comply with all applicable laws regarding persons with AIDS, HIV, or related conditions.

See Appendix 412-A for School Procedures concerning Control of AIDS.

**413 Peanut or Other Food Allergies[[69]](#footnote-69)©**

The School recognizes that food allergies, in some instances, may be severe and even life-threatening. The School has adopted this policy to create a framework for accommodating students with peanut and other food allergies and to reduce the likelihood of severe allergic reactions of students with known food allergies while at School. This food allergy policy shall be developed based on input from a committee made up of community members such as parents, school nurses, and other school employees, school volunteers, students, and community members.

Parent/Student Responsibility

1. Parents of students, or students age eighteen (18) or older, with food allergies must provide written notification to the Principal of such allergies at the beginning of each School year.

2. Parents of students with life threatening food allergies must provide the School with emergency medications, execute an Emergency Medical Authorization Form, found in **Appendix 406-B**, and cooperate with the School to formulate a Food Allergy Action Plan as described below.

3. Parents are responsible for educating their child on managing his/her food allergy at School, including, but not limited to, identifying “safe foods,” by reviewing the weekly lunch menu together, and discussing the vigilance required to self-monitor food products sold at athletic events or special student sales, foods brought for potlucks or classroom celebrations, or foods served on School-sponsored trips.

School Responsibility

1. The School must cooperate in the development of a Food Allergy Action Plan for students with life threatening allergies. The Food Allergy Action Plan must address what actions will be taken to avoid exposure at School and what actions will be taken in the event of exposure. The Plan shall be developed through consultation between the School nurse (if any) (or other School staff or person if none), the student’s parents, and the student’s physician or allergist. Once created, this Plan should be reviewed and updated annually by the School, the student’s parents, and the student’s physician or allergist.

2. The School will share the Food Allergy Action Plan developed with appropriate School staff.

3. With the consent of the student’s parents, a Food Allergy Action Plan may provide a mechanism for the School to notify the student’s classmates and/or a student’s classmates’ parents of a life threatening food allergy in the classroom.

*R.C. 3313.719*

See Appendix 413-A Food Allergy Notification Form. See also Policy 403 Use of Inhaler/Epinephrine Autoinjector; Policy 406 Emergency Medical Authorization; and Policy 453 Wellness Policy.

**414 Bed Bug Infestations**

When a suspected bed bug is found on a Student or their belongings, the Principal or his/her designee shall follow these guidelines:

1. Discreetly remove the child from the classroom so the School nurse (if any) or a qualified individual can perform an inspection of the child’s clothing and other belongings (including but not limited to: shoes, jackets, hats, books, backpacks, school supplies, etc.). See **Appendix 414-A** for Parental Consent to Search Child for Bed Bugs form. Place any of the child’s unneeded items, such as book bags, into a large plastic bag and tightly seal the bag. If the School has a washer or dryer available, the School may wish to wash and dry the clothing on the high heat setting. If a bed bug is found on a student or his/her belongings, send home the Bed Bug Inspection Report letter contained in **Appendix** **414-B**.

2. Check areas where the Student sits or affected belongings may be placed for extended periods of time. Bed bugs are excellent hitchhikers and, though they only feed on humans and rapidly retreat, they can be found in many locations.

3. Try to collect the specimen(s) using a tissue or a piece of gauze. Try not to crush the bugs. Multiple specimens can be very helpful in identification of the insect. If submitted insects are missing antennae, legs, or body segments, a precise identification often cannot be made. Do not call undue attention to any child. You may destroy other bugs found after submission by placing them in a sealed bag and disposing the bag in the trash. VERY IMPORTANT: If a specimen is found on a Student or the Student’s belongings, remove the specimen as instructed above. The parents are to be notified by the Principal or his/her designee, if the specimen is a confirmed bed bug. Students should not be excluded from school due to bed bugs.

4. Listed below are two services available to identify insects. Please do not send live specimens via any postal or shipping service as insects can escape during shipment. Keep in mind, the post office will not deliver packages that leak. Be sure to check the websites for proper submission protocols.

* The Ohio Department of Health (ODH) offers free service to Ohio residents: http://www.odh.ohio.gov/odhPrograms/dis/zoonoses/vbdp/vb\_dref.aspx.
* The Ohio State University offers services for a small fee: http://www.ppdc.osu.edu.

5. Once received by the pest diagnostic agency, an entomologist will examine the specimen and then notify the School of the bug’s identification with two days of receipt.

6. After positive identification, the Principal or his/her designee should provide the School community with the following information:

* Parent or Guardian notification letter (See **Appendix 414-C**)
* Resources and additional information are available on Central Ohio Bed Bug Task Force web site at http://www.centralohiobedbugs.org.

7. Contact the parents or guardian to inform them of the bed bug presence on their child.

* Suggest clean, freshly laundered (on high heat setting) and sealed change of clothing be sent to School (as long as needed).
* Send only essential items to School with the Student and inspect items upon arrival at School. If possible, the School could offer to keep non-essential items overnight to help ensure the items are bed bug free.
* Suggest keeping School items sealed in a plastic bag or tote at home and limit items going back and forth from home to School until infestation is treated.

8. Ongoing pest management should be overseen by the Principal or his/her designee.

9. When the decision is made that pesticides are going to be applied at the School for the control or prevention of bed bugs, the School should verify that their employee, or the pest control company hired, is properly licensed to apply pesticides.

* A list of licensed pest control companies and applicators can be found at www.agri.ohio.gov/apps/odaprs/pestfert-PRS-searchindex.aspx.
* Ask the company about their experience and methods for bed bugs. Bug bombs are not effective.

10. Vacuuming procedures to follow where bed bugs are found:

* Vacuum affected areas where bed bugs are found during normal after-school cleaning schedule, including floor and baseboards.
* Sprinkle about 1/4 to 1/2 cup of talcum powder on the last section of floor to be vacuumed.
* Remove the bag and place in a tightly sealed plastic garbage bag for disposal.
* Do not use the same vacuum bag if moving to an uninfested area.

Information taken from Central Ohio Bed Bug Task Force (www.centralohiobedbugs.org).

**415 Use of Animals in the Classroom or on School Premises[[70]](#footnote-70)©**

The use of animals in classrooms and on the School premises is permitted in order to support the educational mission of the School.

Animals may provide a variety of productive learning experiences for students at almost every level. The following guidelines should be observed when instituting an activity or program involving the use of animals.

A. Students who will be in the classroom during activities with animals have submitted a completed an Animals in the Classroom and on School Premises Parent/Guardian Information and Consent Form which can be found in **Appendix 415-A**.

B. Students are to be instructed not to bring personal pets to School at any time without approval of the Principal. Pets must be accompanied by the student’s parents.

C. It is permissible for the class to have one (1) or more animals as classroom pets with the permission of the Principal under the following conditions:

1. the animal is not venomous or vicious;

2. arrangements have been made for housing the animal safely, comfortably, cleanly, and in a manner that does not disrupt the classroom environment;

3. arrangements have been made for the proper care of the animal when School is not in session;

4. rules have been established and understood regarding when and how the animal is to be treated by the students.

D. When animals are to be brought into the School or classroom as part of a lesson or series of lessons, all of the conditions stated above apply, and in addition, the teacher is to ensure the proper pick-up and return of the animal.

E. If a dog or cat is brought into the school, it must have all of its vaccinations/shots up to date and proof shall be submitted to the school office.

**SECTION 420**

**PERSONAL SAFETY**

**421 Dangerous Weapons[[71]](#footnote-71)©**

Any visitor found possessing a weapon or other device designed to inflict serious bodily harm on School premises or on property being used by the School for School purposes may be charged with a felony. This restriction applies to visitors licensed to possess firearms unless serving as an authorized security officer or unless the Governing Authority has provided them with written authorization to convey or possess deadly weapons or dangerous ordnance in(to) the school safety zone. This policy does not apply to law enforcement personnel or state or federal officers, agents, or employees who are authorized to carry a deadly weapon or dangerous ordnance and are acting within the official duties of such position.

The Principal or his/her designee shall ensure that any visitor possessing a weapon or other device designed to inflict serious bodily harm is reported immediately to the appropriate law enforcement agency.

A weapon may be brought on School property for educational purposes under controlled circumstances when authorized by the Principal or his/her designee.

*20 USC 7151; R.C. 2923.122.*

See also Policy 333 Weapons in the Workplace and Appendix 333-A Notice Regarding Weapons in the Workplace.

**422 Public Conduct on School Property[[72]](#footnote-72)©**

No person shall assault, strike, threaten, or menace a teacher, instructor, or person in charge of a class of students, or any employee while in the performance of their duties, or disrupt, disturb, or interfere with any activity conducted in or on the School premises, or unlawfully assault, strike, threaten, menace, follow, pursue, or lay hands upon a student or other person in or on the School premises, or on the way to or from School or School-sponsored activity.

School officials have the authority to call a law enforcement officer if any individual violates this policy or other posted regulations, or does not leave School property when requested to do so.

**423 Facility Security[[73]](#footnote-73)©**

It is in the best interest of the School to protect the School's facility adequately. The areas, buildings, and equipment owned or leased by the School may be protected from theft and vandalism in order to maintain the optimum conditions for carrying out the educational programs.

The Principal or his/her designee shall develop and supervise a program for the security of the School facility and equipment. Such a program may include video surveillance equipment in appropriate public areas in and around the School.

Every effort shall be made to hold accountable those who knowingly cause serious physical harm to the School facility and to require such persons to rectify the damage or pay a fee to cover repairs. A reward may be offered for apprehending such persons.

Appropriate authorities may be contacted in the case of serious offenses.

The Principal or his/her designee shall report to the Board each major case of vandalism at the School and the extent of the damage

See also Policy 424 Emergency Preparedness and Evacuation; Policy 428 Bomb Threat Policy; and Policy 447 School Emergency Management Plan.

**424 Emergency Preparedness and Evacuation [[74]](#footnote-74)©**

The safety of Staff and Students includes preparedness and planning for possible natural and manmade disasters.

The Board authorizes a system of emergency preparedness which shall safeguard the health and safety of Students and Staff.

All threats to safety shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

All bomb threats shall require the immediate evacuation of the school building or location threatened. See Policy 428 Bomb Threat Policy.

The Principal or his/her designee shall develop procedures for the handling of school emergencies which include:

1. A schedule that allows for the routine practice of school safety procedures that will occur at least monthly through a combination of safety drills and fire drills;
2. An annual training session for employees of the School regarding the procedures for conducting safety drills and fire drills;
3. A plan for the prompt and safe evacuation of any School building that shall be practiced at least six (6) times in fire drills conducted in accordance with law, if the School has smoke detectors or a sprinkler system in all classrooms of the School. If the School does not have smoke detectors or a sprinkler system in all classrooms, then fire drills must be conducted at least nine (9) times per year in accordance with the law. See **Appendix 424-A**;
4. A plan for the safe dispersal of students from School property and for the sequestration of students in the School, in response to a threat involving an act of terrorism, a person in possession of a dangerous ordinance, or other violent situation, which shall be practiced at least three (3) times in safety drills, with at least one (1) drill requiring pupils to practice securing in the School rather than evacuating. All safety drills shall be conducted in a manner consistent with the School’s Emergency Management Plan and shall be made in conjunction with the police chief or other similar chief law enforcement officer in the jurisdiction in which the School resides;
5. A plan to conduct one (1) theoretical safety drill to provide instruction to faculty and staff regarding procedures. The theoretical drill does not require student participation and may be conducted during annual training sessions on safety procedures;
6. The designation of appropriate locations to shelter students in case of a tornado;
7. Instructions in safety precautions to be taken in case of a tornado alert or warning and a plan for the prompt and safe procedure to shelter students in case of a tornado which shall be practiced at least one (1) time per month during the “tornado season” of April 1 to July 31 conducted in accordance with law;
8. Procedures for the safe dispersal of students from School property and, if necessary, a plan for the sequestration of students in a safe place other than the School;
9. Design of a communications system;
10. Procedures to follow whenever any employee becomes aware of an emergency or impending emergency;
11. Cooperation with such local officials and agencies such as the fire marshal and law enforcement, including a procedure for providing at least seventy-two (72) hours written notice to local law enforcement prior to conducting each school safety drill; and
12. Procedures for the Principal or his/her designee to provide a written record to the police chief or similar law enforcement officer of the jurisdiction in which the School is located certifying the date and time each safety drill was conducted in the prior year, no later than December 5 of each school year.

*R.C. 3737.73; R.C. 3313.536; OAC 3301-5-01; OAC 1301: 7-7-04.*

See Appendix 424-A Safety and Health Plan Emergency Drills, Appendix 424-B Emergency Drill Log, and Appendix 424-C Sample Emergency Drill Calendar. See also Policy 428 Bomb Threat Policy.

**424.1 Student Suicide[[75]](#footnote-75)©**

The School recognizes that a Student with self-destructive and suicidal thoughts poses a danger both to himself/herself and to other students and School faculty and staff. The School shall incorporate training in youth suicide awareness and prevention into in-service training required under Ohio law.

All School personnel, including teachers and School staff, should be watchful of a Student who exhibits signs of unusual depression or threatens or attempts suicide. Any such signs or the report of such signs from another student or persons familiar with the Student outside of the School should be taken seriously.

Where any teacher or School staff member reasonably suspects that a Student may be self-destructive or exhibiting signs of unusual depression, the teacher or staff member should report all concerns to the Principal or his/her designee and/or School counseling services, including a School Guidance Counselor. The School should also take all reasonable steps to alert a Student’s parent or legal guardian of any concerns related to threats or attempts to commit suicide.

The School shall immediately notify the public Children’s Services Agency or local law enforcement agency if, in the course of contact, the parent or guardian refuses to acknowledge the Student’s suicidal intent and indicates no plan to act for the safety of the Student, or if the parent is unavailable to be consulted.

If it is believed that a Student poses immediate risk to himself/herself or others, the Principal or his/her designee or a School counselor should immediately contact necessary local emergency medical and law enforcement agencies and the Student’s parent or legal guardian. The School shall ensure that all emergency protocols are followed when the Principal or his/her designee determines that it is necessary to initiate such procedures.

The School should require the written approval of a psychological, mental health or other medical professional prior to the Student returning to School.

Throughout any intervention, it is essential that Board policies and School guidelines regarding confidentiality be observed at all times.

The School should take all reasonable steps to provide a Student with information related to suicide prevention including **twenty-four hour suicide prevention hotlines available via telephone at 1-800-273-8255**.

*R.C. 3319.073; O.A.C. 3301-57-01.*

See **Appendix 424.1-A** Student Suicide Questionnaire and **Appendix 294-B** Request and Consent for Release of Records. See also Policy 229 Child Abuse and Neglect, Policy 325.2 Student Records, Policy 325.3 Confidentiality of Records, Policy 346 Student Abuse and Neglect, and Policy 424 Emergency Preparedness and Evacuation.

**425 Use of Equipment[[76]](#footnote-76)©**

Portable electric equipment must be handled carefully to avoid damage. Flexible electric cords connected to equipment should not be used for raising or lowering the equipment. Flexible cords must not be stapled or hung in a fashion that could damage the outer jacket or insulation.

Portable cord- and plug-connected equipment as well as extension cords must be visually inspected for external defects and internal defects before use.

A flexible cord used with grounding-type equipment must contain an equipment grounding conductor.

In highly conductive work areas, such as those inundated with water or other conductive liquids or job locations where employees or students are likely to come in contact with water or conductive liquids, the location must be approved if portable electrical equipment and flexible cords will be used.

If energized equipment is being used, employees or student's hands must not be wet when plugging and unplugging flexible cords and cord- and plug-connected equipment.

Insulating protective equipment must be used to handle energized plug and receptacle connections if there is any chance that the connection could provide a conducting path to the employee's hand.

See **Appendix 425-A** General Safety Procedures.

**426 Accidents to Students[[77]](#footnote-77)©**

Every accident in a School facility, on School grounds, at practice sessions, or at any event sponsored by the School must be reported immediately to the person in charge and to the Principal or his/her designee. An accident report must be completed for each accident. Accident forms are available in the School.

See **Appendix 426-A** Form for Reporting Accidents to Students.

**427 Visitors, Volunteers, and Guests[[78]](#footnote-78)©**

The Board welcomes and encourages visits to School programs by parents, other adults, and interested educators. But in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons, it is necessary to invoke visitor controls. All visitors, including parents and volunteers, must report to the School office upon entering the School building and sign the guest register. This procedure has been adopted for the safety of our students and staff. Children from other schools may not visit during the school day. Exceptions may be made at the Principal or his/her designee’s discretion for families who are considering enrollment.

The Principal or his/her designee has the authority to prohibit the entry of any person, including but not limited to parents, other adults and/ or educators, to a program of the School or to expel any person when there is reason to believe the presence of such person would be detrimental to the good order of the program. If such an individual refuses to leave the School grounds or creates a disturbance, the Principal or his/her designee is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

The Principal or his/her designee may promulgate such administrative guidelines as are necessary for the protection of students and staff from disruption to the educational program or the efficient conduct of their assigned tasks.

All volunteers (both new and current) having unsupervised access to students on a regular basis are hereby notified that the School may at any time require a set of fingerprints for purposes of making a criminal records check. If a criminal records check is conducted on a volunteer, and the records check reveals one of the prohibited violations, the School may no longer utilize the volunteer in a position involving unsupervised access to children on a regular basis, unless a notice is sent out to the parent or guardian of each child served by the School. The notice must be in writing, name the volunteer and indicate that the volunteer has been convicted of or entered a guilty plea to one or more of the prohibited violations. The notice must be sent to the parent or guardian on the date the School commences providing services to the child or on the date the School decides to accept the person as a volunteer after receiving the report of the result of the criminal records check, whichever is later.

*R.C. 109.575*

**428 Bomb Threat Policy[[79]](#footnote-79)©**

A bomb threat may be received by phone, mail or a personal message.

Any Staff receiving a bomb threat by phone should ask the caller to give the message to the Principal or his/her designee. If the caller refuses, then the Staff person who received the call should attempt to engage the caller in conversation on the phone. The Staff member should obtain as much information as possible as suggested on the Bomb Threat Form and obtain the nearest person's attention so that the Principal can be notified. Staff should make an effort to contact the Police on another outside line and have a tracer place on the caller if time permits.

If the building is to be evacuated and Staff should notify all building occupants of the decision to evacuate.

Staff should account for all building occupants at the determined evacuation point, and report any missing individuals to Principal and the emergency responders.

Staff should note unusual or unfamiliar objects as they evacuate and report such objects to the Principal. NO STAFF SHOULD TOUCH OR MOVE SUCH OBJECTS.

To the extent practicable without causing delay, all interior doors should remain open to minimize possible structural and compression damage. This instruction does not apply to a lock-down situation.

See Appendix 428-A Bomb Threat Form and Call Checklist. See also Policy 424 Emergency Preparedness and Evacuation, Policy 429 Crisis Media Situations; and Policy 447 School Emergency Management Plan.

**429 Crisis Media Situations[[80]](#footnote-80)©**

Any School crisis such as injury, school bus accident, or suicide should be reported to the Principal or his/her designee immediately along with as many details, names, etc. as possible.

In a crisis situation, it is important to have one person providing facts to the media, and ideally only after parents have been notified. No one is to report the nature or extent of injury at any time.

Depending on the situation, the Principal or his/her designee will go immediately to the site. A building employee should be present also for parental contact and incoming inquiries.

No reporter should be allowed to roam freely in a crisis situation. He/she should be personally escorted to a designated area, and not allowed to video and interview students who are injured or in an otherwise crisis situation.

See also Policy 145 Media Policy, Policy 424 Emergency Preparedness and Evacuation, Policy 428 Bomb Threat Policy, and Policy 447 School Emergency Management Plan.

**SECTION 440**

**ENVIRONMENTAL HEALTH AND SAFETY**

**441 OSHA/PERRP Compliance/Risk Reduction Program**[[81]](#footnote-81)

The School believes that the employees and students of the School, as well as visitors, are entitled to function in an environment as free from hazards as can reasonably be provided. In this regard and in accordance with law, the School will provide reasonable and adequate protection to the lives, safety, and health of its employees and students, in compliance with all applicable federal and state laws and regulations.

Public Employment Risk Reduction Program (PERRP) Compliance\*\*\*

The Principal or his/her designee shall be responsible for the maintenance of standards in the facilities to prevent accidents and to modernize their consequences. She/he shall designate an employee who shall conduct periodic audits of health and safety conditions within the facilities of the School and take appropriate action on any violations thereof to the Principal or his/her designee.

The Principal or his/her designee shall ascertain that the employees and students of the School are aware of their rights to an environment free of recognized hazards, that they are properly trained in safety methods, that protective devices and equipment are available to meet safety standards, and that proper rules and records are maintained to meet the requirements of the law and the regulations of PERRP.

The Principal or his/her designee shall post and keep posted a notice informing employees of the protections and obligations provided under PERRP. The Principal or his/her designee shall annually post on February 1 and keep posted until April 30 a copy of the summary of all work-related incidents from the following year. Postings shall be in a conspicuous place where notices to employees are customarily posted.

The Principal or his/her designee shall comply with any mandatory recordkeeping requirements. Such records shall include the following:

1. An incident report for all work-related injuries and illnesses, which shall be completed no later than six (6) working days after receiving information that a recordable incident has occurred (**Appendix 441-A**);
2. An incident report for any employee death or the in-patient hospitalization of three (3) or more employees due to a work-related incident, which shall be completed within ten (10) days of orally reporting the death or in-patient hospitalization to PERRP (**Appendix 441‑A**);
3. A log and summary of all work-related injuries and illnesses, which shall be updated as early as practicable following the injury or illness, but no later than six (6) working days after receiving information that a recordable injury or illness has occurred (Log available at **Appendix 441-B**, Summary available at **Appendix 441-C**);
4. A record of public employee exposure to potentially toxic and/or carcinogenic materials and/or harmful physical agents that are required to be monitored under any Ohio Public Employment Risk Reduction Standard (**Appendix 441-D**); and
5. A record of all incidents where a public health care worker employed by the School is exposed to blood or other material potentially containing bloodborne pathogens through a needlestick or other sharp (**Appendix 441-E**).

Records shall be maintained on a calendar year basis and shall be retained for at least five (5) years following the end of the year to which the records relate. All records required to be maintained shall be made available for inspection by the Ohio Bureau of Workers Compensation and any employee, former employee, or employee representative for examination and copying at reasonable times.

The following mandatory reporting requirements shall be complied with by the Principal or his/her designee:

1. The School shall submit the annual summary of all work-related injuries and illnesses no later than February 1 of the following year to which the records relate;
2. The School shall orally report the incident within eight (8) hours after the death of any employee or the in-patient hospitalization of three or more employees as a result from a work-related incident, or within eight (8) hours of learning of the death or in-patient hospitalization; and
3. The School shall submit the sharps injury form within ten (10) business days of any incident where a public health care worker employed by the School is exposed to blood or other material potentially containing bloodborne pathogens through a needlestick or other sharp.

All reports shall be made to:

Public Employment Risk Reduction Program

Division of Safety and Hygiene

13430Yarmouth Drive

Pickerington, OH 43147

Fax: 614-621-5754

Phone: 614-644-2246 or 800-671-6858

Website: https://www.bwc.ohio.gov/employer/programs/safety/sandhperrp.asp

In the event an inspection is made by a representative of the State, the Principal or his/her designee shall report the results thereof to the Board at the meeting following the receipt of the State report.

Occupational Safety and Health Administration (OSHA) Compliance

The School believes that the employees and students of the School, as well as visitors, are entitled to function in an environment as free from hazards as can reasonably be provided. In this regard and in accordance with law, the School will provide reasonable and adequate protection to the lives, safety, and health of its employees and students, in compliance with Federal and State laws and regulations.

The Principal or his/her designee shall be responsible for the maintenance of standards in the facilities to prevent accidents and to modernize their consequences. She/he shall designate an employee who shall conduct periodic audits of health and safety conditions within the facilities of the School and take appropriate action on any violations thereof to the Principal or his/her designee.

The Principal or his/her designee shall comply with any mandatory reporting requirements. Such reporting shall include reporting to OSHA (a) within eight (8) hours, the death of an employee as a result of a work-related accident, and (b) within twenty-four (24) hours, the in-patient hospitalization, amputation, or loss of an eye of an employee as a result of a work-related accident. The School shall maintain any injury or illness records that may be required by OSHA and shall provide access to employees, former employees, or appropriate representatives consistent with OSHA regulations.

All staff members have the right and obligation to report work-related injuries or illnesses. Employers, including the School or Management Company, are prohibited from discharging or in any manner discriminating against employees for reporting work-related injuries or illnesses.

Staff members shall complete an incident report (**Appendix 441-A**) for all work-related injuries and illnesses within six (6) working days after receiving information about a recordable incident, injury, or illness. If an injury or illness has latent symptoms and is not immediately apparent, the staff member shall complete an incident report within six working days of identification of the injury or illness.

The Principal or his/her designee shall post and keep posted a notice informing employees of the protections and obligations provided under OSHA as required by law (see **Appendix 441-F**). Postings shall be in a conspicuous place where notices to employees are customarily posted and all copies of the posting shall be at least 8.5 x 14 inches in size with at least 10 point type.

The Principal or his/her designee shall ascertain that the employees and students of the School are aware of their rights to an environment free of recognized hazards, that they are properly trained in safety methods, that protective devices and equipment are available to meet safety standards, and that proper rules and records are maintained to meet the requirements of the law and the regulations of OSHA. In the event an inspection is made by a representative of OSHA, the Principal or his/her designee shall report the results thereof to the Board at the meeting following the receipt of the State report.

\*\*\*Note regarding this policy: the Board shall comply with the Public Employment Risk Reduction Program and Occupational Safety and Health Administration requirements for all Board employees. However, School staff members employed by a management company are subject only to OSHA requirements and are not subject to PERRP requirements provided above.

*R.C. 4167 et seq.; OAC Chapter 4167; 29 CFR 1903.2; 29 CFR 1904.2; 29 CFR 1904.35; 29 CFR 1904.39*

See Appendices 441-A-F. See Policy 343 Reporting Accidents.

**442 Property, Equipment and Supplies[[82]](#footnote-82)©**

It is necessary for everyone to utilize property, supplies, and equipment in the course of doing their jobs. Staff should take care of these items and should know how to use them properly. Damaged equipment should be reported to the Principal or his/her designee immediately so that it can be repaired.

The Board requires Staff and Students to be economical, in part, by turning off unnecessary lighting, turning off appliances and other equipment not in use, closing doors and windows that allow cool or warm air to escape, not running water needlessly, and reporting to Principal or his/her designee, any unnecessary use of water, gas, or electrical power. A small amount of waste by each employee or student equals a large amount of waste overall. The ability to save time and materials can contribute to the overall success of the School.

**443 Hazard Communication Program**[[83]](#footnote-83)

The Principal or his/her designee will provide information about chemical hazards and other hazardous substances and how to control those hazards in the Hazard Communication Program.

The Program includes the following objectives:

1. Container labeling;
2. Material Safety Data Sheets; and
3. Employee Information and Training.

The following program outlines how the School will accomplish these objectives.

Container Labeling

It is the policy of the School that no container of hazardous substances will be released for use until the following label information is verified:

1. Containers are clearly labeled as to the contents;

2. Appropriate hazard warnings are noted; and

3. The name and address of the manufacturer is listed.

The responsibility for label verification has been assigned to the Principal or his/her designee. To further ensure that employees are aware of the hazards of material used, it is the School's policy to label all secondary containers. The School shall not remove or deface existing labels on incoming containers of hazardous chemicals, unless the container is immediately marked with the required information.

The responsible staff shall ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with generic labels which have a block for identity and blocks for the hazard warning.

Material Safety Data Sheets (MSDS)

Copies of MSDS for all hazardous substances to which employees and students may be exposed are kept in each area where the substances are used as well as in a book in the School office. The Principal or his/her designee will be responsible for obtaining and maintaining the data sheet system.

The Principal or his/her designee will review incoming MSDS for new and significant health/safety information. She/he will see that any new information is passed on to the employees.

MSDS will be reviewed for completeness by the Principal or his/her designee. If an MSDS is missing or obviously incomplete, a new MSDS will be requested from the manufacturer. MSDS will be available to all employees in their work area for review. If MSDS are not available or new hazardous substance(s) in use do not have MSDS, please contact the Principal or his/her designee immediately.

Staff Information and Training

Staff will attend a health and safety orientation set up by the Principal or his/her designee, for information and training on the following:

1. An overview of the requirements contained in the Hazard Communication Regulation, including their rights under the Regulation;

2. The details of the written Hazard Communication Program, including the location and availability of the Program, list of hazardous substances, and MSDS;

3. Information on the hazardous substances within the School;

4. Measures staff may take to lessen or prevent exposure to these hazardous substances through usage of control plans, work practices, emergency procedures, and personal protection equipment;

5. Methods and observations that the School may use to detect the presence of, and to lessen or prevent exposure to, these substances;

6. How to read labels and review MSDS to obtain appropriate hazard information.

When new hazardous substances are introduced, the Principal or his/her designee will call a meeting and distribute information related to the new material.

Hazardous Substances

Information on all hazardous substances within the School can be found in the MSDS book located in the School office.

Hazardous Non-Routine Tasks

Periodically, staff are required to perform hazardous non-routine tasks. Prior to starting work on such projects, each affected employee will be given information by the Principal or his/her designee, or the affected employee shall request such information, about hazards to which they may be exposed during such an activity.

This information will include:

1. Specific hazards:
2. Protective/safety measures which must be utilized;
3. Measures the School has taken to lessen the hazards including ventilation, respirators, presence of another employee and emergency procedures.

*42 U.S.C. 9601 et seq.; 29 CFR §1910.1200; OAC 3701-54; R.C. 4167 et seq.*

**444 Toxic Hazards and Asbestos Hazards[[84]](#footnote-84)**

The School is concerned for the safety of the students and staff members and will comply with applicable Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of School officials or from the presence of asbestos materials used in previous construction.

Toxic Hazards. These hazards exist in chemicals and other substances used in the school setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

The Board appoints the Principal or his/her designee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will conduct a training program for all School employees to include such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the School’s written Hazard Communication Plan.

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

Asbestos Hazards. In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA), the School recognizes its responsibility to:

1. inspect School buildings owned by the School for the existence of asbestos or asbestos-containing materials;
2. take appropriate actions based on the inspections;
3. establish a program for dealing with friable asbestos, if found;
4. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos; and
5. comply with EPA and State regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

The Principal or his/her designee shall appoint a person to develop and implement the School's Asbestos Management Plan which will ensure proper compliance with Federal and State laws and the appropriate instruction of staff and students. At least once each school year, the School will notify parent, teacher, and employee organizations of the availability of the School’s Asbestos Management Plan and any asbestos-related actions taken or planned in the school.

The School shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the School agrees to comply with all applicable laws and regulations.

Nothing in this policy should be construed in any way as an assumption of liability by the School or by the Board for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the School, the Board or its officers and staff or employees.

*20 U.S.C. 4011 et seq.; 15 U.S.C. 2641 et seq.; 42 U.S.C. 9601 et seq.; 40 CFR 763.93; R.C. 4167.01 et seq.*

**445 OSHA/Bloodborne Pathogens Exposure Control Plan[[85]](#footnote-85)**

Exposure Control Plan

The Principal or his/her designee shall develop and implement an Exposure Control Plan to minimize or eliminate occupational exposure to bloodborne pathogens in accordance with the OSHA Bloodborne Pathogens Standard, 29 C.F.R. 1910.1030, and the Ohio Employment Risk Reduction Standards as amended. Universal precautions shall be observed to prevent contact with blood, bloody body fluids, or other potentially infectious materials. If differentiation between types of body fluids is difficult or impossible, the body fluids shall be considered potentially infectious materials.

The Exposure Control Plan must be readily available to all employees and their representatives. Personnel within each job category listed in the Exposure Control Plan shall be trained annually in and will be responsible for practicing the procedures outlined in the Exposure Control Plan in the event of exposure to bloody body fluids. Training for staff provided at no cost and during workings hours. The Principal or his/her designee shall document the date, attendance and contents of each training session which shall be retained for three (3) years.

Annual Review and Update

The Principal or his/her designee shall review and update the Exposure Control Plan at least annually and whenever necessary to reflect new or modified tasks and procedures that affect occupational exposure and to reflect new or revised employee positions with occupational exposure. Such review must take into account technological developments that reduce the risk of exposure to bloodborne pathogens.

The Principal or his/her designee must annually document consideration and implementation of appropriate commercially available and effective safer medical devices designed to eliminate or minimize occupational exposure. The Principal or his/her designee must also solicit input from non-managerial employees responsible for student care who are potentially exposed to injuries from contaminated sharps in the identification, evaluation, and selection of effective work practice controls, and such solicitation must be documented in the Exposure Control Plan.

*29 CFR 1910.1030*

See **Appendix 445-A** OSHA Model Exposure Control Plan

**446 Prevention of Lead Poisoning[[86]](#footnote-86)©**

Exposures to lead in doses much smaller than previously thought represent a definable risk to children’s health and their ability to learn.

The School will attempt to control the use and maintenance of lead-bearing building products and avoid the use of any educational or maintenance procedures or products which may create lead exposures.

The School assures that a parent or guardian outreach program will be implemented to properly communicate information regarding risks from lead and other heavy metals in an attempt to help prevent exposures, by including an informational packet similar to that in **Appendix 446-A**.

*R.C. Chapter 3742.*

See Appendix 446-A.

**447 School Emergency Management Plan[[87]](#footnote-87)©**

The Principal or his/her designee with supervisory authority will develop and adopt a comprehensive school emergency management plan for each School building under his or her supervision. In accordance with Ohio law, the Principal or designee with supervisory authority will examine the environmental conditions and operations of the building(s) to determine potential hazards to student and staff safety and propose operating changes to prevent dangerous circumstances. Community law enforcement and safety officials, parents, and School employees will be involved in developing the plan. The plan shall contain the name, title (if applicable), contact information, and signature of all parties participating in the development of the plan. Remediation strategies shall also be incorporated into the plan where documented safety problems have occurred in the past.

The Board shall incorporate into the plan both of the following: (1) a protocol for addressing serious threats to the safety of School property, students, employees, or administrators; and (2) a protocol responding to any emergency events that occur and compromise the safety of School property, students, employees, or administrators. Protocol (2), above, must include (i) a floor plan that is unique to each floor of the building, (ii) a site plan that includes all building property and surrounding property, and (iii) an emergency contact information sheet. Each protocol shall include procedures deemed appropriate by the Principal or his/her designee with supervisory authority for responding to threats and emergency events, respectively, including procedures for the notification of appropriate law enforcement personnel, calling upon specified emergency response personnel for assistance, and informing parents of affected students.

At minimum, the Plan shall include protocols to address and respond to the following events: an active shooter event; a hostage situation; a bomb threat; an act of terrorism; and any other natural or manmade hazards that the Principal or his/her designee knows of or should reasonably anticipate occurring that could compromise the health or safety of students, employees, administrators or property.

Protocols shall be organized around five mission areas. These include:

1. Prevention: meaning the capabilities needed to deter, stop or avoid an imminent crime, threat or actual mass casualty event;
2. Protection: defined as the capabilities to secure the School against manmade and natural disasters, acts of violence, or other ongoing hazards;
3. Mitigation: meaning the capabilities needed to eliminate or reduce property damage, injury or loss of life by minimizing the impact of an emergency event and decreasing the likelihood of hazardous events;
4. Response: means the capabilities necessary to stabilize an emergency once it has already happened or is certain to occur in an unpreventable way by establishing a safe and secure environment in order to save lives and property; and
5. Recovery: meaning the capabilities necessary to restore a learning environment after an emergency situation.

Prior to the opening day of each School year, the Principal or his/her designee with supervisory authority shall inform each student enrolled in the School and the student’s parent of the parental notification procedures included in the protocol.

The Principal or his/her designee with supervisory authority shall prepare and conduct at least one annual emergency management test, defined as a regularly scheduled drill, exercise, or activity that is designed to assess and evaluate an emergency management plan. An emergency management test may be performed simultaneously with a safety drill, so long as the emergency management test drill tests a single procedural operation and involves the coordination of efforts. **See Appendix 424-A**. The Principal or his/her designee shall provide at least seventy-two (72) hours advanced written notice, including the date, time and address of the school where the test will occur, to the Department of Education and to each entity in receipt of the School’s emergency management plan.

The emergency management plan shall be submitted electronically using the standardized forms developed by the Department of Education. The Principal or his/her designee with supervisory authority shall review the plan annually by July 1 and certify to the Department of Education that the plan is current and accurate. The Principal or his/her designee with supervisory authority must submit an electronic copy of the plan to the Department of Education whenever a major modification to the School building necessitates changes in the plan’s procedures or whenever the emergency contact information changes. Updated copies are due to the Department within ten (10) days of the adoption of any changes to the plan. A copy of the plan along with a copy of the School building floor plan will be filed with each law enforcement agency having jurisdiction over the School building(s). Upon request, the plan will be filed with the fire department and emergency medical service organization serving the political subdivision or county, respectively, in which the building is located.

The Principal or his/her designee with supervisory authority shall keep copies of this plan in a secure place. Copies of the emergency management plan and information pertaining to the School’s safety protocols are not public records and shall be exempt from public disclosure or release in accordance with the Ohio Public Records Act.

The School will grant access to School buildings so that law enforcement personnel, the fire department for the political subdivision, emergency medical service organizations for the political subdivision, and emergency management agencies for the county in which the building is situated may hold emergency response training sessions. The training sessions must occur outside of student instructional hours, and the Principal or a designee of the School must be present during the sessions.

*R.C. 3737.73(D); 3313.536; 3314.03(A)(11)(d); OAC 3301-5-01*.

See also Policy 423 Facility Security; Policy 424 Emergency Preparedness and Evacuation; Appendix 424-A Emergency Management and Health Plan Emergency Drills; Policy 428 Bomb Threat Policy ; and Policy 429 Crisis Media Situations.

**448 School Health and Safety Inspections[[88]](#footnote-88)©**

School inspections, designed to identify conditions within the School and School building that may be injurious to the safety or health of building occupants, will be conducted at least semiannually by the local board of health, according to standards set by the local board of health.

If the local board of health serves an order upon the School to abate nuisances or correct conditions detrimental to health or well-being which are found upon School property, the person responsible for upkeep of the property shall abate the nuisance or condition within such reasonable fixed time as is set by the local board of health.

The School shall periodically review its policies and procedures to ensure the safety of students, employees, and other persons using the School building from any known hazards in the building or on building grounds that, in the judgment of the School, pose an immediate risk to health or safety. The School shall further ensure that its policies comply with all federal laws and regulations regarding health and safety applicable to school buildings.

The School shall at all times have in place a Chemical Hygiene Plan and an Asbestos Management Plan in accordance with federal law.

*R.C. 3313.86, 3707.03, 3707.26, 29 CFR 1910.1450, 15 USC 2651 et seq.*

See Appendix 448-A Chemical Hygiene Plan. See also Appendix 269-A No Smoking Sign; Policy 402 Use of Medication; Policy 409 Control of Blood Borne Pathogens; Policy 429 Crisis Media Situation; Policy 444 Toxic Hazards and Asbestos Hazards; Appendix 444-A Asbestos Management Plan; and Policy 447 School Emergency Management Plan.

**449 Prior Notification of Pesticide Application[[89]](#footnote-89)©**

Faculty, staff, and parents of students may request and receive prior notifications of scheduled pesticide applications that occur on or in the classroom buildings of the School when School is in session that involve one or more of the following products:

* Manufactured paste or gel baits;
* Paraffin-based rodent control products placed in industry-identified tamper-resistant bait stations;
* Termite-baiting stations;
* Rodenticides which are placed in wall voids or other areas that are inaccessible to humans and domestic animals; or
* Dusts used in unoccupied areas of the structure.

The method of notification may include regular mail, email, or listserv, as determined by the Principal.

If special circumstances arise that prevent prior notification from being provided as required, such as emergency application of pesticides to control organisms that pose an immediate health threat, the School shall provide notice as soon as possible. The notice shall explain the reasons why advance notice was not provided.

The Principal shall serve as contact person for pesticide applications made at the School. The School shall maintain the following records for inspection during normal school hours by parents or guardians of minor children, adult students, faculty, and staff who are enrolled or employed at the School, or the Department of Agriculture:

1. For a pesticide application described in this policy or any other application for either the longer of four hours or the minimum time specified by the label of the pesticide applied prior to the beginning of the school day; at a time after the school day has concluded; or when school is not in session under the calendar established by the local school board:

* + Date and time that the pesticide was applied;
  + Treatment area;
  + Target pests;
  + Brand name and EPA registration number of the pesticide applied; and
  + The time or conditions for re-entering the treatment area as specified by the label of the pesticide applied, if any is specified.

The School will retain such records for a period of one year following the date of application.

2. Documentation that the School provided notifications requested by faculty, staff, and parents of students under this policy.

*O.A.C. 901:5-11-15*

**SECTION 450**

**FOOD SAFETY**

**451 Food Services[[90]](#footnote-90)©**

All students will remain at school for lunch and will not be allowed to leave the School or any recreation areas or common areas without permission, or, if the School authorizes leaving the School for lunch, all students shall follow the School's procedures and rules. Supervision of student activity in the lunchroom, recreation or common areas shall be the responsibility of the teacher or staff member in charge who may delegate this authority to others.

Any food service program provided or contracted for by the Board shall comply with Federal and State regulations pertaining to the counting, menus, selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program. The contracted food service program shall be responsible for the planning as well as for the dietary and nutritional requirements of the meals served.

No person shall be excluded from participation in, be denied the benefits of, or otherwise be subject to physical segregation or other discrimination under any program or activity for which the School receives federal financial assistance for food and nutrition services on the bases of race, color, national origin, age, disability, sex, gender identity, or income. No student shall be denied access to meals or milk as a disciplinary action, either directly or indirectly.

Students eligible for free or reduced-price meals shall not be identified by the School through the use of separate cafeteria entrances, separate meal service lines, or use of any other method likely to result in the identification of such students. The names of students eligible to receive free or reduced-price meals or free milk shall not be published, posted, or announced under any circumstances. Meals served to students eligible to receive free or reduced-price meals shall be the same meals as those served to students paying full price. Under no circumstance shall an eligible student be required to work for his or her meal.

Governmental regulations do not permit serving meals at the student price to staff or other adults.

If the School is a food service operator, then it is required to post a sign at all hand washing sinks used by food employees notifying them to wash their hands. See **Appendix 451-A**.

The Principal or his/her designee shall submit a public release each school year informing the general public that the School participates in federal food service programs and providing information about free and reduced price meals. The School is not obligated to pay to publish the release, but the Principal or his/her designee must submit the release for publication to the media and to organizations in the School’s geographic area that reach minority or under-represented groups, such as libraries, food pantries, and community action program agencies. The School must document the dates and locations of all media release submissions, including unsuccessful publication attempts. See **Appendix 451-B**.

Any school publication, including the School’s website, that refers to any federal food service program or to the United States Department of Agriculture (USDA) must include the following statement:

“In accordance with Federal civil rights law and the U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.) should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint\_filing\_cust.html, or at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights

1400 Independence Avenue, S.W.

Washington, D.C. 20250-9410;

(2) fax: (202) 690-7742; or

(3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.”

If the publication material is too small to permit the full statement to be included, the material will, at a minimum, include the following condensed statement, in print size no smaller than the text: “USDA is an equal opportunity provider and employer.”

The School shall prominently display the USDA “And Justice for All” poster in a location accessible to food service program participants. The poster must be 11” by 17.” The Principal or his/her designee may obtain copies of the poster by contacting the USDA Midwest Regional Office at 77 West Jackson Boulevard, 20th Floor, Chicago, Illinois 60604-3057, or by calling (312) 353-6557.

*R.C. 3717.42; OAC 3717-1-06.2(E)*

See Appendix 451-A Hand Washing Poster and Appendix 451-B Sample Public Release

**451.1 Unpaid Meal Charges[[91]](#footnote-91)©**

The School believes that all students should have access to healthy school lunches and wishes to minimize identification of students with insufficient funds, but recognizes the need to protect the financial stability of the school nutrition program. The School, as a school food authority, has established the following procedures, which will be implemented beginning in the 2017-2018 school year, (a) to handle situations in which a student eligible for reduced-price or full-price meal benefits has insufficient funds to pay for school meals, and (b) to collect unpaid meal charges and delinquent account debt.

Parents and students shall continue to comply with any and all School requests and procedures regarding pre-selection of meals, if applicable.

Unpaid Meal Charge

Students who qualify for free meals will not be denied a reimbursable meal even if they have previously accrued a negative balance. However, in these circumstances, students may be prohibited from purchasing a la carte or extra items. Students with unpaid meal charge debt who attend School with money to pay for a reduced-price or full-price meal at the time of that meal’s service must be provided a meal, even if that student has accrued a negative balance. The School will not use the money intended to purchase a day’s meal for repayment of a negative balance or other unpaid meal charge debt.

If a student does not have funds to pay for a reduced-price or full price meal at the time of that meal’s service, the student [check one]:

1. may charge the meal to the student’s meal account, if meals are available. The student may charge up to meal(s) or $ . Students who charge a meal will receive a reimbursable meal. However, the School may limit the entrée choice to a less expensive option.

2. may charge an alternative meal to the student’s meal account, if alternative meals are available. The alternative meal items must be priced individually, meet Smart Snacks requirements, and accommodate special dietary needs. The student may charge up to $ .

3. may receive an alternative meal from the School at no cost to the student, if alternative meals are available. This meal does not need to meet Smart Snacks requirements, but must accommodate special dietary needs. The meal cost must be funded from a non-federal source.

4. may not charge a meal to the student’s meal account and will not receive a meal that day.

The School will notify the parent in writing if a student’s meal account falls below $ . This notification will include the amount of any low or negative balance, expected payment date, consequences of non-payment, and information regarding where families can find assistance with applying for free and reduced-priced meals.

Collection of Delinquent or Bad Debt

The School shall consider debt delinquent and shall request payment ten (10) school days after the date in which the School provides parental notice of a student’s negative account balance. The Principal or his/her designee will work directly with households to collect any delinquent meal charge debt and shall be responsible for managing charges and delinquent debt owed to the School. At the Principal’s or his/her designee’s discretion, the School may establish repayment plans for the collection of debt. Delinquent debt and repayment plans may carry over to the next school year.

If the Principal or his/her designee determines that delinquent debt is uncollectible at the end of the school year, the debt will be considered “bad debt.” Bad debt may not be carried over to the next school year. Bad debt must be restored to the School and Nutrition Program from the general fund prior to the end of the same fiscal year. Bad debt may not be recovered using federal funds.

Notification

The School will communicate this policy in writing to all students and households at the beginning of each school year and upon a change in a student’s eligibility for meal benefits. Forms and information regarding free or reduced price lunch shall be available at the School office, and the Principal or his/her designee shall be available to answer questions regarding the meal program and any unpaid meal charge debt. The School shall not disclose the identities of students eligible for free or reduced-priced meals except to those individuals who require that information to carry out an activity authorized by the National School Lunch Act, 42 U.S.C. 1751.

Community Eligibility Provision

Notwithstanding the above, if the Schools is a Community Eligibility Provision (CEP) provider, the School shall provide reimbursable meals for breakfast and lunch to all students free of charge.

*Richard B. Russell National School Lunch Act, 42 U.S.C. 1751.*

**452 Free and Reduced-Price Meals[[92]](#footnote-92)©**

The School recognizes the importance of good nutrition to each student's educational performance.

The School shall provide eligible needy students with breakfast and/or lunch at a reduced rate or no charge to the student. Children eligible for free and reduced-price meals shall be determined by the criteria established by the Child Nutrition Program and National School Lunch Act. These criteria are issued annually by the Federal government through the State Department of Education.

The Board designates the Principal or his/her designee as the responsible party to determine the eligibility of students for free and reduced rate meals. Eligibility determinations may be appealed to the Principal or his/her designee at a formal hearing held pursuant to any applicable federal and state hearing procedures.

The School shall not overtly identify children receiving free and reduced price meals. No person shall be excluded from participation in, be denied the benefits of, or otherwise be subject to physical segregation or other discrimination under any program or activity for which the School receives federal financial assistance for food and nutrition services on the bases of race, color, national origin, age, disability, sex, gender identity, or income. **See Policy 451 Food Services.**

The School shall annually notify all interested persons of the availability, eligibility requirements, and application procedure for free and reduced rate meals by distributing an application to the family of each student enrolled in the School.

The Principal or his/her designee shall prepare and implement the necessary arrangements and guidelines to ensure proper operation of this program. She/he shall ensure that the appropriate policy attachments for Free and Reduced-Price Meals or Free Milk are properly completed and submitted for approval to the School Food Service Division of the Ohio Department of Education by the beginning of each School year.

*42 USC 1751; 7 C.F.R. 245.*

See Appendix 452-A Appeal Hearing Procedures; Appendix 452‑B Application to Receive Free and Reduced-Price Meals; and Appendix 452-C Parental Notice of Availability of Free and Reduced-Price Meals. See also Policy 451 Food Services.

**453 Wellness Policy[[93]](#footnote-93)©**

The School believes that healthy students are more likely to successfully complete their formal education. The School recognizes that it plays an important role in the development of students’ health and nutrition habits by providing nutritious meals and snacks, supporting the development of good eating habits, and promoting increased physical activity.

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

Nutrition Promotion and Education Goals

* The School shall provide for interdisciplinary, sequential skill-based health education that that supports hands-on classroom activities that promote health and reduce obesity.
* Nutrition and healthy living skills shall be integrated into classroom curriculum when appropriate.
* Students in grades pre-K – 12 shall receive nutrition education that is interactive and teaches the skills they need to adopt healthy eating behaviors.
* Nutrition education shall be offered and promoted in the School cafeteria as well as in the classroom with coordination between the foodservice staff and teachers.
* Nutrition education and promotion information will be shared with parents and the community.

Physical Education and Activity Goals

* Students shall be provided opportunities for physical activity during the school day through physical education classes, daily recess periods for elementary students, and the integration of physical activity in the classroom.
* Physical education classes shall stress physical fitness, encourage healthy, active lifestyles and consist of physical activities as part of the curriculum.
* Physical activity will not be used as a form of discipline or punishment.
* Physical activity and promotion information will be shared with parents and the community.
* The School shall encourage parents and the community to support physical activity, to be physically active role models, and to include physical activity at events.

Other School Based Activities

* School based activities shall promote student wellness and, if appropriate, shall encourage nutrition and physical education.
* Nutrition shall be considered when planning school-based activities such as classroom snacks, fundraisers, etc.
* The School will provide students with a clean and safe environment and adequate time for eating meals.

Nutrition Guidelines

* In accordance with the School’s Food Standards Policy, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages sold in the School.
* Any food provided outside of the food service program, but not sold during the school day on the School premises, shall align with the goals and standards stated in this Wellness Policy.
* Marketing of foods and beverages at the School during the school day shall be limited to those foods and beverages that meet the standards set forth in the School’s Food Standard Policy. The Board reserves the right to further limit marketing of food and beverages.
* The food service program will provide all students affordable access to a variety of nutritious foods.

Implementation and Evaluation

* The Principal shall ensure that the School implements, complies with, and annually evaluates this Policy.
* The School will consult with administrators, board members, parents, students, community members, school health professionals, physical education teachers (if applicable), or representatives of the school food authority. The committee will be provided the opportunity to participate in the development, implementation, periodic review, and update of the Policy. In developing or updating goals, the committee will review and consider evidence-based strategies and techniques.
* At least once every three (3) years, the School will measure the implementation of this Policy, focusing specifically on the extent to which the School has complied with the Policy, the extent to which the Policy compares to model local wellness policies, and the extent to which the School has progressed toward achieving its stated goals in the Policy. The School will create a written assessment for each periodic measurement that it will disseminate to students, their families, and other members of the community or post on its website. The School will make appropriate modifications to this Policy, if necessary, based on this assessment.
* At the start of each school year, the School will disseminate this Policy and information about its implementation to families of school children and other members of the community or post it on its website and will notify such individuals of changes to the Policy in the same manner.

The School shall retain documentation demonstrating compliance with this Policy, including requirements related to community involvement, triennial assessments of this Policy, and public dissemination of this Policy and any updates thereto.

*42 U.S.C. 1758b; 42 U.S.C. 1771; 7 CFR 210.31; R.C. 3313.814; R.C. 3313.816; R.C. 3313.817*

See also Policy 455 Food Standards Policy and Appendix 455-A Nutritional Standards for Food and Beverages.

**454 Handwashing Policy[[94]](#footnote-94)©**

Handwashing and personal hygiene are important measures for use to prevent illness and communicable disease. Handwashing with soap and warm water for a minimum of ten (10) seconds, paying close attention to the surfaces between the fingers and on the back of the hands, is best for removing dirt and germs. The proper use of hand sanitizers is also useful in controlling the spread of germs.

School Food Authorities

1. Train any individual who prepares or serves food on proper handwashing. Training may include viewing a handwashing video and demonstrating proper handwashing procedure.

2. Post handwashing signs or posters in a language understood by all school food authorities near all handwashing sinks, in food preparation areas, and restrooms. See **Appendix 451-A** for a sample Handwashing Poster.

3. Use designated handwashing sinks for hand washing only. Do not use food preparation, utility, and dishwashing sinks for handwashing.

4. Provide warm running water, soap, and a means to dry hands. Provide a waste container at each handwashing sink or near the door in restrooms.

5. Keep handwashing sinks accessible anytime employees are present.

6. Wash hands:

* Before starting work
* During food preparation
* When moving from one food preparation area to another
* Before putting on or changing gloves
* After using the toilet
* After sneezing, coughing, or using a handkerchief or tissue
* After touching hair, face, or body
* After smoking, eating, drinking, or chewing gum or tobacco
* After handling raw meats, poultry, or fish
* After any clean up activity such as sweeping, mopping, or wiping counters
* After touching dirty dishes, equipment, or utensils
* After handling trash
* After handling money
* After any time the hands may become contaminated

7. Follow proper handwashing procedures as indicated below:

* Wet hands and forearms with warm, running water (at least 100º F) and apply soap.
* Scrub lathered hands and forearms, under fingernails and between fingers for at least 10-15 seconds. Rinse thoroughly under warm running water for 5-20 seconds.
* Dry hands and forearms thoroughly with single-use paper towels.
* Dry hands for at least 30 seconds if using a warm air hand dryer.
* Turn off water using paper towels.
* Use paper towel to open door when exiting the restroom.

8. Follow FDA recommendations when using hand sanitizers. These recommendations are as follows:

* Use hand sanitizers only after hands have been properly washed and dried.
* Use only hand sanitizers that are permitted for such use by an effective Food Contact Substance Notification.
* Use hand sanitizers in the manner specified by the manufacturer.

Monitoring:

The Principal may designate an employee or an independent contractor/food service provider to visually observe the handwashing practices of the food school authorities at any random time during hours of operation. In addition, the designated person will visually observe that handwashing sinks are properly supplied during hours of operation.

Corrective Action:

Employees or food service contractors who are observed not washing their hands at the appropriate times or using the proper procedure will be asked to wash their hands immediately.

When soap and water are not available and hands are not visibly soiled, waterless disposable hand wipes or gel sanitizers may be used in place of hand washing.

A food service employee or contractor may be disciplined, up to and including termination for failure to adhere to this Policy.

See Appendix 451-A Hand Washing Poster.

**455 Food Standards Policy[[95]](#footnote-95)©**

The Board shall create standards for the types of food and beverages sold or provided in the School and the time and place each type of food and beverage is sold or provided, in accordance with state law and based on the following guidelines:

A. The types of food and beverages sold in the School will

1. promote student health and reduce childhood obesity,

2. significantly benefit the daily nutritional needs of students (per U.S. Department of Agriculture guidelines),

2. align with School Wellness Policy (Policy 453) requirements, and

3. follow requirements provided under state and federal law.

B. The Board or its designee shall consult with a licensed dietician, a registered dietetic technician or a certified/credentialed school nutrition specialist to assist in drafting a plan:

1. for complying with and enforcing the nutritional standards governing the types of food and beverages that may be sold on the School premises in compliance with State law; and

2. specifying the time and place each type of food or beverage may be sold.

*See* **Appendix 455-A Nutrition Standards for Food and Beverages.**

C. The times and locations of food and beverage sales to students on school grounds will be assigned based on nutrient intake needs and eating patterns of students and align with class schedules. With regard to non-breakfast/lunch food and beverage sales:

1. The School will not operate vending machines offering foods or beverages that do not meet the nutritional standards established by the School during the school lunch period. The Board reserves the right to totally restrict the sale of non-nutritional foods and beverages in vending machines.

2. Bake sales and other school fundraising activities involving food and beverage items may not be held during a school meal period. The School will limit the frequency of bake sales and other food based fundraisers where non-nutritional foods and beverages will be sold based on the standard established by the Department of Education.

D. The types of food and beverages provided, but not sold, to students will align with the School Wellness Program and any applicable requirements provided under state law. The Board may provide parents with a list of acceptable snacks that may be provided in the School.

E. Annually, the food services supervisor shall review and recommend to the Board the types of foods and beverages for sale as part of the school breakfast and lunch programs. The Board may establish separate standards regulating the types of food and beverages to be sold to Staff Members and for special or extracurricular events.

This policy applies to the sale or provision of foods from the midnight before the school day until 30 minutes after the end of the regular school day on school premises. School premises, for the purpose of this policy, include any areas of property under the School’s jurisdiction that is accessible to students during the regular school day.

*7 C.F.R. 210.10-210.11; 7 C.F.R. 210.31(c)(2)-(3); 7 C.F.R. 220.8; R.C. 3313.814; R.C. 3313.816; R.C. 3313.817; OAC 3301-91-09; USDA Smart Snacks in School nutrition guidelines.*

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