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## VOLUNTEERS

The Board of Education recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the staff responsible for the conduct of those programs and activities.

The District Administrator shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements. S/He shall not be obligated to make use of volunteers whose abilities are not in accord with District needs.

Any individual who volunteers to work in the schools or on any school sponsored activity shall submit to a criminal history records check, prior to being allowed to participate in any activity or program.

Any volunteer who works with or has access to students shall submit to a criminal history records check, prior to being allowed to participate in any activity or program.

The District Administrator is to inform each volunteer that s/he:

shall agree to abide by all Board policies and District guidelines while on duty as a volunteer;

will be covered under the District's liability policy but the District cannot provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers compensation;

in accepting the role of a volunteer, agrees to verification that a satisfactory background check may be conducted through appropriate State agencies or other applicable means.

The District Administrator shall also ensure that each volunteer is properly informed of the District's appreciation for his/her time and efforts in assisting the operation of the schools.

### REQUIRED REPORTING OF STAFF CONDUCT

The Board of Education recognizes its responsibilities to effectively address criminal charges, convictions, or dismissal/non-renewal due to immoral conduct, by staff members and, where determined appropriate, to provide a measured disciplinary response consistent with due process. In addition, with respect to any person licensed by the State Superintendent, such matters will be reported to the State Superintendent.

Pursuant to State law, immoral conduct means conduct or behavior that is contrary to commonly accepted moral or ethical standards and that endangers the health, safety, welfare or education of any student. Further, immoral conduct includes the intentional use of a District's equipment to download, view, solicit, seek, display, or distribute pornographic material.

District staff are required to report to the District Administrator alleged immoral conduct by District staff members. If the alleged misconduct to be reported is regarding the District Administrator, the District employee shall report the alleged misconduct to the presiding officer of the Board.

The District Administrator shall investigate any allegation of misconduct by District employees which affects the health, safety, or welfare of a student, and shall report the alleged misconduct to the State Superintendent as required by State law.

Staff alleged to have committed such misconduct shall be reassigned or placed on administrative leave pending the outcome of a misconduct investigation.

**Reporting Requirements for Licensed Staff**

If any of the following occurs, the name of the licensed staff member, a complete copy of the staff member's personnel file, and all records related to any investigation of the staff member conducted by or on behalf of the District shall be reported to the State Superintendent:

- A. the licensed staff member is charged with a crime pursuant to Chapter 948, Wisconsin Statutes, including a crime specified as a felony pursuant to section 948.015 that has a maximum term of imprisonment of at least five (5) years or a crime in which the victim was a child;
- B. the licensed staff member is convicted of a crime under Chapter 948, Wisconsin Statutes, or a felony with a maximum term of imprisonment of at least five (5) years, or a crime in which the victim was a child, or pursuant to 940.225(3m), Wisconsin Statutes fourth degree sexual assault;
- C. the licensed staff member is dismissed, or his/her contract is not renewed by the District based in whole or in part on evidence that the person engaged in immoral conduct; or
- D. the licensed staff member resigns and the District Administrator has a reasonable suspicion that the resignation relates to the person having engaged in immoral conduct.

The District Administrator shall make such report within fifteen (15) days after the administrator becomes aware of the charge, conviction, dismissal, non-renewal or resignation.

If an administrator requests a staff member, employed by the District and licensed by the State Superintendent to resign, and there is reasonable suspicion that the person engaged in immoral conduct, the administrator shall notify the staff member that the administrator has the affirmative duty to report to the State Superintendent such suspicion.

**Non-licensed Staff Reporting Requirements**

The District Administrator shall also report to the State Superintendent the name of any person employed by the District, even if the staff member is not licensed by the State Superintendent if the staff member is convicted of a crime under Chapter 948, Wisconsin Statutes, a felony with a maximum term of imprisonment of at least five (5) years or a crime in which the victim was a child, or fourth degree sexual assault pursuant to 940.225(3m), Wisconsin Statutes. The District Administrator shall make such report within fifteen (15) days after the administrator becomes aware of the charge conviction.

**General Reporting Requirements**

The District Administrator shall send a copy of any report made about a staff member, as described herein, that is made to the State Superintendent to the staff member who is the subject of the report.

An administrator, or any other person, who in good faith reports or fails to report information to the State Superintendent is immune from civil liability for such acts or omissions.

115.31, 940.225, 948 Wis. Stats

### ANNUAL REPORTS

Pursuant to State law the School District Clerk, shall file an annual report and budget and membership report with the Department of Public Instruction each year.

The Annual District Report and Budget shall include the following:

- A. the school count, consisting of school-age persons residing in the District as described by State law;
- B. the number of children between the ages of four (4) and twenty (20) taught in the District during the school year, which shall include the number of students enrolled on the 3rd Friday in September and the 2nd Friday in January of the previous school year as described in state law. Or on alternative dates established by DPI in the event school can not be held on either of those count days;
- C. the number of children below the age of four (4) and above the age of twenty (20) who attended school in the District;
- D. the number of school days taught, including holidays, and the number of hours of direct student instruction provided in each school by teachers legally qualified to teach;
- E. the names of all teachers employed by the District during the school year, including specifically the number of teachers employed by the school district on the 3rd Friday in September of the previous school year, the number of days taught by each, the monthly salary paid to each, and the time allowed each teacher to attend an educational conference for which no wages were deducted;

- F. the amount of money received during the school year, designating separately the amount received from the school fund income, from taxes levied by the County Board, from taxes voted by the District, and from all other sources; the manner in which funds were expended, showing separately the expenditure of school money received from the State;
- G. the amount and character of District debts;
- H. payroll and related benefit costs for all District employees in the previous school year, which shall be amended to reflect any increase cost through collective bargaining agreement that occurs after the annual report is filed and before October 1st;
- I. a description of the educational technology used by the District, including the uses made of the technology, the cost of the technology and the number of persons using or served by the technology; and
- J. the estimated budget for the current school year which shall be based upon the uniform accounting system prescribed by the Department;
- K. the number of students for whom contracts with private education services are entered into under s. 120.13(26);
- L. other facts and statistics in relation to the District as the Department of Public Instruction requires.

120.18, 121.05, Wis. Stats.

## SCHOOL CALENDAR

The Board of Education recognizes that the preparation of a calendar for the instructional program of the schools is necessary for orderly educational planning and for the efficient operation of the District.

Classes shall not begin prior to September 1st except when holding year-round school or when so authorized by the Department of Public Instruction.

The Board shall determine annually the number of days when the schools will be in session for instructional purposes. The school year shall consist of hours of instruction, sufficient to meet all required student instruction time mandates set by State law, and shall contain a number of non-instructional days for parent-teacher conferences, staff education and training, or other reasons during which staff are required to report. A representative group of stakeholders will provide input to the Board on possible school calendars.

If hours of instruction are lost due to inclement weather, or other reason such that the amount of instructional time would fall below the required amount of time, the Board shall determine whether additional school days during which student instruction will occur will be scheduled or whether additional instructional time shall be added to existing school days such that the required instructional time is reached. Noninstructional days lost due to inclement weather or other reasons may be made up at the discretion of the Board.

The District Administrator shall certify to the Department of Public Instruction the number of hours of student instruction during the previous school year.

115.01(10), 118.045, 121.02(1)(f)(1), Wis. Stats.

### SCHOOL DAY

The Board of Education authorizes the school day to be arranged and scheduled by the administration. It is to offer the maximum education for the time spent within the limitations of school facilities and the laws and regulations of the State.

The District Administrator may close the schools, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members. S/He shall prepare rules for the proper and timely notification of concerned persons and parents in the event of any emergency closing of the schools.

In the event a start of the school day is delayed, all before school activities and practices are automatically cancelled. In the case of an early dismissal, all students are released for the remainder of the day and all school related activities are automatically canceled. Schools will be considered closed and not accessible for the remainder of the day/evening.

In the event school is called off for the entire day (previous to the school day beginning), all school related activities and practices will be canceled and school buildings will be closed for the public. Exceptions to this rule would be may be made on a case by case basis by the Superintendent, Building Principal and Athletic Director.

118.24(2), Wis. Stats.

### PUBLIC RECORDS

The Board of Education recognizes its responsibility to maintain the public records of this District and to make such records available for inspection and reproduction.

The public records of this District include any writing prepared, owned, used, in the possession of, or retained by the District, its Board, officers, or employees to the extent such writings are within the definition of public records under applicable law. "Public records" do not include medical records, documents containing genetic information, trial preparation records, confidential law enforcement investigatory records, records the release of which is prohibited by State or Federal law.

Any person may make an oral or written request for any public records of the District. The person may inspect, copy, or receive copies of the public record requested. The District shall respond as soon as practicable and without delay to the requestor providing the requested documents or informing the requestor of the District's intent to deny access providing specific explanation regarding the decision to deny access.

A resident may purchase copies of the District's public records upon payment of a fee. In cases where the cost of locating and reproducing the requested record is estimated to exceed \$50, the District Administrator may require advance payment of the estimated cost from the requestor prior to fulfilling the request. The District may charge fees for the actual time spent by District employees in locating the record at the applicable employee's hourly rate for salary and benefits, as well as a reproduction cost of \$.25 per page. The District may also charge the requestor for any equipment required to fill the request (such as video tapes, computer disks, etc.). If payment is required, the District will calculate the actual cost and charge the requestor. If advance payment is required, the District will either invoice the requestor for the difference between the estimate and actual cost or refund any overpayment.

No public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties.

Nothing in this policy shall be construed as preventing a Board member from inspecting in the performance of his/her official duties any record of this District, except student records and certain portions of personnel records.

The District Administrator shall establish administrative guidelines to ensure proper compliance with the intent of this policy and the public records law.

Records Retention Schedule

The District will follow the Wisconsin Department of Administration's guidelines on School District record retention.

The most recent edition of the guidelines is dated May, 2010. It may be accessed at the following web address:

<http://publicrecordsboard.wi.gov/docview.asp?docid=15892&locid=165>

19.21, 19.31-39, 120.13(12), Wis. Stats.

29 C.F.R. Part 1635

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

## PERSONNEL RECORDS

Maintaining accurate personnel records is critical to effective human resource management and to the Board of Education satisfying its legal obligations. In addition, such records frequently contain confidential information that must be managed appropriately. Accordingly, the Board has developed the following policy relating to personnel records.

### District Records Officer Designation and Responsibilities

The Board designates the Human Resource Officer as the District Records Officer (DRO). The DRO will maintain a personnel file, a payroll file, an I-9 file, and a medical file for each employee. The files will be maintained in separate, secure locations. Supervisors and other administrators should forward all personnel records, I-9 records, payroll records, and medical records to the DRO to ensure that they are properly filed and maintained. Supervisors and other administrators should not maintain files containing an employee's personnel records, payroll records, I-9 records, or medical records. The DRO will also ensure that the following personnel records, if applicable, are maintained in separate, secure files:

- A. criminal conviction history requests and reports
- B. employee assistance program records
- C. employee relations complaints including, for example, discrimination complaints
- D. investigative and deliberative records relating to employee relations matters
- E. privileged and confidential communications including, but not limited to, attorney-client communications

Any individual who reviews personnel records will sign and date a log, which shall be kept in a secure location.

### Content of Personnel Record Files

The content of the files maintained by the District shall be determined by the DRO consistent with the requirements of State and Federal law and sound principles of human resource management.

Third-Party Access to Personnel Records – Confidentiality

It is the Board's policy to respect individual privacy and to maintain in confidence all information and records pertaining to employees to the extent practicable in keeping with the Board's interest. Information in an employee's personnel file, medical file, payroll file, I-9 file and all other employment-related files will not be disclosed to any third party without an employee's written consent, except to meet the legitimate business needs of the Board or as required by law (e.g. subpoena or public record request). Further, neither the Board nor any individual employed by the Board shall access an employee's personnel records except for legitimate business purposes.

Access to Personnel Documents, Employee and Designated Representative

**A. Covered Documents**

Upon the written request of an employee or former employee (the "employee"), the District shall permit the employee to inspect any personnel documents which are used or which have been used in determining that employee's qualifications for employment, promotion, transfer, additional compensation, termination or other disciplinary action, and medical records. Provided, however, that the employee has no right to inspect the following:

1. records relating to the investigation of possible criminal offenses committed by that employee
2. letter of reference for that employee
3. any portion of a test document, except that the employee may see a cumulative total test score for either a section of the test document or for the entire test document
4. materials used by the District for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions, and job assignments or other comments or ratings used for the District's planning purposes

5. information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy
6. records relevant to any other pending claim between the District and the employee which may be discovered in a judicial proceeding
7. medical records that the District believes would have a detrimental effect on the employee

In this instance, the District may release the medical records to the employee's physician or through a physician designated by the employee, in which case the physician may release the medical records to the employee or to the employee's immediate family.

**B. Request and Review Procedure**

The District shall grant at least two (2) requests by an employee in a calendar year, to inspect the employee's records as provided in this policy.

The District shall provide the employee with the opportunity to inspect the employee's records within seven (7) working days after the employee makes the request for inspection. The inspection shall take place at a location reasonably near the employee's place of employment and during normal working hours. If the inspection during normal working hours would require an employee to take time off from work, the District may provide some other reasonable time for the inspection. In any case, the District may allow the inspection to take place at a time other than working hours or at a place other than where the records are maintained if that time or place would be more convenient for the employee. The records will be reviewed in the presence of the DRO or a designee.

The employee shall not make any alterations or additions to the record nor remove any material from the record. A copy of the employee's request to review personnel records shall be filed in the employee's personnel file.

**C. Designated Representative**

An employee may designate a representative to inspect the employee's personnel records. The designation shall be in writing. The District shall allow such a designated representative to inspect that employee's personnel records in the same manner as the employee is permitted to inspect them under this guideline.

**D. Copy Charges**

The District will not charge employees who wish to copy or receive a copy of records.

Personnel Record Correction

If an employee disagrees with any information contained in the personnel records, a removal or correction of that information may be mutually agreed upon by the District and the employee. If an agreement cannot be reached, the employee may submit a written statement explaining the employee's position. The District shall attach the employee's statement to the disputed portion of the personnel record. The employee's statement shall be included whenever that disputed portion of the personnel record is released to a third party as long as the disputed record is a part of the file.

103.13, Wis. Stats.

The Americans with Disabilities Act of 1990

### UNAUTHORIZED ACQUISITION OF STAFF PERSONAL INFORMATION

The Human Resources Officer (HRO) will maintain a personnel file, a payroll file, an I-9 file, and a medical file for each employee. The files will be maintained in separate, secure locations.

If the HRO becomes aware of the unauthorized acquisition of "Personal Information" the HRO shall make reasonable efforts to notify each affected staff member that their personal information has been accessed. "Personal Information" includes the individual's social security number, driver's license number, State identification number, the number of financial accounts or access codes, the individual's deoxyribonucleic acid profile, or the individual's unique biometric data including fingerprint, voice print, retina or iris image, or any other unique physical representation.

The notice shall be issued within a reasonable time, not to exceed forty-five (45) days after the District learns of the acquisition of the personal information. The notice shall indicate that the District knows of the unauthorized acquisition of personal information pertaining to the staff member. The notice shall be by mail or by a method the District has previously employed to communicate with the staff member.

If, as the result of a single incident, the District is required to notify 1,000 or more individuals, the HRO shall without unreasonable delay notify all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis of the timing, distribution, and content of the notices sent to the staff members.

Upon written request from a staff member who has received a notice, the District shall identify the personal information that was acquired.

A law enforcement agency may, in order to protect an investigation or homeland security, ask the District not to provide a notice for any period of time and the District's notification process shall begin at the end of that time period.

134.98 Wis. Stats.

## STUDENT RECORDS

In order to provide appropriate educational services and programming, the Board of Education must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard students' privacy and restrict access to students' personally identifiable information.

Except for data identified by policy as "directory data," student "personally identifiable information" includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

The Board is responsible for the records of all students who attend or have attended schools in this District. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School District or specifically permitted by this Board will be compiled by Board employees.

In all cases, permitted, narrative information in student records shall be objectively based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, designated school officials who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law.

The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to a student who is eighteen (18) years of age or older, or a student of any age who is enrolled in a postsecondary institution.

Both parents shall have equal access to student records unless stipulated otherwise by court order or law. In the case of eligible students, parents may be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

A school official is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the Board has contracted to perform a special task (such as an attorney, auditor, or medical consultant); a contractor, consultant, volunteer or other party to whom the Board has outsourced a service otherwise performed by Board employees (e.g. a therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks (including volunteers).

"Legitimate educational interest" is defined as a "direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the District" or if the record is necessary in order for the school official to perform an administrative, supervisory, or instructional task or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including but not limited to physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a private or public school or school district in which a student of this District is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that:
  1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; or the Board's annual notification including a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
  2. the parent or eligible student, upon request, receives a copy of the record; and

3. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;
- B. provide "personally-identifiable" information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- C. report a crime committed by a child to appropriate authorities, and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
- D. release de-identified records and information in accordance with Federal regulations;
- E. disclose personally identifiable information from education records, without consent, to organizations conducting studies "for, or on behalf of" the District for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the District will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14.)

This written agreement must include: (1) specification of the purpose, scope, duration of the study, and the information to be disclosed; (2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study; (3) a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and (4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

While the disclosure of personally identifiable information without consent is allowed under this exception, it is recommended that

whenever possible the administration either release de-identified information or remove the students' names and social security identification numbers to reduce the risk of unauthorized disclosure of personally identifiable information.

- F. disclose personally identifiable information from education records without consent, to authorized representatives of the Federal government, as well as State and local educational authorities. The disclosed records must be used to audit or evaluate a Federal or State supported education program, or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)

This written agreement must include: (1) designation of the receiving entity as an authorized representative; (2) specification of the information to be disclosed; (3) specification that the purpose of the disclosure is to carry out an audit or evaluation of a government supported educational program or to enforce or comply with the program's legal requirements; (4) a summary of the activity that includes a description of methodology and an explanation of why personally identifiable information is necessary to accomplish the activity; (5) a statement requiring the organization to destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed; and (6) a statement of policies and procedures that will protect personally identifiable information from further disclosure or unauthorized use.

Under the audit exception, the District will use "reasonable methods" to verify that the authorized representative complies with FERPA regulations. Specifically, the District will verify, to the greatest extent practical, that the personally identifiable information is used only for the audit, evaluation or enforcement of a government-supported educational program. The District will also ascertain the legitimacy of the audit or evaluation and will only disclose the specific records that the authorized representative needs. Further, the District will require the authorized representative to use the records only for the specified purpose and not to disclose the information any further, such as for another audit or evaluation. Finally, the District will verify that the information is destroyed when no longer needed for the audit, evaluation or compliance activity.

- G. request each person or party requesting access to a student's record to abide by Federal regulations and State laws concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced, unless said record is copyrighted, or otherwise restricted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Board shall maintain a record of each request for access and each disclosure of personally identifiable information. Such disclosure records will indicate the student, person viewing the record, their legitimate interest in the information, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (if required).

Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her parent, without the written consent of the parent, or, if the student is an eligible student, without the written consent of the student, except to those persons or parties stipulated by the Board's policy and administrative guidelines and/or those specified in the law.

### **DIRECTORY INFORMATION**

Each year the District Administrator shall provide public notice to students and their parents of the District's intent to make available, upon request, certain information known as "directory information." The Board designates as student "directory information":

- a student's name;
- address;
- telephone number;
- date and place of birth;
- photograph;
- major field of study;
- participation in officially-recognized activities and sports;
- height and/or weight, if a member of an athletic team;
- dates of attendance;
- date of graduation;
- degrees and awards received;
- name of school most recently previously attended.

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Parents and eligible students may refuse to allow the Board to disclose any or all of such "directory information" upon written notification to the Board within fourteen (14) days after receipt of the District Administrator's annual public notice or enrollment of the student into the District if such enrollment occurs after the annual public notice. Any parent or eligible student that refuses to allow disclosure of directory data that participates in extra-curricular activity must complete a Board approved form which includes a limitation on the refusal to disclose directory information obtained during the course of the student's participation in extracurricular activities.

In accordance with Federal and State law, the Board shall release the names, addresses, and telephone listings of secondary students to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information. A secondary school student or parent of the student may request in writing that the student's name, address, and telephone listing not be released without prior consent of the parent(s)/eligible student. The recruiting officer is to sign a form indicating that "any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces." The District Administrator is authorized to charge mailing fees for providing this information to a recruiting officer.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's health or education records or for the release of "directory information," either parent may provide such consent unless agreed to otherwise in writing by both parents or specifically stated by court order. If the student is under the guardianship of an institution, the District Administrator shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose "directory information," on former students without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The Board shall not collect or use personal information obtained from students or their parents for the purpose of marketing or for selling that information.

### **INSPECTION OF INFORMATION COLLECTION INSTRUMENT**

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible student must submit a written request to the building principal at least fourteen (14) business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within fourteen (14) business days of the principal receiving the request.

The District Administrator shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment, or military recruitment
- B. book clubs, magazine, and programs providing access to low-cost literary products
- C. curriculum and instructional materials used by elementary and secondary schools
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments

- E. the sale by students of products or services to raise funds for school-related or education-related activities
- F. student recognition programs

The District Administrator is directed to prepare administrative guidelines so that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;
- B. request amendments if the parent believes the record is inaccurate, misleading, or violates the student's privacy rights;
- C. consent to disclosures of personally-identifiable information contained in the student's education records, except to those disclosures allowed by the law;
- D. challenge Board noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of the Board's policy and administrative guidelines on student records.

The District Administrator shall also develop procedural guidelines for:

- A. the proper storage and retention of records including a list of the type and location of records;
- B. informing Board employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this Board as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be redisclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

118.125 Wis. Stats.

34 C.F.R. Part 99

20 U.S.C., Section 1232f through 1232i (FERPA)

26 U.S.C. 152

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Improvement Act

20 U.S.C. 7165(b)

20 U.S.C. 7908

### CONFIDENTIALITY

State and Federal law requires that student education records be maintained as confidential. See Policy 8330. State law further exempts certain information and records from public disclosure. See Policy 8310. As such, the Board of Education is obligated to take appropriate steps to maintain certain information and records as confidential. Individuals who have access to student education records may not remove them from Board property without express permission from their building principal or supervisor. An individual authorized to remove student education records from school property is responsible for the safety and security of the records and for returning them to the district intact. Confidential information and records may not be disclosed except as authorized by Board policy and administrative guidelines. Individuals who have access to confidential information and records while employed by the Board are reminded that their legal obligation to maintain such confidences extends beyond their term of employment in the District and they are prohibited from releasing, disclosing or otherwise disseminating confidential information or records subsequent to leaving the Board's employ. The Board directs the District Administrator to prepare guidelines concerning Board employees' duties to maintain certain information and records as confidential.

It is further the policy of the Board of Education that when the District receives in trust from a public agency information identified to be confidential or exempt from disclosure under the Public Records Law, Common Law, Privilege Case Law, or Federal Law, the District will maintain the confidentiality of said information to prohibit its unauthorized disclosure.

The following portions of this policy apply only to identified confidential information received from a public agency.

In order to prohibit the unauthorized disclosure of information identified as confidential by the sending public agency, the Board may seek to obtain court protection by:

- A. denying requests for release of such information absent subpoena or court order;
- B. pursuing motions to quash or protective orders to prohibit unauthorized disclosure.

**When possible, the Board will attempt to notify the sending public agency of the request for release of such information prior to complying with the request.**

**19.36(1), Wis. Stats.**

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## ANIMALS ON DISTRICT PROPERTY

The Board of Education recognizes that there are many occasions when animals are present on District property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents, vendors, and other members of the public may be accompanied at school by a service animal in accordance with Federal and State law and this policy.

This policy shall apply to all animals on District property, including service animals.

### Definitions

- A. **“Animal”**: Includes any living creature that is not a human being.
- B. **“Service animal”**: any guide dog, signal dog, or other animal that is individually trained or being trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone or fallen objects, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

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The Americans with Disabilities Act (ADA) has also specifically defined a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 (c) through (h) of the ADA.

## **Vaccination, Licensing and/or Veterinary Requirements**

Animals housed on District property or brought on District property for any school purpose, such as to conduct random searches for illegal substances or to support classroom activities, or brought on to District property on a regular basis for any purpose, including service animals, must meet every veterinary requirement set forth in State law and County regulation/ordinance, including but not limited to rabies vaccination or other inoculations required for the animal to be properly licensed.

## **Non-Service Animals in Schools and Elsewhere on District Property**

Animals permitted in schools and elsewhere on District property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), or those that serve as service animals as required by Federal and State law.

Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the Principal may permit non-service animals to be present in classrooms to support curriculum-related projects and activities only under the following conditions:

- A. the staff member seeking approval to have a non-service animal in his/her classroom shall:
  1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal, if required by applicable law or ordinance;
  2. take precautions deemed necessary to protect the health and safety of students and other staff;

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3. ensure that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained;
  4. keep the surrounding areas in a clean and sanitary condition at all times; and
- B. other staff members and parents of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.

Except where required by law, the presence of a non-service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

## **Service Animals for Students**

A service animal is permitted to accompany a student with a disability to whom the animal is assigned anywhere on the school campus where students are permitted to be.

A service animal is the personal property of the student and/or parents. The Board does not assume responsibility for training, daily care, or healthcare of service animals. The Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on District property or at District-sponsored events.

A service animal that meets the definitions set forth in the ADA and this policy shall be under the control of the student with a disability, or a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student's control (e.g., voice control, signals, or other effective means), or under the control of a handler other than the student.

If the student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Policy 8120.

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## **Removing and/or Excluding a Student's Service Animal**

If a service animal demonstrates that it is not under the control of the student or its handler, the Principal is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from school property.

Similarly, in instances when the service animal demonstrated that it is not housebroken, the Principal shall document such behavior and determine whether the service animal is to be removed and/or excluded from school property.

The Principal should notify the District Administrator **prior to or as soon thereafter as is practicable** when a service animal has been removed and/or excluded, and, immediately subsequent to such notification, document the reasons for the removal and/or exclusion.

The Principal's decision to remove and/or exclude a service animal from school property may be appealed in accordance with the complaint procedure set forth in Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity.

The procedures set forth in Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity does not intend to interfere with the rights of a student and his/her parents or an eligible student to pursue a complaint of legally prohibited discrimination with the United States Department of Education's Office for Civil Rights or the Department of Justice.

## **Service Animals for Employees**

In accordance with Policy 1623, Policy 3123, and Policy 4123 - -Section 504/ADA Prohibition Against Disability Discrimination in Employment, the Board provides qualified individuals with disabilities with reasonable accommodation(s). An employee with a disability may request authorization to use a service animal while on duty as such an accommodation. The request will be handled in accordance with the ADA mandated interactive process.

## **Service Animals for Parents, Vendors, Visitors, and Others**

Individuals with disabilities who are accompanied by their service animals are permitted access to all areas of the District's facilities where members of the public, as participants in services, programs or activities, as vendors, or as invitees, are permitted to go. Individuals who will access any area of the District's facilities with their service animals should follow the building's standard visitor registration procedures and are encouraged to notify the Principal that their service animal will accompany them during their visit.

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An individual with a disability who attends a school event will be permitted to be accompanied by his/her service animal in accordance with Policy 9160 - Public Attendance at School Events.

28 C.F.R. 35.104, 28 C.F.R. 35.136

Wis. Stat. 106.52, Section 504 of the Rehabilitation Act of 1973 (Section 504)

The Americans with Disabilities Act (ADA)

The Individuals with Disabilities Education Act (IDEA)

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## ENVIRONMENTAL HEALTH AND SAFETY PROGRAM

The Board of Education recognizes its responsibility to provide students, employees, and visitors with a safe and healthful environment. To this end, the Board directs the District Administrator to develop a comprehensive program designed to provide a healthy, safe, and secure environment on District property and at District-sponsored activities. To achieve this, it is the intent of the Board that the District will avail itself of current, proven technologies in the fields of health, safety, and environmental sciences.

### **INDOOR ENVIRONMENTAL QUALITY PLAN (IEQ)**

In accordance with the District's recognition of the importance of a safe and healthful environment to the educational atmosphere, the District Administrator shall develop guidelines to provide for IEQ monitoring and maintenance. The following will be included in the plan the District establishes:

- A. Director of Buildings and Grounds will serve as the IEQ Coordinator for the District;

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- B.
1. methods for communicating with parents, students and other employees regarding any IEQ concerns and remediation plans related to such concerns;
  2. a complaint procedure for IEQ concerns of parents, students, or employees;
  3. developing a schedule of inspections and routine evaluation of each school buildings' environmental standards consistent with all policies of the District and establish guidelines for remediation of any problems identified in the course of any evaluation or inspection;
  4. at least annually review the management plan and provide an update to the Board; and
  5. identify additional Board policies governing IEQ issues for consideration.

**STUDENT, EMPLOYEE, AND VISITOR HEALTH AND SAFETY**

The District shall develop and implement an environmental health and safety program that is positive, proactive, integrates responsibilities within the District, and promotes and incorporates the following:

- A.
- Procedures describing a hazard identification and abatement program that requires the periodic inspection of District facilities, the implementation of immediate and programmed corrective actions when deemed necessary by such inspections, and the development of a District-wide hazard reporting procedure that enables employee/stakeholder participation. This program should also provide procedures for identifying and responding to hazards that are created by outside entities, inspecting activities of contractors, and inspecting new facilities to determine whether appropriate requirements for environmental health and safety have been met.

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- B. Procedures that promote environmental health and safety awareness among employees, students, and stakeholders. These procedures shall include, but not be limited to, the establishment of school and District safety committees, and the establishment of a program of regular communication with students, employees, and stakeholders about pertinent safety and health issues through available mediums in the District.
- C. Procedures directed toward the safety and health of students during transportation to and from school, at school, and during participation in school-related activities. These procedures shall include, but not be limited to, promoting bus safety for students, assessing the safety of school traffic patterns, operating school clinics, administering medication and medical treatment, promoting laboratory and shop safety, promoting safety in sports and other outdoor activities, inspecting playground equipment and promoting safety on playgrounds, and assessing environmental exposure.
- D. Procedures related to District employee health and safety issues that include, but are not limited to, provision of work areas free from recognized hazards and programs that are required by Federal and State law, and defining employer and employee responsibilities and expectations related to health and safety.
- E. Procedures describing an accident reporting and investigation system that provides for identification of root causes, determination of remedial and programmed corrective actions, and communication about accidents to employees and stakeholders.
- F. Procedures for foreseeable emergencies and fire prevention.
- G. Procedures relating to recordkeeping required by State or Federal law.

**PHASE-OUT/BANNED PRODUCTS**

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The District Administrator shall require that any chemicals, insecticides, or other materials that the Federal government is phasing out and/or banning by a certain date be immediately banned from use on Board property.

**SEE ALSO THE FOLLOWING RELATED POLICIES:**

District Safety Plan

District Indoor Air Quality Plan

101.11, Wis. Stats.

118.07, Wis. Stats.

Chapter 32, Wis. Admin. Code

29 C.F.R. Part 1910

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### EMERGENCY PREPAREDNESS

The Board of Education recognizes that its responsibility for the safety of students extends to possible natural and man-made disasters and that such emergencies are best met by preparedness and planning.

The Board authorizes a system of emergency preparedness which shall require that:

- A. fire drills are conducted at least once each month; tornado drills are conducted at least twice annually and school safety incident action plan drills are conducted at least twice annually

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

Each school's emergency preparedness plan shall be reviewed by the Board annually following initial adoption.

The District Administrator shall develop guidelines for the handling of all emergency evacuations.

118.07, 121.02(g)(i), Wis. Stats.

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118.07, 121.02(g)(i), Wis. Stats.

### PREPAREDNESS FOR TOXIC HAZARDS

The Board of Education is concerned for the safety of the students and staff members and will attempt to comply with all Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of school officials.

#### **TOXIC HAZARDS**

These hazards exist in chemicals, pesticides, 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 will appoint the Director of Buildings and Grounds to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will:

- a. identify potential sources of toxic hazard in cooperation with material suppliers who shall supply the THP Officer with Safety Data Sheets (SDS's);
- b. ensure that all incoming materials, including portable containers, are properly labeled with the identity of the chemical, the hazard warning, and the name and address of the manufacturer or responsible party;
- c. maintain a current file of SDS for all hazardous materials present on District property;
- d. design and implement a written communication program which:
  1. lists hazardous materials present on District property;
  2. details the methods used to inform staff and students of the hazards;
  3. describes the methods used to inform contractors and their employees of any hazardous substances to which they may be exposed and of any corrective measures to be employed;

- d. conduct a training program for all District employees on such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the District's plan for communication, labeling, etc.;

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.

In accordance with Federal law, the District will designate a Chemical Hygiene Officer (CHO) to maintain safety standards regarding chemical usage within classrooms and other instructional areas. The CHO, who is qualified by training or experience, will provide technical guidance in the development and implementation of the Chemical Hygiene Plan.

Nothing in this policy should be construed in any way as an assumption of liability 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 Board or its officers and employees.

The District will comply with any lead-screening requirements promulgated by the Department of Health Services.

101.58 et seq, 254.162, 254.20, Wis. Stats.

15 U.S.C. 2601

20 U.S.C. 4022

20 U.S.C. 4014

20 U.S.C. 4011

20 U.S.C. 4011 et seq.

29 C.F.R. 1910.1450(b)

OSHA Brief – Hazard Communication Standard: Safety Data Sheets

### **ASBESTOS MANAGEMENT**

The Board of Education recognizes its responsibility to provide students, employees, and visitors with a safe and healthful environment. Accordingly, the Board directs the District Administrator to ensure that the District satisfies its obligations to deal with asbestos building materials in any building that is leased, owned, or otherwise used by the District as a school building as required under State and Federal law including, but not limited to, the Asbestos Hazard Emergency Response Act of 1986 (“AHERA”). To this end, the Board authorizes the District Administrator to designate an individual responsible for ensuring that the District satisfies its responsibilities under AHERA. This individual will, at a minimum develop and administer an Asbestos Management Plan as required by law. The Plan will address all requirements under AHERA including, but not limited to, inspection, reinspection, periodic surveillance, training and recordkeeping requirements.

The District Administrator will also ensure that at least once each school year, the District provides written notice to parents, employees and employee organizations regarding the availability of the District’s Asbestos Management Plan and any response actions taken or planned.

20 U.S.C. 4011 et seq.

Asbestos Hazard Emergency Response Act of 1986 (AHERA)

Asbestos School Hazard Abatement Reauthorization Act of 1990

40 C.F.R. 763

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### REPORTING ACCIDENTS

The Board of Education directs that all reasonable efforts be made to ensure a safe learning and working environment for the students and employees of this District. To that end and so that legitimate employee claims for worker's compensation be expedited, the Board requires that accidents be reported and evaluated. Any accident that results in an injury, however slight, to a student, an employee of the Board, or a visitor to the schools must be reported promptly and in writing to the District Business Office. Injured persons shall be referred immediately to the appropriate personnel for such medical attention as may be needed.

The injured employee, visitor, or the staff member responsible for an injured student shall complete a form that includes the date, time, and place of the incident; the names of persons involved; the nature of the injury to the extent that it is known; and a description of all relevant circumstances.

Any employee of the Board who suffers a job-related injury must report the injury and its circumstances to the principal or job supervisor, as appropriate, as soon as possible following the occurrence of the injury. The failure of an employee to comply with this mandate may result in disciplinary action in accordance with applicable policy or contractual standards.

### CONTROL OF CASUAL-CONTACT COMMUNICABLE DISEASES

The Board of Education recognizes that control of the spread of communicable disease spread through casual contact is essential to the well-being of the school community and to the efficient District operation.

For purposes of this policy, "casual-contact communicable disease" shall include

- diphtheria,
- scarlet fever and other strep infections,
- whooping cough,
- mumps,
- measles,
- rubella, and
- others designated by the Wisconsin Department of Health Services (hereinafter referred to as DHS).

In order to protect the health and safety of the students, District personnel, and the community at large, the Board shall follow all State statutes and Health Department regulations which pertain to immunization and other means for controlling casual contact communicable disease spread through normal interaction in the school setting.

If a student exhibits symptoms of a communicable disease, the principal will isolate the student in the building and contact the parents/guardians. Protocols established by the Wisconsin Department of Health Services ( ) (hereinafter referred to as DHS) shall be followed.

The District Administrator shall develop administrative guidelines for the control of communicable disease that shall include:

- instruction of professional staff members in the detection of these common diseases and measures for their prevention and control;
- removal of students from District property to the care of a responsible adult;
- preparation of standards for the readmission of students who have recovered from casual-contact communicable diseases;
- filing of reports as required by statute and the DHS.

252.19, 252.21, Wis. Stats.

### PEDICULOSIS (HEAD LICE)

Head lice is a universal problem and is particularly prevalent among elementary school-age children. Control of lice infestation is best handled by adequate treatment of the infested person and his/her immediate household and other close personal contacts.

Communication from the school to parents directly and through parent and classroom education to the students will help increase the awareness for both parents and child. Parents need to continually observe their child for this potential problem and treat adequately and appropriately as necessary.

If a child in the District is found to have lice, the child's parent will be contacted to have the child treated and to pick him/her up immediately. After treatment and upon returning to school, the child will be examined by the school health staff or principal. The District practices a policy of no nits as a criteria for return to school.

### AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

The Board of Education has determined that it may enhance school safety to have an automated external defibrillator (AED) placed in building(s) within the School District.

An AED is a heart monitor and defibrillator that:

- A. is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia and determining without intervention by an operator, whether defibrillation should be performed;
- B. charges and, at the command of the operator, delivers an electrical impulse to an individual's heart.

The Board directs the District Administrator to develop guidelines that govern AEDs, including the use of the AED, placement of the AED. The AED device(s) will be located at school buildings for use by individuals with proper AED training.

Students in the high school will be offered instruction in cardiopulmonary resuscitation and cardiocerebral resuscitation and will be provided instruction about automated external defibrillators.

146.50(8)(g), Wis. Stats.  
118.076 Wis. Stats.

### DIRECT CONTACT COMMUNICABLE DISEASES

The Board of Education seeks to provide a safe educational environment for students and staff. To this end, students and staff should understand the method of transmission and prevention of diseases that are contracted through direct contact with body fluids and excretions, especially blood, vomit, feces, or urine. The Board is also committed to assuring, to the extent permitted by State communicable disease reporting requirements, the confidential status of individuals who may have been diagnosed with a contact communicable disease.

For purposes of this policy, these diseases shall include:

- A. HIV (human immunodeficiency virus);
- B. AIDS (acquired immune deficiency syndrome);
- C. AIDS related complex (condition);
- D. HAV, HBV, HCV (Hepatitis A, B, C);
- E. other diseases that may be specified by the Wisconsin Department of Health Services (DHS) as contact communicable diseases.

The Board recognizes that individuals 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.

With this in mind, the Board directs the District Administrator to develop programs for students and staff for the purpose of understanding the manner in which these diseases may be prevented and how they are transmitted. These programs should specify the risk factors involved, how to deal with those risks, and emphasize the fact that these diseases are preventable if basic precautions are taken.

The Board further directs the District Administrator to assure that students or staff 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, their right to privacy and that their civil rights will be respected. Staff members will have access to District leave policies in accordance with Board policy and any applicable collective bargaining agreement, such individuals will also be provided reasonable accommodation as required by the Wisconsin Fair Employment Act and the Americans with Disabilities Act. 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 and administrative guidelines dealing with Homebound Instruction.

The District Administrator shall also ensure the guidelines are developed for reporting communicable diseases and sending home students or staff suspected of having a communicable disease as provided under State law.

252.21, Wis. Stats.

CONTROL OF BLOOD-BORNE PATHOGENS

The Board of Education seeks to protect those staff members who may be exposed to blood pathogens and other potentially infectious materials in their performance of assigned duties.

The District Administrator shall implement administrative guidelines which will:

- A. identify those categories of employees whose duties create a reasonable anticipation of exposure to blood and other infectious materials;
- B. provide for inoculation of the Hepatitis B vaccine at no cost to the staff member and in accordance with Federally-mandated scheduling;
- C. ensure proper training in the universal precautions against exposure and/or contamination including the provision of appropriate protective supplies and equipment;
- D. establish appropriate procedures for the reporting, evaluation, and follow-up to any and all incidents of exposure;
- E. provide for record-keeping of all of the above which complies with both Federal and State laws;
- F. develop an exposure control plan.

29 C.F.R. 1910.1030

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### STUDENT ABUSE AND NEGLECT

The Board of Education is concerned with the physical and mental well-being of all children of this District and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law.

The Board shall require every employee to receive training provided by the Department of Public Instruction (DPI) in identifying children who have been abused or neglected and in the laws and procedures detailed herein governing the reporting of suspected or threatened child abuse and neglect. Such training shall be completed within the first six (6) months of employment in the District and thereafter at least once every five (5) years after the initial training.

Each District employee who has reasonable cause to suspect child abuse or neglect has occurred or is occurring shall be responsible for reporting immediately every case, whether ascertained or suspected, of abuse or neglect resulting in physical or mental injury to a child by other than accidental means.

The employee shall immediately call the local office of the Child Welfare Department or local law enforcement agency.

Employees shall also notify the appropriate administrator according to the District's Reporting Procedure for Student Abuse or Neglect.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. A reporting employee shall not be dismissed or otherwise penalized for making a report of child abuse or neglect.

Information concerning alleged child abuse is confidential. Any unauthorized disclosure by an official or employee of the District is a violation of the law and may subject the disseminator to civil liability for resulting damages and disciplinary action.

Each principal should be mindful of the possibility of physical or mental abuse being inflicted on a student by an employee. Any such instances, whether real or alleged, should be dealt with in accordance with the administrative guidelines established by the District Administrator.

48.981, 118.07(5) Wis. Stats.

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STUDENTS WITHOUT PARENTS

Any teacher, administrator, counselor, or school social worker who knows that a child is without a parent or guardian shall report that fact as soon as possible to the Columbia, Sauk or Marquette County Social Services Department. Such a report is not required if a student has a legal custodian or is cared for by a kinship care relative.

118.175, Wis. Stats.

### FOOD SERVICES

The Board of Education shall provide cafeteria facilities in all school buildings and will provide food service for the purchase and consumption of breakfast and lunch for students and shall comply with State and Federal regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, including but not limited to the current USDA's school meal pattern requirements and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program. Further, the food-service program shall comply with State and Federal regulations pertaining to the fiscal management of the program as well as all the requirements pertaining to food service hiring and food service manager/operator licensure and certification. In addition, as required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service staff and other authorized persons.

No foods or beverages, other than those associated with the District's food-service program, are to be sold during food-service hours.

The District's food service program shall serve only food items and beverages determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines. Non-compliance foods (foods that do not meet the current USDA Dietary Guideline for Americans and the USDA Smart Snacks in School nutrition guidelines) cannot be sold between midnight and thirty (30) minutes following the end of the school day. School Stores must also comply with smart snacks. Foods and beverages unassociated with the food-service program may be vended in accordance with the rules and regulations set forth in board policy.

A substitution to the standard meal requires filing a *Children with Disabilities and Special Dietary Restrictions Form* available from the school nurse.

Lunches sold by the school may be purchased by students and staff members and community residents in accordance with the rules of the District's school lunch program.

The operation and supervision of the food-service program shall be the responsibility of the Food Service Director and the Business Manager. Food services shall be operated on a self-supporting basis with revenue from students, staff, and Federal reimbursement. The Board shall assist the program by furnishing available space. Maintenance and replacement of equipment is the responsibility of the program.

Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable. District efforts to collect bad debt shall be in accordance with policy.

Bad debt is uncollectable/delinquent debt that has been determined to be uncollectable by the end of the school year in which the debt was incurred. If the uncollectable/delinquent debt cannot be recovered by the School Meals Program the year when the debt was incurred, then this is classified as bad debt. Once classified as bad debt, non-Federal funding sources must reimburse the NSFSA for the total amount of the bad debt. The funds may come from the District general fund, State or local funding, school or community organizations such as the PTA, or any other non-federal source. Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 Code of Federal Regulation (CFR) 210.9(b) (17) and 7 CFR 210.15(b).

#### Negative Account Balances

Pre-payment is needed for breakfast, lunch, and a la carte items. Students can pay for meals from the district's food service program using cash, check or their food service account. There should not be a negative account balance for the Food Service Program. If the student does not have money to pay for a Class A meal, the student will be allowed to charge two (2) Class A meals. Should a negative account balance occur, it needs to be taken care of immediately. If the negative balance would exceed the cost of two (2) Class A meals, the student would be denied the Class A meal. To avoid this incident, the district has a notification system. Students would also be allowed to call for money for a Class A meal or a cold lunch.

Students purchasing a la carte items, including milk, must have enough funds to purchase the a la carte item(s) each day.

If the student has a negative balance and provides the money for a Class A meal at the time of serving, the student will receive a Class A meal.

If a student has a negative balance May 1 or after, in order for your child to receive a meal at the time of service, they must pay for the meal or the student would be denied. To avoid this incident, the district has a notification system. Students would also be allowed to call for money for a Class A meal or a cold lunch.

This policy and any implementing guidelines shall be provided in writing to all households at the start of each school year and to households transferring to the School District during the school year. The policy and implementing guidelines will

also be provided to all District staff with responsibility for enforcing the policies. The policy will be posted to the District website.

If a negative balance continues and the parent(s)/guardian(s) fail to provide a meal from home or money for their child's account, the Department of Human Services or other appropriate agency may be contacted to address the child's needs. Parent(s)/guardians(s) may pick up a free or reduced application at any time during the school year at any school or from the District Food Service Director.

#### Notifications

Every effort will be made by the Portage Community School District to keep parent(s)/guardians(s) informed regarding their child's food service account. However, it is ultimately the responsibility of the parent(s)/guardians(s) to maintain a positive balance in their child's food service account so that the district can provide meals to their child(ren).

The district student data base system provides parent(s)/guardians(s) the ability to view food service activity/usage, balances and deposit funds into their child's account. The district provides this tool for parent(s)/guardians(s) to manage their child's food service account.

The district provides an automated phone call system to provide evening phone calls to parent(s)/guardians(s) when a food service account is below the district's determined amount.

Parent(s)/guardians(s) may also call their child's school and request a print out of their child's food service account or be given the account balance.

When a student account becomes low or negative Middle School and High School students will be offered a reminder note in the serving line and elementary students will have a note sent home stating their child's food service balance.

#### Farm to School Program

The food-service program may participate in the "Farm to School Program" using locally grown food in school meals and snacks.

#### Nondiscrimination Statement

The following statement applies to all programs administered by the District that are funded in whole or in part by the U.S. Department of Agriculture (USDA):

In accordance with Federal civil rights law and 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](http://www.ascr.usda.gov/complaint_filing_cust.html), and 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:

- A. Mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
- B. Fax: (202) 690-7442; or
- C. E-mail: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

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

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

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

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

42 U.S.C. 1758

15.137, 93.49, 115.34 -115.345, 120.10(16), 120.13(10), Wis. Stats.

7 C.F.R. Parts 15b, 210, 215, 220, 225, 226, 227, 235, 240, 245, 3015

42 U.S.C., Chapter 13

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**Legal References:**

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

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

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

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

42 U.S.C. 1758

15.137, 93.49, 115.34 -115.345, 120.10(16), 120.13(10), Wis.  
Stats.

7 C.F.R. Parts 15b, 210, 215, 220, 225, 226, 227, 235,  
240, 245, 3015

42 U.S.C., Chapter 13

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## WELLNESS

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

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

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

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

- A. promote nutrition education with the objective of improving students' health and reducing childhood obesity;
- B. improve the health and well-being of our children, increase consumption of healthful foods during the school day, and create an environment that reinforces the development of healthy eating habits
- C. promote nutrition guidelines, a healthy eating environment, child nutrition programs, and food safety and security on each school

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campus with the objective of promoting student health and reducing  
childhood obesity;

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- D. provide opportunities for every student to develop the knowledge and skills for specific physical activities, maintain physical fitness regularly participate in physical activity, and understand the short and long-term benefits of a physically active lifestyle;
- E. promote the health and wellness of students and staff through other school based activities.

The District Administrator shall obtain the input of District stakeholders, to include parents, students, representatives of the school food authority, educational staff (including physical education teachers), school health professionals, members of the public, and other school administrators in the development, implementation, evaluation, and periodic update, if necessary, of the wellness policy.

The District Administrator is encouraged to form a wellness committee to carry out this function.

The wellness committee shall be an administrative committee with members recruited and appointed by the District Administrator.

The District Administrator shall be responsible for accomplishing the following:

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

The District Administrator will oversee development, implementation, and evaluation of the wellness procedures

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The District Administrator shall conduct reviews of the progress toward school wellness procedures, identify areas for improvement, and recommend revision of procedures as necessary.

Before the end of each school year the wellness committee shall submit to the District Administrator and Board their report in which they describe the environment in each of the District's schools and the implementation of the wellness policy in each school, and identify any revisions to the policy the committee deems necessary.

The District Administrator or a designee of the wellness committee shall report annually to the Board on the District's wellness programs, including the assessment of the environment in the District, evaluation of wellness policy implementation District-wide, and the areas for improvement, if any, identified. The District Administrator or a designee of the wellness committee shall also report on the status of compliance by individual schools and progress made in attaining goals established in the policy.

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

Nutrition education shall be included in the Health curriculum so that instruction is sequential and standards based and provide students with the knowledge, attitudes, and skills necessary to lead healthy lives.

Nutrition education shall be included in the sequential comprehensive health curriculum in accordance with the curriculum standards and benchmarks established by the State.

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

1. Physical Education

The sequential, comprehensive physical education curriculum shall provide students with opportunities to learn, practice, and be assessed on developmentally

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appropriate knowledge, attitudes, and skills necessary to engage in lifelong, health-enhancing physical activity.

## 2. Physical Activity

Physical activity and movement shall be integrated, when possible, across the curricula and throughout the school day.

Schools shall encourage families to provide physical activity outside the regular school day, such as outdoor play at home, participation in sports sponsored by community agencies or organizations, and in lifelong physical activities like bowling, swimming, or tennis.

- ( ) All students in grades K- \_\_\_\_ shall be provided with a daily recess period at least \_\_\_\_\_ (\_\_\_\_) minutes in duration. Recess shall not be used as a reward or punishment.

[NOTE: NASPE's recommendation is that all elementary school students should be provided with at least one daily period of recess for a minimum of twenty (20) minutes.]

- ( ) The school shall provide information to families to encourage and assist them in their efforts to incorporate physical activity into their children's daily lives.
- ( ) The school shall encourage families and community organizations to help develop and institute programs that support physical activity of all sorts.
- ( ) The school shall provide students in grades \_\_\_ - \_\_\_ with the opportunity to use physical activity in which they participate outside the regular school day (other

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than organized interscholastic athletics) to satisfy physical activity requirements.

- ( ) In addition to planned physical education, the school shall provide age-appropriate physical activities (e.g., recess during the school day, intramurals and clubs before and after school, and interscholastic sports) that meet the needs of all students, including males, females students with disabilities, and students with special health care needs.

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

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

[Select one or more of the following:]

- ( ) The schools shall provide at least \_\_\_\_\_ (\_\_\_\_) minutes daily for students to eat.

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- ( ) The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.
- ( ) The school shall provide attractive, clean environments in which the students eat.
- ( ) Students at \_\_\_\_\_ [insert name(s) of building(s)] are not permitted to have drinks in the classroom.
- ( ) Students at \_\_\_\_\_ [insert name(s) of building(s)] are permitted to have bottled water only in the classroom.
- ( ) Activities, such as tutoring or club meetings, shall not be scheduled during mealtimes, unless students may eat during those meetings.
- ( ) Schools ( ) may ( ) shall limit the number of celebrations involving serving food during the school day to no more than \_\_\_\_\_ (\_\_\_\_) party(ies) per class per month.
- ( ) Students, parents, and other community members shall have access to, and be encouraged to use, the school's outdoor physical activity facilities outside the normal school day.
- ( ) An organized wellness program shall be available to all staff.

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- ( ) The schools ( ) shall ( ) may use environmentally friendly practices, such as the use of locally grown foods and non-disposable tableware and dishes.
- ( ) The schools ( ) shall ( ) may provide opportunities for staff, parents, and other community members to model healthy eating habits by dining with students in the school dining areas.
- ( ) The schools ( ) shall ( ) may demonstrate support for the health of all students by hosting health clinics and screenings and encouraging parents to enroll their eligible children in Medicaid or in other children's health insurance programs for which they may qualify.
- ( ) Schools in our system utilize electronic identification and payment systems, therefore, eliminating any stigma or identification of students eligible to receive free and/or reduced meals.
- ( ) Students are discouraged from sharing their foods or beverages with one another during meal times, given concerns about allergies and other restrictions on some students' diets.
- ( ) other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ( ) other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

- A. In accordance with Policy 8500, entitled Food Service, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program.
- B. As set forth in Policy 8531, entitled Free and Reduced Price Meals, the guidelines for reimbursable school meals are not less restrictive than the guidelines issued by the U.S. Department of Agriculture (USDA).

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

- ( ) The food service program will strive to be financially self-supporting however, if it is necessary to subsidize the operation, it will not be through the sale of foods with minimal nutritious value.
- ( ) The food service program will provide all students affordable access to the varied and nutritious foods they need to be healthy and to learn well.
- ( ) All foods available on campus during the school day shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as classroom snacks, from vending machines, for classroom parties, or at holiday celebrations.
- ( ) All foods available to students in the dining area during school food service hours shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods available to student a la carte or from vending machines.

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- ( ) Beginning with \_\_\_\_ - \_\_\_\_ school year, all foods available to students on campus during the school day and outside school food service hours shall comply with the current USDA Dietary Guidelines for Americans, including foods available to students as classroom snacks, from vending machines for fund raisers, for classroom parties, or at holiday celebrations.
- ( ) All foods available on campus at any time shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as well as foods that are served as classroom snacks, from vending machines, for fund raisers, for classroom parties, at holiday celebrations, at concession stands, or at any school-related event.
- ( ) The school food service program ( ) may ( ) shall involve
  - ( ) students,
  - ( ) parents,
  - ( ) staff,
  - ( ) school officialsin the selection of competitive food items to be sold in the schools.
- ( ) Nutrition information for competitive foods available during the school day shall be readily available near the point of purchase.
- ( ) All foods available to students in District programs, other than the food service program, shall be served with consideration for promoting student health and well-being.
- ( ) Any food items sold ( ) on campus as a fund raiser shall meet the current USDA Dietary Guidelines for Americans.

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- ( ) The school shall prepare and distribute to staff, parents, and afterschool program personnel a list of snack items that comply with the current USDA Dietary Guidelines for Americans.
- ( ) Each classroom party held during the school day may include no more than one (1) food or beverage that does not meet the current USDA Dietary Guidelines for Americans.
- ( ) The food service program shall be administered by a qualified nutrition professional.
- ( ) The food service program shall be administered by a director who is properly qualified, certificated, licensed, or credentialed, according to current professional standards.
- ( ) All food service personnel shall receive pre-service training in food service operations.
- ( ) Continuing professional development shall be provided for all staff of the food service program.
- ( ) other  
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- ( ) other  
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The District Administrator shall be responsible for informing the public, including parents, students and community members, on the content and implementation of this policy. In order to inform the public, the District Administrator shall:

- ( ) distribute information at the beginning of the school year to families of school children
- ( ) include information in the student handbook
- ( ) \_\_\_\_\_
- ( ) \_\_\_\_\_

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

Review of this policy shall occur every \_\_\_\_\_ years, by a committee appointed by the Board, consisting of a representative(s) of the Board, the administration, the food service provider, the parents, the students, and the public. The committee shall provide the Board with any recommended changes to this policy.

42 U.S.C. 1751 et seq.  
42 U.S.C. 1771 et seq.

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### FREE AND REDUCED-PRICE MEALS

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

The Board shall provide eligible children with breakfast and lunch at a reduced rate or at no charge to the student.

Children, eligible for free or reduced-price meals, shall be determined by the criteria established by the Child Nutrition Program. These criteria are issued annually by the Federal government through the Wisconsin Department of Public Instruction.

The Board designates the Director of Food Services to determine in accordance with Board standards, the eligibility of students for free and/or reduced-price meals.

The schools shall annually notify all families of the availability, eligibility requirements, and/or application procedure for free and reducedprice meals by distributing an application to the family of each student enrolled in the school and shall seek out and apply for such Federal, State, and local funds as may be applied to the District's program of free and reducedprice meals..

115.34-115.345, 120.10(16), 120.13(10), Wis. Stats.  
P.I. 42, Wis. Adm. Code  
42 U.S.C. 1771 et seq.

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### VENDING MACHINES

The Board of Education recognizes that vending machines can produce revenues which are useful to augment programs and services to students and staff. It will, therefore, authorize their use in District facilities providing that the following conditions are satisfied.

- A. No food or beverages are to be sold or distributed which will compete with the District's food-service program.
- B. Food items and beverages available for sale to students in vending machines for consumption on campus shall comply with the current USDA Dietary Guidelines for Americans and Smart Snack Rules.

The District Administrator shall develop and implement administrative guidelines that will require these conditions are adhered to on a continuing basis.

42 U.S.C. 1779

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**COMPETITIVE FOOD SALES**

The food-service program will comply with the provisions set forth in Federal law regarding sale of competitive food and foods of minimal nutritional value.

Only the food-service program shall sell food and beverages to students in elementary schools during regular school hours.

In secondary schools, the food-service program shall be the sole provider of food and beverage items sold during breakfast and at the start of first lunch service until the end of last lunch service. At which time student clubs and organizations and/or District support organizations may request approval to sell foods and beverage items in accordance with the Board of Education's policies and guidelines. Accordingly, all food items and beverages for sale to students for consumption on campus from vending machines, from school stores, or as fundraisers by student clubs and organizations and/or District support organizations shall comply with the current USDA Dietary Guidelines for Americans and Smart Snack Rules. If snacks are non-compliant with USDA Dietary Guidelines for Americans and Smart Snack Rules they can may only be sold (30) minutes after the close of the regular school day until (12 O'clock) midnight.

Title 7 C.F.R. 210.11

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## TRANSPORTATION

### REGULAR TRANSPORTATION

Students in the School District of Portage who reside outside the city limits and are two or more miles from their school of attendance shall be provided bus transportation to and from school.

1. Unusual Hazards: In accordance with Wis. Stats. 121.54(9), students living in areas of unusual hazard shall be provided transportation regardless of distance from school of attendance.
  - i. All such areas must be so designated by the sheriff of the county in which the principal office of the school district is located
  - ii. Specific pick-up stops will be established for all such areas
2. Rural Areas: Students will be expected to walk reasonable distances to bus stops in order to enhance efficient transportation. Walking distances may vary, but in no case shall they exceed .5 miles for K-5 and .7 of a mile for grades 6-12.
3. Transportation Within City Limits: The school district will not provide transportation to students within the city limits except under the following circumstances:
  - a. Shuttle runs exist for the area in question and space is available.
  - b. Areas in question represent a significant safety hazard--Board may provide shuttle or other transportation service.
  - c. Students living in the city limits may request transportation for before and after school care only, with the following conditions:
    - i. The pick-up/drop-off point request is because of needed before and after school care only, within the district boundaries and the location does not cause the route to deviate from its present status; and
    - ii. The student(s) involved will be riding the bus on a consistent basis; and
    - iii. Each student may only have one pickup location and one drop off location. The pick-up and drop off location do not have to be the same address and;
    - iv. The transportation will be determined after the regular routes have been established and;

v. The District has the right to deny the transportation request.

4. Private School Transportation: Each student who attends a private school located two or more miles from the student's residence shall be provided transportation to and from the school attended if:
  - a. Such private school is a school within whose attendance are the students resides; and
  - b. Such private school is situated within the school district or not more than five miles beyond the boundary of the school district measured along the usually traveled route
  - c. In accordance with Wis. Stats. 121.54(2)(b)(3), by April 1 each private school shall submit its proposed attendance areas for the ensuing school year to the school board or its designee
  - d. No later than May 15 in each year, private schools must notify the school board of all pupils eligible to have transportation during the forthcoming school term
5. Other than Primary Residence: Transportation to/from residences other than the student's primary residence may be approved as long as the following conditions are met:
  - a. The pick-up/drop-off point does not cause the route to deviate from its present status; and
  - b. The student(s) involved will be riding the bus on a consistent basis.
  - c. Each student may only have one pickup location and one drop off location. The pick-up and drop off location do not have to be the same address.
6. Transportation Outside School District Boundaries: The school district will not provide transportation to students who live outside the school district boundaries (i.e. .Public School Open Enrollment).
  - a. Transportation can be requested for an existing group stop within the district boundaries.
  - b. Requests will be based on available space.
7. Transportation for Home School Students attending our School District for Class:
  - a. Transportation can be requested for an existing group stop within the district boundaries.
  - b. Requests will be based on available space.

B. SPECIAL EDUCATION TRANSPORTATION

Efforts will be made to provide transportation for students in special education programs that require transportation. Time and other constraints will be considered in any and all decisions. Students receiving special education transportation must have a special education transportation accommodation in their Individual Education Plan (IEP). The school administration/bus contracts will implement the district's policy relating to transportation of special education students with consideration given to the following:

1. health and safety of students
2. special apparatus on school vehicles when necessary
3. vehicle routes
4. transportation by parents/guardians
5. transportation to private schools
6. inservice training for operators of vehicles carrying special education students
7. evaluation of transportation programs.

#### **C. PARENT CONTRACT**

In cases where transportation is needed but it is not considered feasible for the school district to furnish bus transportation, contracts may be established with parents/guardians to furnish student transportation. A parent contract is entered into/on behalf of the school district and parent/guardian involved.

#### **D. PRIVATE VEHICLE TRANSPORTATION**

Alternative methods of transportation may be used in the school district provided such use is in accordance with state law and the following procedures:

1. **Insurance:** When the vehicle being used is owned or leased by the school or school bus contractor, the vehicle must be insured as required by Wis. Stats. 121.53. When the vehicle being used is not owned or leased by the school or school bus contractor, the following minimum insurances must exist before the vehicle's use is authorized:
  - a. property damage coverage not less than \$10,000.00
  - b. bodily injury liability coverage not less than \$25,000/person
  - c. subject to the limit for each person; total bodily injury liability limits of not less than \$50,000 per each accident
2. **Supervision:** If the vehicle is to be used for the transportation of passengers to extracurricular activities, it shall be under the immediate supervision of a competent adult (Wis Stats. 121.54(7)).
3. **Passengers:** All such request shall be restricted to no more than nine(9) or less passengers in addition to the operator. Use of a motor vehicle to transport ten (10) or

more passengers in addition to the operator may be allowed for purposes set forth under Wis. Stats. 340.01(56)(a). Requests to transport ten (10) or more passengers must be made in writing to the School Administrator or designee. Such request must specify the purpose and need for emergency transportation services. In no case shall the vehicle be used to transport more passengers than can be seated on the permanently mounted forward facing seats without interfering with the operator.

**4. Operator Requirements:**

- a. valid Wisconsin operator's license
- b. at least eighteen (18) years of age
- c. a medical opinion on file stating that he/she is not afflicted or suffering from any mental or physical disabilities or disease which could prevent the operator from exercising reasonable control of the vehicle. Such medical opinion must be updated every three years (editor's note: this applies only if the vehicle is owned or leased by a school or school bus operator or is operated by a school employee).
- d. have not been convicted of reckless driving, operating a motor vehicle while under the influence of an intoxicant or controlled substance or any other offenses which result in the mandatory revocation of the individual's operating license within the last two years
- e. the school district will obtain certification from the Department of Transportation that the operator meets the requirements of paragraph (d)
- f. It is the responsibility of the adult supervisor and/or group to adhere to the guidelines outlined above.
- g. certificate or Proof of Insurance
- h. all proper notification and documentation will be made to the School Administrator or his/her designee
- i. certified vehicle inspection on file.

**F. BUS DISCIPLINE**

The following procedures apply to all students, both public and private, who ride school buses. They are designed to provide a fair and responsible system in dealing effectively with unacceptable bus rider behavior and violation of bus rider rules.

The primary objectives include correcting unacceptable behavior on the bus, providing for the best interest of all parties, and affording an individual and his/her parents due process should it be necessary to temporarily suspend or more permanently deny transportation services.

1. All school administrative staff and bus transportation staff shall be expected to be fair and consistent in the administration of these established procedures.
2. The driver may first attempt to talk to the student individually to resolve the problem. Such action is only appropriate for non-critical situations.

3. If talking with the student proves ineffective, the driver shall be instructed to fill out a school bus discipline report on the rider. The result of this report shall be an official warning and an assigned seat on the bus.
4. If the discipline problem persists, the driver shall be required to fill out a second discipline report. Second referral shall result in suspended bus riding privileges for three (3) days. .
5. A third referral from the bus driver shall result in suspended bus riding privileges for five (5) days.
6. Copies of the discipline report concerning all referrals shall be sent to the parent of the child involved, Business Administrator, bus company and put in the student discipline file.
7. Any subsequent referrals may result in a formal hearing to consider whether or not the evidence justifies a recommendation to the Transportation Committee for expulsion from transportation services. The parties to be present at the hearing include student, student's parent, principal, bus driver, Business Administrator, and District Administrator.
8. If it is determined that expulsion is appropriate, the Board, or its committee, shall be notified and a date set for the
9. hearing. The individual involved will be suspended from transportation services until the date of the hearing.
10. The Board may enforce an expulsion for a period up to one calendar year. Any student who is expelled from bus rider service will be given an opportunity to ride the buses following the term of expulsion and will again be subject to the discipline procedure.
11. Some behaviors are severe enough to warrant automatic suspension/expulsion and/or hearing. In such cases, the guidelines listed above may be bypassed. Such behaviors shall be at the discretion of the respective school officials.
12. The discipline procedure is designed to reasonably assure that the problems involved should be solved at the lowest possible level. Any report or complaint filed by parent/guardians should be made directly to their child's principal or Business Administrator who will attempt to investigate the situation and initiate the discipline procedure as may be appropriate.

#### G. INCLEMENT WEATHER

Buses shall run whenever and wherever weather permits. In the event of inclement weather, the following procedures shall be employed:

1. Announcements as to delays/cancellations shall be made on local radio stations and other radio/TV. stations as may be appropriate.
2. School officials may designate various properties to be excluded from transportation services, as to provide such service would present an undue risk for the driver and

other students involved. Such properties will be given alternative pick-up/drop-off points.

The Business Administrator, under the direction of the District Administrator, shall be responsible for the student transportation program. He/she shall continually appraise the student transportation program and make recommendations for its improvement in terms of maximum service, safety, economy and efficiency.

TRANSPORTATION FOR FIELD TRIPS AND OTHER  
DISTRICT-SPONSORED TRIPS

It shall be the policy of the Board of Education to use regular or special purpose school vehicles for transportation on field trips and other District-sponsored trips.

The transportation for all field and other District-sponsored trips is to be by vehicles owned or approved by the District and driven by approved drivers.

The District will assume the transportation costs for athletics. All other school field trips, co-curricular and extracurricular trips will be paid by the sponsoring school or organization.

All overnight and out of state field trips must be preapproved by the Board.

District vans are available for use for district-sponsored trips, on a first come basis, if the group has nine (9) or less passengers in addition to the operator. In no case shall the vehicle be used to transport more passengers than can be seated on the permanently mounted forward facing seat with safety belt without interfering with the operation. The operator must be preapproved by the District. Preapproval includes:

- Valid Wisconsin operator's license;
- At least eighteen (18) years of age;
- A medical opinion on file stating that he/she is not afflicted or suffering from any mental or physical disabilities or disease which could prevent the operator from exercising reasonable control of the vehicle. Such medical opinion must be updated every three years;
- Have not been convicted of reckless driving, operating a motor vehicle while under the influence of an intoxicant or controlled substance or any other offenses which result in the mandatory revocation of the individual's operating license within the last two years;
- The school district will obtain certification from the Department of Transportation that the operator meets the requirements of paragraph (d);
- It is the responsibility of the adult supervisor and/or group to adhere to the guidelines outlined above; and
- All proper notification and documentation will be made to the School Administrator or his/her designee

All school field trips shall be supervised by members of the staff. All other District-sponsored trips shall be supervised by either staff members or adults from the sponsoring organization. Standards of conduct shall be the responsibility of the professional staff member/adult supervising the trip (Wis Stats. 121.54(7)). Any time students are in the vehicle, at least one (1) sponsor, chaperone, or staff member is expected to ride in the vehicle.

Students are to be supervise before, during and upon returning to the District including while they are waiting for rides home.

All students are expected to ride the approved vehicle to and from each activity. A special request must be made to the staff member or sponsor by the parent, in writing or in person, to allow an exception:

- The parent presents a signed note to the advisor/coach stating that they are taking responsibility for transporting their child; and
- The parent must personally see the advisor/coach after the event, reiterating that they are taking responsibility for the child.

District students not affiliated with the trip activity, non-district students, and/or children of preschool age shall not be permitted to ride on the trip vehicle.

No student is allowed to drive on any trip.

The District Administrator shall prepare administrative guidelines to ensure that all transportation is in compliance with Board policy on use of District vehicles and/or use of private vehicles.

121.54(7), Wis. Stats.

**FRAUD**

The Board of Education is committed to protecting the financial assets of the District. Fraudulent behavior by School District employees, any contracted entity, or other individual will not be tolerated.

Fraudulent behavior includes, but is not limited to, theft, embezzlement, lying or providing false information to obtain a material benefit, including falsification of employee time records or other manipulation of time records to obtain compensation for time not worked, purchasing property for personal use with School Board funds, and inappropriate personal use of School Board property.

All employees have an obligation to report fraud to their supervisor or directly to the District Administrator. The failure to report known fraudulent actions or actions that reasonably appear to be fraudulent may be grounds for discipline.

The District Administrator, in cooperation with the auditors and District staff, will provide appropriate internal controls to diminish the opportunities for theft, embezzlement, and other fraudulent acts by employees.

All allegations of fraud will be investigated by appropriate District staff and will be reported to law enforcement if or when there is reason to believe a criminal offense has been committed.

**MINIMUM SCHOOL SIZE FOR OPERATION**

Minimum school attendance requirement: Schools need a minimum of 65 students or more to operate a school each year. Schools with less than 65 students for 2 consecutive years will be closed.