

## SECTION E: SUPPORT SERVICES

Section E of the EPS/NSBA policy classification system provides a repository for statements on non-instructional services and programs, including most of those that fall in the area of business management such as safety, buildings and management (not construction), transportation, food services.

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EA	Support Services Goals
EB	Safety Program
EBAA	Reporting of Hazards
EBBA	First Aid
EBBA-R	First Aid (Regulations)
EBBC	Bloodborne Pathogens
EBBC-R	Bloodborne Pathogens - Handling and Disposing of Contaminated Fluids
EBC	Emergency Plans
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EEAE	Student Transportation in Private Vehicles
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EGAC	Telephone Services
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EGAC-E	Cellular Phone Policy Inventory Receipt
EHA	Data and Records Retention

### SUPPORT SERVICES GOALS

The Governing Board views the support services operations of the school system as essential to the educational program. The Board serves as overseer of school business operations for the purpose of providing services, which will support an excellent educational program.

The Board expects operation and maintenance of the equipment and services to set high standards of safety, to promote the health of students and staff, to reflect the aspirations of the community and to support the efforts of the staff to provide good instruction of high quality.

[Adoption Date: 5/28/96]

## SAFETY PROGRAM

The Board is concerned with the safety of all students, employees, visitors and others present on the Educational Service Center site or at events sponsored by the Educational Service Center at other sites. The Board directs the administration to develop a safety program, which is reviewed on an annual basis.

The Superintendent/designee is the administrator responsible for the safety program of the Educational Service Center and will develop written procedures to comply with the all applicable Federal and State laws and regulations and policies.

The practice of safety will be a part of the instructional plan of the educational programs of the Educational Service Center. The educational program includes instruction in traffic and pedestrian safety, fire prevention, in-service training and emergency procedures appropriately geared to students at different grade levels.

All staff are encouraged to participate in the safety practices of the ESC by providing recommendations that ensure a safe environment for all.

[Adoption Date: 5/28/96]

[Amended Date: 2/22/00]

[Amended Date: 7/24/01]

[Amended Date: 5/23/06]

[Amended Date: 10/23/07]

[Amended Date: 4/16/14]

[Amended Date: 10/14/14]

[Amended Date: 4/27/2021]

LEGAL REFS.: Public Employment Risk Reduction Program, ORC 4167.01 et seq.

ORC 2744

3313.60; 3313.643

3707.26

3737.73

5502.262

OAC 3301-35-03

CROSS REFS.: GBE, Staff Health and Safety

JHF, Student Safety

## REPORTING OF HAZARDS

The Governing Board is concerned with the safety of students and staff and, therefore, complies with all Federal and State laws and regulations to protect students and staff from known hazards that pose an immediate risk to health and safety.

### Toxic Hazards

Toxic hazards exist in chemicals and other substances used in kitchens and in the cleaning of rooms and equipment.

The superintendent appoints an employee to serve as the Educational Service Center's Toxic Hazard Preparedness (THP) officer. The THP officer:

1. identifies potential sources of toxic hazard in cooperation with material suppliers who supply the THP officer with Safety Data Sheets (SDS);
2. ensures 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;
3. maintains a current file of SDS for every hazardous material present on Educational Service Center property.
4. designs and implements a written communication program that:
  - a. lists hazardous materials present on Educational Service Center property;
  - b. details the methods used to inform staff and students of the hazards and
  - c. 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;
5. conducts a training program in compliance with State and Federal law for all ESC employees to include such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment and the ESC's plan for communication, labeling, etc., and
6. establishes and maintains accurate records for each employee at risk for occupational exposure including name, Social Security number, hepatitis B vaccine status, results of exams, medical testing and follow-up procedures for exposure incidents and other information provided by and to health care professionals.

In fulfilling these responsibilities, the THP officer may enlist the aid of county and municipal authorities and others knowledgeable about potential toxic hazards.

### Asbestos Hazards

In its efforts to comply with the Asbestos Hazard Emergency Response Act, the Public Employment Risk Reduction Program (PERRP) and the Asbestos Abatement Contractors Licensing Act, the Governing Board recognizes its responsibility to:

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

The superintendent appoints a person to develop and implement the ESC's Asbestos-Management Program, which ensures proper compliance with Federal and State law and the appropriate instruction of staff and students.

The Superintendent also ensures that, when conducting asbestos abatement projects, each contractor employed by the ESC is licensed pursuant to the Asbestos Abatement Contractors Licensing Act.

### Occupational Exposure Training

All employees with occupational exposure are required to participate in a training program at the time of their initial assignment to tasks where occupational exposure may occur.

Follow-up training for employees is provided one year after their initial training. Additional training is provided when changes such as modifications of tasks and procedures or institution of new tasks and procedures affect employees' occupational exposure.

A record of attendance at occupational exposure training is completed and maintained by the THP officer following each training session. These records are maintained for three years from the date of the training.

### Records Availability

All records required to be maintained are made available upon request for examination and copying by the employee, employee representatives and under the provisions of PERRP. Medical records, however, are not made available to employee representatives or other persons without written consent of the employee.

Liability Disclaimer

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

[Adoption Date: 2/22/11]

[Amended Date: 4/16/14]

LEGAL REFS.: 29 CFR 1910.1030  
Asbestos School Hazard Abatement Act; 20 USC 4011 et. seq.  
Asbestos Hazard Emergency Response Act; 15 USC 2641 et seq.  
Comprehensive Environmental Response, Compensation and Liability Act;  
42 USC 9601 et seq.  
ORC 3313.643; 3313.71; 3313.711  
3707.26  
4113.23  
4123.01 et seq.  
Public Employment Risk Reduction Program; ORC 4167.01 et seq.

CROSS REFS.: EB, Safety Program  
EBBC, Bloodborne Pathogens  
EBC, Emergency/Safety Plans  
GBE, Staff Health and Safety

## FIRST AID

The program supervisor develops guidelines for the emergency care of any student or staff member who is injured or becomes ill at school or while engaged in a program-sponsored activity. The guidelines are reviewed by the Governing Board prior to implementation.

The guidelines provide for at least one person in each building to have special training in first aid.

The Wood County ESC provides employee automated external defibrillator (AED) training in accordance with State Law.

In the case of an emergency involving a student, the emergency medical authorization form is followed and efforts are made to contact the parent/guardian.

[Adoption date: 2/22/11]

[Amended Date: 03/27/18]

[Amended Date: 11/27/18]

LEGAL REFS.: ORC 2305.23  
3301.56  
3301.68  
3313.6021; 3313.6023  
3313.712; 3313.717  
OAC 3301-27-01  
3301-35-06

CROSS REFS.: EB, Safety Program  
EBBC, Bloodborne Pathogens  
EBC, Emergency/Safety Plans  
IGD, Co-curricular and Extracurricular Activities  
JHCD, Administering Medicines to Students  
Emergency Medical Authorization Form  
Staff Handbooks

## FIRST AID

The following requirements shall be adhered to by all personnel.

1. A school nurse or other trained persons are responsible for administering first aid and emergency care in each building. Although each nurse is assigned a school or group of schools for providing regular nursing services, a nurse is subject to a call from any school if needed. An emergency medical service will be called in case of serious illness or injury.
2. The parents of all students are asked to sign and submit an emergency medical authorization form that indicates the procedure they wish to be followed in the event of a medical emergency involving their child. The forms are kept readily accessible in the health center of each school.
3. Only emergency care and first aid are provided. A physician or nurse provides training for first-aid treatment and emergency care for various types of illness and injury. Use of medications is limited to topical applications as directed by a physician for certain types of injuries or to such medication as might have been officially authorized for an individual student.
4. In cases in which the nature of an illness or an injury appears serious, the parent(s) are contacted and the instructions on the student's emergency card are followed. In extreme emergencies, arrangements may be made for a student's immediate hospitalization whether or not the parent(s) can be reached.
5. No elementary student who is ill or injured is sent home alone. Junior and senior high students may be sent home if the illness is minor and the parents, who have authorized such dismissal on the emergency medical forms, have been informed in advance.
6. Governing Board-approved procedures are followed to guard against athletic injuries and to provide care and emergency treatment for injured athletes. Coaches meet all requirements of the State Board of Education.

[Adopted Date: 03/27/18]



## BLOODBORNE PATHOGENS

Staff and students incur some risk of infection and illness each time they are exposed to bodily fluids or other potentially infectious materials. While the risk to staff and students of exposure to body fluids due to casual contact with individuals in the school environment is very low, the Governing Board regards any such risk as serious.

Consequently, the Governing Board directs adherence to universally recognized precautions. Universally recognized precautions require that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for HIV, HBV, HCV and/or other bloodborne pathogens.\*

To reduce the risk to staff and students by minimizing or eliminating staff exposure incidents to bloodborne pathogens, the Governing Board directs the Superintendent to develop and implement an exposure control plan. This plan must be reviewed and updated at least annually in accordance with Federal law.

The plan includes annual in-service training for staff and students; first-aid kits in each school building and each student transportation vehicle; correct procedures for cleaning up body fluid spills and for personal cleanup.

Training is followed by an offer of immunization with hepatitis B vaccine for all staff who are required to provide first aid to students and/or staff. The vaccine is also offered to all staff who have occupational exposure as determined by the administrator.

[Adoption date: 2/22/11]

[Amended date: 4/16/14]

LEGAL REFS.: 29 CFR 1910.1030  
ORC 3707.26  
Public Employment Risk Reduction Program; ORC 4167.01 et seq.

CROSS REFS.: EBBA, First Aid  
EBC, Emergency/Safety Plans  
GBEA, HIV/AIDS (Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (Also JHCCA)  
JHCC, Communicable Diseases

- Bloodborne pathogens are pathogenic microorganisms that are present in human blood and can cause disease in humans. These include, but are not limited to, hepatitis B virus (HBV), hepatitis C virus (HCV) and human immunodeficiency virus (HIV).

## BLOODBORNE PATHOGENS HANDLING AND DISPOSING OF CONTAMINATED FLUIDS

Health department information about the transmission of diseases including AIDS and Hepatitis B focuses on "body fluids" as a possible carrier of organisms that can infect others. The term includes drainage from cuts and scrapes, vomit, urine, feces, respiratory secretions (nasal discharge), saliva, semen and blood. While any contact with the body fluids of another person represents a risk, the level of risk is very low. The risk is increased if the fluid comes in contact with a break in the skin of another individual. Generally, simple, consistent standards and procedures of cleanliness minimize risk.

The following procedures are precautionary measures against the transmission of diseases. Prudent actions are to be employed by all staff and students. These actions should focus primarily on steps that staff members can take to ensure their own wellbeing.

Those who administer first aid, provide physical care or may otherwise incur occupational exposure to blood or other potentially infectious materials as determined by the district will be specifically protected through the district's Exposure Control Plan.

The procedures however, are a review for all staff and students of appropriate hygienic and sanitation practices.

1. Universally recognized precautions are to be followed at all times. Universally recognized precautions require the assumption that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for HIV, HBV and/or other bloodborne pathogens;
2. Whenever possible, a student should be directed to care for his/her own minor bleeding injury. This includes encouraging students to apply their own band aids. If assistance is required, band-aids may be applied after removal of gloves if caregiver will not come into contact with blood or wound drainage.
3. Gloves are required for all tasks in which an individual may come into contact with blood or other potentially infectious materials. Such tasks include cleaning body fluid spills, emptying trashcans, handling sharps/containers, handling contaminated broken glass, cleaning contaminated equipment and handling contaminated laundry/clothing. This also includes assisting with any minor wound care, treating bloody noses, handling clothes soiled by incontinence, diaper changing and cleaning up vomit.
4. Complete and effective hand washing of at least 10 seconds duration should follow any first aid or health care given a student or contact with potentially infectious materials.
5. If exposure to blood or other potentially infectious materials occurs through coughing, any first aid procedure, or through an open sore or break in the skin, thorough washing, preferably with germicidal soap, is necessary. The exposed individual should then follow the steps listed in the Exposure Control Plan.

6. In the event hand washing facilities are not readily available, thorough cleaning using an antiseptic cleanser and clean cloth/paper towels or antiseptic towelettes, as an alternative, is necessary. In the event alternatives are used, hands must be washed with soap and running water as soon as possible.
7. Any surface contaminated with blood or other potentially infectious materials must be cleaned after each use and at the end of the day with soap and water and then rinsed with an EPA\* approved disinfectant. These surfaces include equipment, counters, mats (including those used in physical education and athletic events) or changing tables.
8. An EPA approved disinfectant must be used when cleaning fluids such as blood or vomit from the floor or other such contaminated surfaces.
9. Contaminated laundry such as clothing and towels must be placed and transported in bags and containers in accordance with the district's universally recognized precautions.
10. Needles, syringes, broken glassware and other sharp objects found on district property must not be picked up by students at any time, nor by staff without appropriate puncture-proof gloves or mechanical device such as a broom, brush and dust pan. Any such items found must be disposed of in closable puncture resistant, leak proof containers that are appropriately labeled or color-coded.
11. All wastebaskets used to dispose of potentially infectious materials must be lined with a plastic bag liner that is changed daily.
12. Gloves and repellent gowns, aprons or jackets are required for tasks in which exposure to blood or other potentially infectious materials can be reasonably anticipated to contaminate street clothing. Type and characteristics of such protective clothing will depend on the task. Such tasks may include diapering/toileting with gross contamination, assisting with wound care, sorting or bagging contaminated laundry/clothing and disposing of regulated waste with gross contamination.
13. Maximum protection with gloves, face and/or eye protection and gowns are required whenever splashes, spray, spatter or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can be reasonably anticipated. Such tasks may include feeding a child with a history of spitting or forceful vomiting and assisting with severe injury and wound with spurting blood

\* Disinfectants which can be used include Lysol, Purex, Clorox, Tough Act bathroom cleaner, Dow bathroom cleaner, Real Pine liquid cleaner, Pine Sol, Spic and Span, Tackle liquid, Comet and other products with EPA numbers.

## EMERGENCY MANAGEMENT PLANS

The Governing Board acknowledges that the safety and well-being of students and staff are high priorities. Although emergencies cannot be predicted, effective prevention and management strategies are used to minimize the effects of emergency situations arising in the Educational Service Center.

An emergency is defined as a serious, unexpected, and often dangerous situation requiring immediate action that threatens the actual safety and security of students, employees or visitors of the Educational Service Center, or whose impact threatens the feeling of safety and security, both of which are detrimental to a positive learning environment. Emergencies or hazards include, but are not limited to, an active shooter, hostage situations, bombs threats, bullying, fire natural disasters, medical emergencies, industrial accidents, suicide, death or a student or employee, acts of violence, trauma and terrorism.

### Comprehensive Emergency Management Plans Tests

The Superintendent/designee develops a comprehensive emergency management plan meeting State law requirements of each building. The plan establishes protocol for addressing and responding to serious threats to the safety of the school property, students, staff, volunteers and visitors. Each protocol includes procedures deemed appropriate by the Board or governing authority for responding to threats and emergency events including, but not limited to, notification of appropriate law enforcement personnel, calling upon specified emergency response personnel for assistance and informing parents of affected students. The plan includes a floor plan unique to each floor of the building, a site plan including all building property and surrounding property, and an emergency contact sheet, a threat assessment plan, and a protocol for school threat assessment teams established under State Law. The plan is kept in a secure location and is not considered a public record.

A copy of each school building's current comprehensive emergency management plan is filed with the Director of Public Safety, the law enforcement agency that has jurisdiction over the school building and, upon request, the fire department and emergency medical service organization that serves the political subdivision in which the school building is located. The floor plan is used solely by first responders responding to an emergency in the buildings and is not a public record.

The administration reviews the plan annually, considering the most current information dealing with the subjects, as well as making relevant information about the plan known to the community. The administration certifies the accuracy of the plan to the Director of Public Safety by July 1 annually. When the comprehensive emergency management plan is used, assessment of the way the emergency was handled is completed by the Board and the administration. Suggestions for improvement, if necessary, are solicited from all stakeholders.

Although the plan is reviewed annually, State law requires the ESC's comprehensive emergency management plan to be updated every three years and whenever a major modification to an individual school building requires changes in that building's procedures or whenever information on the emergency contact information sheet changes.

An emergency management test is conducted annually in accordance with State law.

[Adoption Date: 5/28/96]  
[Amended Date: 2/22/00]  
[Amended Date: 1/22/07]  
[Amended Date: 2/22/11]  
[Amended Date: 7/25/17]  
[Amended Date: 3/28/18]  
[Amended Date: 11/27/18]  
[Amended Date: 4/27/2021]

LEGAL REFS.: ORC 149.433  
2305.235  
2923.11  
3301.56  
3313.20; 3313.669; 3313.717; 3313.719; 3313.951  
3314.03; 3314.16  
3701.85  
3737.73; 3737.99  
5502.222  
OAC 3301-5-01

CROSS REFS.: EBAA, Reporting of Hazards  
EBBA, First Aid  
EBBC, Bloodborne Pathogens  
EF, Food Services Management  
EFB, Free and Reduced-Price Food Services  
GBE, Staff Health and Safety  
JHCD, Administering Medicines to Students  
JHF, Student Safety  
KBCA, News Releases  
KK, Visitors to the Schools

## EMERGENCY MANAGEMENT AND SAFETY PLANS (Administrative Rules/Protocols)

The Governing Board directs the Superintendent/designee to prepare and maintain a comprehensive emergency management plan meeting State law requirements. The plan is kept in the central office in a secure location.

### Administrative Rules/Protocols

The Superintendent/designee also must develop safety rules/protocols addressing the following areas:

1. A list of dangerous or recalled products
2. Radon rules or protocols including evidence that each school has been built radon resistant or has been tested for radon within the past five years.
3. An asbestos management plan including evidence of inspection for asbestos within three years, evidence of periodic surveillance within the past six months and a copy of the yearly written notice to the public referencing asbestos inspection and the availability of the asbestos management plan for review.
4. Guidance regarding bloodborne pathogen risk reduction.
5. Procedures for administering medications to students.
6. A written comprehensive safety plan addressing:
  - a) Safety management accountabilities and strategies;
  - b) Safe work practices
  - c) Accident analysis procedures
  - d) Job safety analysis procedures
  - e) Safety committees and employee involvement strategies
  - f) Employee safety and health training
  - g) Treatment of sick or injured workers
  - h) Safety and health hazard audits
  - i) Ergonomics
  - j) Transportation safety
  - k) Identification and control of physical hazards
  - l) Substance abuse; and
  - m) Personal protective equipment
7. A written chemical hygiene plan, which sets forth procedures, equipment, personal protective equipment and work practices that are capable of protecting employees and students from the health hazards of chemicals in the school.
8. Safety data sheets for every hazardous chemical used in each school building or on the school grounds for cleaning, maintenance or instruction. (These must be kept where the chemicals are stored in addition to the main office of each building.)
9. Protocols on staff and student hand washing.
10. No-smoking signs.
11. The ESC's integrated pest management policy.
12. Protocols for using automated external defibrillators (AEDS).
13. Protocols for the management of student with life-threatening allergies.

[Adoption Date: 3/27/18]

## BOMB THREATS

Any bomb threat should be taken seriously and literally. Always assume the threat is real and that some kind of explosive device is present. When a call or message is received that an explosive device is alleged to be present or on the premises, the following steps are taken.

1. Fire alarm/drill procedures are instituted. Ensure that evacuation areas are situated safely away from the building.
2. Do not use portable radios or cellular phones during a bomb threat incident.
3. If a phone threat is received obtain as much information as possible, such as;
  - A. where the bomb may be located.
  - B. what time the explosive device might go off and
  - C. why the person is threatening innocent people.
4. The District contact person notifies:
  - A. the police and fire departments and files a bomb threat report;
  - B. the Superintendent and
  - C. the telephone company to put a tract on the telephone line, if possible.
5. The contact person is in charge of the operation until such time as the police or law enforcement officials arrive and provides the emergency personnel with all known information about the threat. Once briefed, the police/law enforcement official takes charge of the bomb/explosive device search.
  - A. the police/law enforcement official conducts a search of the premises under the direction of the senior police officer/law enforcement official.
  - B. the teams search all suspected areas. If they locate a possible bomb/explosive device, **DO NOT TOUCH or TRY TO REMOVE IT.**
  - C. safety personnel experts investigate and remove object.
6. Decisions regarding the continuation of the work day are made by the Superintendent in consultation with the police and fire department.

[Adopted Date: 2/22/00]

## EMERGENCY CLOSINGS

In accordance with State law, the ESC may choose to make up missed days via online lessons. A plan for online lessons must be adopted by the Board prior to August 1 of each year.

The plan must include:

1. the number of days the ESC plans to make up via online lessons (maximum of three);
2. a statement requiring each classroom teacher to develop enough lesson plans to cover the number of makeup days specified in the plan;
3. a statement requiring the ESC to make the lessons available to students on the ESC's website as soon as practicable after school closure;
4. a statement granting students a two-week period from the date of posting to complete the lesson;
5. a statement specifying that teachers will grade the online lessons in the same manner as other lessons and that students may receive an incomplete or failing grade if the lesson is not completed on time;
6. a statement allowing students to work on posted lessons at school after it reopens if the student does not have access to a computer at his/her residence. The ESC may provide the student access to a computer before, during or after the regularly scheduled school day, or may provide a substantially similar paper lesson. Students without access to a computer at home are granted two weeks from the date of reopening, rather than the date of posting, to complete the lesson.

[Adoption Date: 4/27/2021]





PROTECTION FOR REPORTING SAFETY AND FRAUD VIOLATIONS  
(Whistleblowers)

The Ohio Auditor of State's office maintains a system for the reporting of fraud, including misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll free number, the Auditor of State's website, or through the United States mail.

Auditor of State's fraud contact information:

Telephone: 1-866-FRAUD OH (1-866-372-8364)

US Mail: Ohio Auditor of State's office  
Special Investigations Unit  
88 East Broad Street  
PO Box 1140  
Columbus, OH 43215

Web: [www.ohioauditor.gov](http://www.ohioauditor.gov)

[Adoption Date: 6/19/2012]

PROTECTION FOR REPORTING SAFETY AND FRAUD VIOLATIONS  
(Whistleblowers)

Pursuant to Ohio Revised Code 117.103(B)(1), a public office shall provide information about the Ohio fraud-reporting system and the means of reporting fraud to each new employee upon employment with the public office.

Each new employee has 30 days after beginning employment to confirm receipt of this information.

By signing below, you are acknowledging Wood County ESC provided you information about the fraud-reporting system as described by Section 117.103(A) of the Revised Code, and that you read and understand the information provided.

I \_\_\_\_\_, have read the information provided by my employer regarding the fraud-reporting system operated by the Ohio Auditor of State's office. I further state that the undersigned signature acknowledges receipt of this information.

\_\_\_\_\_  
Print Name, Title and Department

\_\_\_\_\_  
Please Sign Name

\_\_\_\_\_  
Date

[Adoption Date: 6/19/2012]

PROTECTION FOR REPORTING SAFETY AND FRAUD VIOLATIONS  
(Whistleblowers)

State law contains a number of provisions concerning the reporting of safety and fraud violations. The following regulation gives a brief overview of these provisions.

Safety Violations

1. Awareness and reporting of a violation

If an employee becomes aware of a violation of any State or Federal law, or any Board policy or regulation that the Wood County ESC has authority to correct, and the employee reasonably believes that the violation is a criminal offense that is likely to cause an imminent risk of physical harm, a public health or safety hazard, a felony or an improper solicitation for a contribution, the employee shall orally notify his/her supervisor or other responsible administrator of the violation and subsequently file with the supervisor or administrator a written report that provides sufficient detail to identify and describe the violation.

2. Not correcting the violation

If the Wood County ESC does not correct the violation or make a reasonable and good faith effort to correct the violation within 24 hours after the oral notification or the receipt of the report, whichever is earlier, the employee may file a written report that provides sufficient detail to identify and describe the violation with the city or county prosecutor where the violation occurred, with a peace officer, with the inspector general if the violation is within the inspector general's jurisdiction, or with any other appropriate public official or agency that has regulatory authority over the Wood County ESC.

3. Notifying the employee

If an employee makes a report, the employer, within 24 hours after the oral notification was made or the report was received or by the close of business on the next regular business day following the day on which the oral notification was made or the report was received, whichever is later, shall notify the employee, in writing, of any effort of the employer to correct the alleged violation or hazard, or of the absence of the alleged violation or hazard.

4. Reporting fellow employees' violations

If an employee becomes aware of a violation by a fellow employee of any State or Federal law, and Board policy or regulation or any work rule or procedure, and the employee reasonably believes that the violation is a criminal offense that is likely to cause an imminent risk of physical harm, a public health or safety hazard, a felony or an improper solicitation for a contribution, the employee shall orally notify his/her supervisor or other responsible administrator of the violation and subsequently shall file with that supervisor or administrator a written report that provides sufficient detail to identify and describe the violation.

5. Retaliation

The Wood County ESC shall not take any disciplinary or retaliatory action against an employee for making any authorized report or having made any inquiry or taken any other action to ensure the accuracy of any information reported.

The Wood County ESC shall not take any disciplinary or retaliatory action against an employee for making any authorized report if the employee makes a reasonable and good faith effort to determine the accuracy of any information so reported, or as a result of the employee's having made any inquiry or taken any other action to ensure the accuracy of any information reported.

Disciplinary or retaliatory action by the Wood County ESC includes, but is not limited to:

- A. removing or suspending the employee from employment;
- B. withholding from the employee salary increases or employee benefits to which the employee is otherwise entitled;
- C. transferring or reassigning the employee;
- D. denying the employee a promotion that otherwise would have been received or
- E. reducing the employee in pay or position.

6. Accuracy of reports

The employee shall make a reasonable and good faith effort to determine the accuracy of any information reported. If the employee fails to make such an effort, the employee may be subject to disciplinary action, including suspension or removal, for reporting information without a reasonable basis to do so.

7. Legal remedies for retaliation

If the Wood County ESC takes any disciplinary or retaliatory action against the employee as a result of the employee's having filed a report, the employee may bring a civil action in the Court of the Common Pleas for appropriate injunctive relief or for the remedies set forth in the next paragraph, or both, within 180 days after the date the disciplinary or retaliatory action was taken.

The court, in rendering a judgment for the employee, may order, as it determines appropriate, reinstatement of the employee to the same position that the employee held at the time of the disciplinary or retaliatory action and at the same site of employment or to a comparable position at that site, the payment of back wages, full reinstatement of fringe benefits and seniority rights or any combination of these remedies.

The court also may award the prevailing party all or a portion of the costs of litigation and, if the employee who brought the action prevails in the action, may award the prevailing employee reasonable attorney's fees, witness fees and fees for experts who testify at trial, in an amount the court determines appropriate. If the court determines that the Wood County ESC has deliberately retaliated, the court, in making an award of back pay, may include interest.

[Adoption Date: 6/19/2012]

## CRISIS MANAGEMENT

The Governing Board recognizes that a crisis situation can occur at any time and that such situations have the ability to make a significant impact on students and staff of the Educational Service Center. A crisis will be defined as an event, which threatens the safety and security of students and/or employees.

Examples of crisis situations would include, but are not be limited to: suicide, death of a student or employee, acts of violence, trauma, and accidents.

In recognizing the need for the District to be proactive in preparing for possible crisis situations, the Governing Board directs the employees of the Educational Service Center to follow the procedures developed in the Wood County Crisis Plan and Critical Incident Response Plan.

### Automated External Defibrillators (AEDs)

Because the Governing Board recognizes that medical emergencies may occur that justify the use of AEDs, the Board may acquire and maintain this equipment for use by qualified staff members. Only those staff members documented as having completed the required training are authorized to use an AED.

AEDs are maintained and tested in accordance with operational guidelines of the manufacturer and monitored as directed by the Superintendent/designee.

[Adoption Date: 5/28/96]

[Amended Date: 2/22/00]

[Amended Date: 12/21/04]

[Amended Date: 7/19/05]

CROSS REFS.: EBC, Emergency Plans  
GBE, Staff Health and Safety  
JHF, Student Safety  
KBCA-R, News Releases

## USE OF FACE COVERINGS

~~Recognizing the importance of face coverings (masks) as one of the comprehensive measures to prevent the spread of COVID-19, the board directs the Superintendent to work with the local health department to develop procedures, considering the guidance by the Ohio Department of Health and all the available science, for the use of face coverings in the District, at activities under the control of the District and on District provided transportation. The use of face coverings is one part of the comprehensive plan in place for students and staff health.~~

~~Recognizing that available scientific information and local needs may change, the Board authorizes the Superintendent to continue to review and adjust face covering procedures in consultation with health officials. All face covering procedures and any changes to procedures must be clearly communicated to all staff, volunteers, parents, visitors and students in a timely manner. At no time may the Superintendent require any less for face coverings than may be required by law or health department requirement.~~

~~At a minimum, face coverings should be cloth/fabric and be properly worn to cover an individual's nose, mouth and chin.~~

### Staff and Volunteers

~~All staff and volunteers who do not meet one of the listed exceptions are required to wear face coverings in the working setting unless it is unsafe to do so or doings so would significantly interfere with the learning process. Exceptions include:~~

- ~~1. Facial coverings in the school setting are prohibited by law or regulation;~~
- ~~2. Facial coverings are in violation of documented industry standards;~~
- ~~3. Facial coverings are not advisable for health reasons;~~
- ~~4. Facial coverings are in violation of the school's documented safety policies;~~
- ~~5. Facial coverings are not required when the staff works alone in an assigned work area;~~
- ~~6. There is a functional (practical) reason for a staff member or volunteer to not to wear facial covering in work place.~~

~~The District must provide written justification to local health officials, upon request, explaining why a staff member is not required to wear a face covering in the school.~~

~~School nurses or staff who care for individuals with symptoms must use appropriate personal protective equipment (PPE) provided by the District in accordance with all current Occupational Safety and Health Administration standards.~~

Students

~~The Board directs the Superintendent to work in consultation with local health officials to develop detailed procedures for the use of face coverings by students that consider all available science. In drafting these procedures, the Superintendent will take into consideration currently available guidance from state and local health departments with the understanding that this guidance will continue to change over time. These procedures must address the use of face coverings by students in all environments under control by the District as well as requirements based on age or grade level for student use of face coverings. The procedures provide direction for parents when there is health or developmental reason for which a student cannot wear a face covering. The District will take steps to reduce social stigma for students who, for medical or developmental reasons, cannot and should not wear a face covering.~~

Additional considerations

~~The District provides staff training and age appropriate instruction for students on appropriate use of face coverings as PPE.~~

~~The Board directs the Superintendent to develop procedures for when face shields may be considered as a preapproved alternative where cloth face coverings would hinder the learning process, including but not limited to the following situations:~~

- ~~1. When interacting with students, such as those with disabilities, where communication could be impacted;~~
- ~~2. When interacting with English language learners or when teaching a foreign language;~~
- ~~3. In settings where cloth face coverings might present a safety hazard (i.e., science labs);~~
- ~~4. For individuals who have difficulty wearing a cloth face covering.~~

~~The Board directs the Superintendent to develop procedures for face coverings for all visitors, contractors and other individuals on District property in addition to the procedures addressed herein for employees, volunteers, and students. Such procedures must be appropriately communicated.~~

[Adoption Date: 8/25/2020]

LEGAL REF.: ~~\_\_\_\_\_~~ ORC 3313.20(A)

CONTRACT REFS.: ~~\_\_\_\_\_~~ Teacher's Negotiated Agreement

~~\_\_\_\_\_~~ Support Staff Negotiated Agreement



## BUILDINGS AND GROUNDS MANAGEMENT

Buildings constitute one of the greatest investments of the Educational Service Center. It is deemed in the best interest of the Governing Board to protect the Educational Service Center's investment adequately. The building owned by the Governing Board shall be operated with as much efficiency and sanitation as possible, while at the same time the maximum benefit to the staff and taxpayer is to be achieved. All personnel assigned to the building should devote his/her energies to this end.

The Superintendent develops and supervises a program for the cleanliness, security and sanitary management of the Educational Service Center building, grounds and equipment pursuant to statute and rules of the state. Cleanliness of the building, grounds, and equipment is the responsibility of the Superintendent or his designee.

Security means not only maintenance of a secure building from a locking standpoint but security from fire hazards and faulty equipment. Security should also extend to safe practice in the use of electrical, plumbing and heating equipment. When required, records and funds are kept in a safe place and locked.

[Adoption date: 12/21/04]

LEGAL REFS.: ORC 3707.03; 3707.26  
OAC 3301-35-01 (Q)

## VANDALISM

Students, employees and citizens of the District are urged by the Board to report any incidents of vandalism to property belonging to the District together with the name(s) of the person(s) believed to be responsible. The Board may offer a reward for information leading to the arrest and conviction of any person who steals or damages Board property.

The Superintendent is authorized to sign a criminal complaint and to press charges against perpetrators of vandalism against school property. The Superintendent is further authorized to delegate, as he sees fit, authority to sign such complaints and to press charges.

Any student found guilty of any form of vandalism or defacement of school property may be subject to suspension or expulsion.

Parents and students are made aware of the legal implications involving vandalism. Parents are liable for up to \$10,000 plus court costs for the willful destruction of property by a minor in their custody or control. If parents are found liable for monetary damages and are unable to make restitution, the Board may allow the parents to perform community service for the District instead of repayment of the damages.

[Adoption date: 3/24/98]

LEGAL REFS.: ORC 2909.05  
3109.09  
3313.173  
3737.99

## COMPUTER/ON-LINE SERVICES (Acceptable Use and Internet Safety)

Technology can greatly enhance the instructional program, as well as the efficiency of the Educational Service Center. The Governing Board recognizes that careful planning is essential to ensure the successful, equitable and cost-effective implementation of technology-based materials, equipment, systems and networks. Computers and use of the Educational Service Center network or on-line services support learning and enhance instruction, as well as assist in administration. For purposes of this policy computers include Wood County ESC- owned desktop computers, laptops, tablets and other mobile computing devices.

All computers are to be used in a responsible, efficient, ethical and legal manner. Failure to adhere to this policy and the guidelines below will result in the revocation of the user's access privilege. Unacceptable uses of the computer/network include but are not limited to:

1. violating the conditions of State and Federal law dealing with students' and employees' rights to privacy, including unauthorized disclosure, use and dissemination of personal information;
2. using profanity, obscenity or other language which may be offensive to another user; or intended to harass, intimidate or bully other users;
3. accessing personal social networking websites for non-educational purposes;
4. reposting (forwarding) personal communication without the author's prior consent;
5. copying commercial software and/or other material in violation of copyright law;
6. using the network for financial gain, for commercial activity or for any illegal activity;
7. "hacking" or gaining unauthorized access to other computers or computer systems, or attempting to gain such unauthorized access;
8. accessing and/or viewing inappropriate material and;
9. downloading of freeware or shareware programs.

The Superintendent/designee shall develop a plan to address the short-and long-term technology needs and provide for compatibility of resources among school sites, offices and other operations. As a basis for this plan, he/she shall examine and compare the costs and benefits of various resources and shall identify the blend of technologies and level of service necessary to support the instructional program.

Because access to on-line services provides connections to other computer systems located all over the world, users (and parents of users who are under 18 years old) must understand that neither the school nor the Educational Service Center can control the content of the information available on these systems. Some of the information available is controversial and sometimes offensive.

The Governing Board does not condone the use of such materials. Employees, students and parents of students must be aware that the privileges to access on-line services are withdrawn from users who do not respect the rights of others or who do not follow the rules and regulations established. A user's agreement is signed to indicate the user's acknowledgment of the risks and regulations for computer/on-line services use.

The Educational Service Center has implemented technology-blocking measures to prevent students from accessing inappropriate material or materials considered to be harmful to minors on school computers. The Educational Service Center has also contracted services for monitoring a running log of Internet activity recording which sites a particular user has visited through NWOCA. The Educational Service Center educates minors about appropriate on-line behavior, including interacting with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response.

“Harmful to minors” is defined as any picture, image, graphic image file or other visual depiction that:

1. taken as a whole and with respect to minors, appeals to an offensive interest in nudity, sex or excretion;
2. depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts or lewd exhibition of genitals or;
3. taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.

Annually, a student who wishes to have computer network and Internet access during the school year must read the acceptable use and Internet safety policy and submit a properly signed agreement form. Students and staff are asked to sign a new agreement each year after reviewing the policies and regulations of the Educational Service Center. The Educational Service Center reserves the right to amend policies and regulations as necessary throughout the school year. Users are notified of the updated policies and regulations and must comply with the updated requirements. These policies and regulations also apply to use of Wood County ESC owned devices, or accessing of District intranet and software programs off District property. All users using platforms established for e-learning regardless of whether the student or employee is using a personal or Educational Service Center provided device must be used in accordance with the standards for conduct outlined in this policy and the accompanying regulation. Users in violation of this policy or the accompanying regulation may be subject to discipline.

The Educational Service Center will provide age-appropriate training for students who use the ESC's Internet facilities. The training provided will be designed to promote the ESC's commitment to:

The standards and acceptable use of Internet services as set forth in the ESC's Internet Safety Policy;

Student safety with regard to:

- Safety on the Internet
- Appropriate behavior while on online, on social networking Web sites, and in chat rooms; and
- Cyberbullying awareness and response.

Following receipt of this training, students will acknowledge that s/he received the training, understood it, and will follow the provisions of the ESC's Acceptable Use Policies (AUP). If you cannot locate the original AUP documentation from 2001, adoption of ESC's *revised* AUP should be done formally in a public forum (as may be required locally anyway) and fully documented. You will want to present the revised AUP to your Governing Board or governing committee. In the event of an audit, it is critically important for an applicant to be able to document the entire public adoption process.

The ESC will need to establish a strategy as to how you teachers will educate students on online safety. It is a local decision as to frequency, venue or type of instruction, etc. However, it is important that teachers keep records of what students attend the training, what students did not attend and how you plan to inform the absent students on the topics covered.

[Adoption Date: 3/18/04]  
[Amended Date: 7/19/05]  
[Amended Date: 2/22/11]  
[Amended Date: 6/19/12]  
[Amended Date: 7/22/14]  
[Amended Date: 12/7/15]  
[Amended Date: 12/22/2020]

LEGAL REFS.: U. S. Const. Art. I, Section 8  
Family Educational Rights and Privacy Act; 20 USC 1232g et seq.  
Children’s Internet Protection Act; (P.L. 106-554, HR 4577, 2000,  
114 Stat 2763)  
ORC 1329.54-1329.67  
3313.20  
3319.321

CROSS REFS.: AC, Nondiscrimination  
ACA, Nondiscrimination on the Basis of Sex  
ACAA, Sexual Harassment  
IB, Academic Freedom  
IIA, Instructional Materials  
JFC, Student Conduct  
Staff Policy Books

COMPUTER NETWORK AGREEMENT FORM

I hereby apply for a student/employee account on the Wood County Educational Service Center computer network:

Circle one:            student            employee

Name: \_\_\_\_\_

School: \_\_\_\_\_

Home address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Home phone: \_\_\_\_\_

I have read and I understand this computer policy and its guidelines and regulations and agree to abide by all of the rules and standards for acceptable use stated therein and any policy or regulation updates provided by the Educational Service Center. I further state that all information provided for the creation of this account is truthful and accurate.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parental Release Form  
(for students under 18 years of age)

I / We, \_\_\_\_\_, the parent(s) of \_\_\_\_\_

have read and understand the computer policy and its guidelines and regulations and we agree to its terms and conditions. We confirm our child's intentions to abide by the terms and conditions therein and any policy or regulation updates provided by the Educational Service Center. We also agree to supervise our child's use of the computer network from home or outside of the classroom.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

[Adoption Date: 3/18/04]  
[Amended Date: 12/22/2020]

COMPUTER/ONLINE SERVICES  
(Acceptable Use and Internet Safety)

The following guidelines and procedures shall be complied with by staff, students or community members who are specifically authorized to use the Wood County ESC's computers or online services.

1. Use appropriate language. Do not use profanity, obscenity or other language that may be offensive to other users. Illegal activities are strictly forbidden.
2. Do not reveal your personal home address or phone numbers or those of other students or colleagues.
3. Note that electronic mail (email) is not guaranteed to be private. Technology coordinators have access to all messages relating to or in support of illegal activities and such activities may be reported to the authorities.
4. Use of the computer and/or network is not for financial gain or for any commercial or illegal activity.
5. The network should not be used in such a way that it disrupts the use of the network by others.
6. All communications and information accessible via the network should be assumed to be property of the ESC.
7. Rules and regulations of online etiquette are subject to change by the administration.
8. The user in whose name an online service account is issued is responsible for its proper use at all times. Users shall keep personal account numbers and passwords private. They shall use this system only under the account numbers issued by the ESC.
9. The system shall be used only for purposes related to education or administration. Commercial, political and/or personal use of the system is strictly prohibited. The administration reserves the right to monitor any computer activity and online communications for improper use.
10. Users shall not use the system to encourage the use of drugs, alcohol or tobacco nor shall they promote unethical practices or any activity prohibited by law or Board policy.
11. Users shall not view, download or transmit material that is threatening, obscene, disruptive or sexually explicit or that could be construed as harassment, intimidation, bullying or disparagement of others based on their race, color, national origin, ancestry, citizenship status, sex, sexual orientation, age, disability, religion, economic status, military status, political beliefs or any other personal or physical characteristics.
12. Copyrighted materials may not be placed on the system without the author's permission.
13. Vandalism results in the cancellation of user privileges. Vandalism includes uploading/downloading any inappropriate material, creating computer viruses and/or any malicious attempt to harm or destroy equipment or materials or the data of any other user.
14. Users shall not read other users' mail or files; they shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to read, delete, copy, modify or forge other users' mail.
15. Users are expected to keep messages brief and use appropriate language.
16. Users shall report any security problem or misuse of the network to the teacher, his/her immediate supervisor or building administrator.

[Adoption Date: 7/22/14]

## STUDENT TRANSPORTATION IN PRIVATE VEHICLES

The use of private vehicles for transportation of students, volunteers, teachers and other employees to and from student activities is discouraged. If an emergency arises, transportation by private vehicles is permitted only in extenuating circumstances and if previously approved by the appropriate administrator. The driver must present evidence that the vehicle and the driver are covered for liability, medical payments, physical damage and uninsured motorist liability.

[Adoption date: 12/7/15]

LEGAL REFS.:      ORC 3327.01; 3327.02; 3327.09  
                         OAC 3301-83-19



FOOD SERVICES MANAGEMENT/  
FREE AND REDUCED-PRICE FOOD SERVICES

The Governing Board operates a contracted food service in selected programs.

Food services include breakfasts and lunches in selected programs through participation in the National Child Nutrition Programs. The director/supervisor reviews and recommends to the Board the food provider.

The food provider cooperates with the program supervisors in matters essential to the proper functioning of the food services program.

All prices set for school breakfasts, lunches, milk, and snacks are subject to Board approval.

As required for participation in the National Child Nutrition Programs, the board agrees that:

1. Breakfast and "Type A" lunches are made available to students, provided at least one-fifth of the students are eligible under Federal law for free meals.
2. Breakfast is made available in selected programs.
3. Students who qualify receive free or reduced-price meals.
4. All meals must meet USDA nutritional standards.
5. The management of food services complies with all Federal, State and local regulations.
6. A summer meal program is provided to students attending a state-mandated summer remedial program.

All students are expected to eat lunch at school and may not leave school grounds during the lunch hour, except when permission has been granted, by the supervisor. Students are permitted to bring their lunches from home and to purchase milk and incidental items.

School lunch funds and other food service funds are kept in a special account.

The ESC provides for at least one employee, who has received instruction in methods to prevent choking and has demonstrated an ability to perform the Heimlich maneuver, to be present while students are being served.

Meal Charges

The Board directs the administration to develop procedures for the management of meal charges and unpaid meal charges. The procedures allow for students to receive the daily nutrition they need, minimize the identification of students with insufficient funds to pay, maintain the integrity of the school food service account and includes guidelines for the collection of delinquent meal charges. The procedures are provided to all parents and all ESC and school staff responsible for enforcement at the start of each school year.

### Students with Special Dietary Needs

At the beginning of each school year, or at the time of enrollment, parents are responsible for communicating any special dietary needs of their child, including food allergies, to the ESC. Students with dietary needs that qualify as disabilities under law will be provided reasonable accommodation.

Substitutions to regular school meals provided by the ESC will be made for students who are unable to eat such meals due to a qualifying dietary need when that need is certified in writing by the student's physician. Such meals will be provided in the most integrated setting appropriate to the special needs of the student.

The nature of the student's qualifying dietary need, the reason such need prevents the student from eating regular school meals (including foods to be omitted from the student's diet), the specific diet prescription along with the needed substitution must be specifically stated in the physician's statement. The ESC, in compliance with the USDA Child Nutrition Division guidelines, will provide substitute meals to food-allergic students based upon the physician's signed statement.

The ESC develops and implements administrative regulations for the management of food-allergic students. Such regulations include, but are not limited to, program-wide training programs regarding food allergy education, staff development regarding food allergy identification of students with life-threatening food allergies and management skills including avoidance measures, designation of typical symptoms and dosing instructions for medications.

[Adoption Date: 6/22/10]

[Amended Date: 4/28/15]

[Amended Date: 7/25/17]

LEGAL REFS.: Child Nutrition and WIC Reauthorization Act; Pub. L. No. 108-265  
(Title I, Section 204), 118 Stat. 729  
National School Lunch Act; 42 USC 1751 et seq.  
Child Nutrition Act; 42 USC 1771 et seq.  
Americans with Disabilities Act Amendments Act of 2008; 42 USC 12101 et seq.  
Rehabilitation Act of 1973; 29 USC 794  
ORC 3313.719; 3313.81; 3313.812; 3313.813; 3313.815  
3314.18  
OAC 3301-91-01 through 3301-91-09

CROSS REFS.: ACB, Nondiscrimination on the Basis of Disability  
EFF, Food Sale Standards  
EFG, Student Wellness Program  
JHCD, Administering Medicines to Students  
JN, Student Fees, Fines and Charges

## Meal Charge Policy

### Purpose

The goal of the Wood County Educational Service Center (WCESC) is to provide student access to nutritious low-cost or no-cost meals each school day.

However, unpaid charges place a large financial burden on the Wood County ESC. The purpose of this policy is to insure compliance with federal requirements for the USDA Child Nutrition Program, and to provide oversight and accountability for the collection of outstanding student meal balances.

The intent of this policy is to establish procedures to address unpaid meal charges throughout the WCESC. The provisions of this policy pertain to regular priced school breakfast, lunch and snack (if applicable) meals only. The WCESC provides this policy as a courtesy to those students in the event that they forget or lose their lunch money. Charging of items outside of the reimbursable meals (a la carte items, adult meals, etc.) is expressly prohibited.

### Policy

- Free Meal Benefit - Eligible students will be allowed to receive a free breakfast and lunch each day. A la carte purchases must be paid/prepaid.
- Reduced Meal Benefit - Eligible students will be allowed to receive a reduced price breakfast for .30 and lunch for .40 each day. A student will be allowed to charge a maximum of 5 meals to their account after the balance reaches zero. The charged meals offered to students will be reimbursable meals that are available to all students.
- Full Pay Students – Students will pay for meals at the school’s published meal pay rate each day. If a student is without meal money on a consistent basis, the administration will investigate the situation more closely and take further action as needed. If financial hardship exists, parents and families are encouraged to apply for free or reduced price lunches for their child if applicable. A student will be allowed to charge a maximum of 5 meals to their account after the balance reaches zero. The charged meals offered to students will be reimbursable meals that are available to all students.
- Parents/Guardians are responsible for meal payment to the food service program. Discreet notices of low or deficit balances will be sent to parents/guardians at regular intervals during the school year.
- Students/Parents/Guardians may pay for meals in advance with a check payable to Wood County ESC. Funds should be maintained in accounts to minimize the possibility that a child may be without meal money on any given day. Any remaining funds for a particular student may/will be carried over to the next school year.

- Refunds for withdrawn, or graduating students - A written or e-mailed request for a refund of any money remaining in their account must be submitted to WCESC. Students who are graduating at the end of the year will be given the option to transfer their balance to a sibling's account with a written request.
- Unclaimed Funds must be requested within one school year. Unclaimed funds will then become the property of the Wood County ESC Food Service Program.
- Balances Owed - Collection of owed balances will follow the policies and procedures set by the WCESC.
- Exceeding the Allowed Balance owed will result in the student being provided with a Peanut Butter and Jelly Sandwich and a carton of milk.

If a student is without meal money on a consistent basis, the administration will investigate the situation more closely and take further action as needed. If financial hardship exists, parents and families are encouraged to apply for free or reduced price lunches for their child if applicable.

[Adoption Date: 7/25/17]

## FOOD SALE STANDARDS

Through its food service program, the Governing Board has a responsibility to encourage students to form healthful eating habits. Many students tend to eat non-nutritious or “junk” foods, which contribute to tooth decay, poor health and childhood obesity. The Governing Board enforces standards governing the types of food sold in the schools and the time and place at which each type of food is sold. These standards are based on the following guidelines.

1. The types of food sold in the schools are determined as to their potential to contribute significantly to the:
  - a. Daily nutritional needs of students, consistent with the guidelines established by the U.S. Department of Agriculture (USDA);
  - b. Provisions of the ESC’s student wellness program and
  - c. Nutritional guidelines established by State law.
2. A licensed dietician, a registered dietetic technician or a certified/credentialed school nutrition specialist must be initially consulted to assist the food services supervisor in drafting for Governing Board adoption a plan:
  - a. for complying with and enforcing the nutritional standards governing the types of food and beverages that may be sold on school premises in compliance with State law and
  - b. specifying the time and place each type of food or beverage may be sold.
3. The time of day and place for the sale of food to students must be consistent with the nutrient in-take needs and eating patterns of students and compatible with class schedules for schools within the Wood County ESC.

The following restrictions should be enforced:

  - a. Foods or beverages that do not meet the nutritional standards established by the ESC in accordance with USDA regulations may not be sold during the school day. The Governing Board reserves the right to totally restrict the sale of non-nutritional foods and beverages in vending machines.
  - b. Bake sales and other school fundraising activities, such as bake sales involving food items may not be held during the school day.
4. Annually, the director/supervisor reviews and recommends to the Governing Board the food provider of the school breakfast and lunch programs. Separate standards may be established for the types of food and beverages to be sold to staff members and for events and activities held outside the school day.

[Adoption date: 7/24/01]

[Amended date: 6/22/10]

[Amended date: 10/14/14]

[Amended Date: 4/28/15]

[Amended Date: 11/27/18]

LEGAL REFS.: ORC 3301.68  
3313.814; 3313.816; 3313.817  
OAC 3301-91-09

CROSS REFS.: EF, Food Services Management  
EFG, Student Wellness Program  
IGDF, Student Fund-Raising Activities

## STUDENT WELLNESS PLAN

The Board directs the Superintendent/Designee to develop and maintain a student wellness plan in compliance with Federal law.

The student wellness plan:

1. includes goals for nutrition promotion and education, physical activity and other school-based activities designed to promote student wellness that are developed with consideration of evidence-based strategies and techniques;
2. includes nutrition guidelines for all foods provided, but not sold to students in the district during the school day in order to promote student health and reduce childhood obesity;
3. provides assurance the Wood County ESC guidelines for all food and beverages sold during the school day that are, at a minimum, equal to the guidelines issued by the U.S. Department of Agriculture (USDA) and that marketing of foods and beverages on the school campus during the school day is prohibited for foods or beverages that do not meet the nutritional standards established by the ESC in accordance with USDA regulations and;
4. establishes a plan of implementation and evaluation, including designating one or more persons within the ESC with the responsibility for ensuring that the ESC is compliant with Federal law.

Development of the student wellness plan must be a collaborative effort between parents, students, food service workers, physical education teachers, school health professionals, administrators, the Board and the public.

The ESC notifies the public of the wellness plan at least annually. The wellness plan is assessed at least once every three years and the results of the assessment are made available to the public.

[Adoption Date: 6/22/10]

[Amended Date: 3/28/17]

[Amended Date: 11/27/18]

LEGAL REFS.: Child Nutrition and WIC Reauthorization Act; Pub. L. No. 108-265  
(Title I, Section 204), 118 Stat. 729  
National School Lunch Act; 42 USC 1751 et seq.  
Child Nutrition Act; 42 USC 1771 et seq.  
7 CFR, Subtitle B, Chapter 11, Part 210  
7 CFR 220  
7 CFR 225  
7 CFR 245  
ORC 3301.68  
3313.814  
OAC 3301-91-09

CROSS REFS.: EF, Food Services Management  
EFB, Free and Reduced-Price Food Services  
EFF, Food Sale Standards  
IGAE, Health Education  
KJ, Advertising in the Schools

## STUDENT WELLNESS PLAN EXHIBIT

Wood County Educational Service Center (hereto referred to as the District) is committed to the optimal development of every student. The District believes that for students to have the opportunity to achieve personal, academic, developmental and social success, we need to create positive, safe and health-promoting learning environments at every level, in every setting, throughout the school year.

This policy outlines the District's approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. Specifically, this policy establishes goals and procedures to ensure that:

- Students in the District have access to healthy foods throughout the school day – both through reimbursable school meals and other foods available throughout the school campus in accordance with Federal and state nutrition standards;
- Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors;
- Students have opportunities to be physically active before, during and after school;
- Schools engage in nutrition and physical activity promotion and other activities that promote student wellness;
- School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school;
- The community is engaged in supporting the work of the District in creating continuity between school and other settings for students and staff to practice lifelong healthy habits; and
- The District establishes and maintains an infrastructure for management, oversight, implementation, communication about and monitoring of the policy and its established goals and objectives.

This policy applies to all students, staff and schools in the District. Specific measureable goals and outcomes are identified within each section below.

### SCHOOL WELLNESS COMMITTEE

#### Committee Role and Membership

The District will convene a representative district wellness committee (hereto referred to as the DWC or work within an existing school health committee) that meets at least four times per year to establish goals for and oversee school health and safety policies and programs, including development, implementation and periodic review and update of this district-level wellness policy (heretofore referred as “wellness policy”).

The DWC membership will represent all school levels (elementary and secondary schools) and include (to the extent possible), but not be limited to: parents and caregivers; students; representatives of the school nutrition program (e.g., school nutrition director); physical education teachers; health education teachers; school health professionals (e.g., health education teachers, school health services staff [e.g., nurses, physicians, dentists, health educators, and other allied health personnel who provide school health services], and mental health and social services staff [e.g., school counselors, psychologists, social workers, or psychiatrists]; school administrators (e.g., superintendent, principal, vice principal), school board members; health professionals (e.g., dietitians, doctors, nurses, dentists); and the general public.

Leadership

The Superintendent or designee(s) will convene the DWC and facilitate development of and updates to the wellness policy, and will ensure each school’s compliance with the policy.

The designated officials for oversight are:

Wood County ESC Superintendent	419-354-9010
ALC Supervisor	419-354-9010
PATHE Supervisor	419-354-9010
Food Coordinator	419-354-9010

The names, titles, and contact information of these individuals are:

Name	Title / Relationship to the School or District	Email Address	Role on Committee
Mark North	Superintendent	<a href="mailto:mnorth@wcesc.org">mnorth@wcesc.org</a>	Assists in the evaluation & compliance of the wellness policy implementation
Christy Spontelli	Supervisor	<a href="mailto:cspontelli@wcesc.org">cspontelli@wcesc.org</a>	Assists in the evaluation & compliance of the wellness policy implementation
Teresa Kitchen	Supervisor	<a href="mailto:tkitchen@wcesc.org">tkitchen@wcesc.org</a>	Assists in the evaluation & compliance of the wellness policy implementation
Melanie Feather	Food Coordinator	<a href="mailto:mfeather@wcesc.org">mfeather@wcesc.org</a>	Assists in the evaluation & compliance of the wellness policy implementation

**WELLNESS POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY & COMMUNITY ENGAGEMENT**

Implementation Plan

The District will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions and timelines specific to each school; and includes information about who will be responsible to make what change, by how much, where and when; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education and other school-based activities that promote student wellness. This wellness policy and the progress reports can be found at: [www.wcesc.org](http://www.wcesc.org)



### Recordkeeping

The District will retain records to document compliance with the requirements of the wellness policy at Wood County ESC Administrative Offices, and/or on Wood County ESC's central computer network.

Documentation maintained in this location will include but will not be limited to:

- The written wellness policy;
- Documentation demonstrating that the policy has been made available to the public;
- Documentation of efforts to review and update the Local Schools Wellness Policy; including an indication of who is involved in the update and methods the district uses to make stakeholders aware of their ability to participate on the DWC;
- Documentation to demonstrate compliance with the annual public notification requirements;
- The most recent assessment on the implementation of the local school wellness policy;
- Documentation demonstrating the most recent assessment on the implementation of the Local School Wellness Policy has been made available to the public.

### Annual Notification of Policy

The District will actively inform families and the public each year of basic information about this policy, including its content, any updates to the policy and implementation status. The District will make this information available via the district website and/or district-wide communications. The District will provide as much information as possible about the school nutrition environment. This will include a summary of the District's events or activities related to wellness policy implementation. Annually, the District will also publicize the name and contact information of the District leading and coordinating the committee, as well as information on how the public can get involved with the school wellness committee.

### Triennial Progress Assessments

At least once every three years, the District will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which schools under the jurisdiction of the District are in compliance with the wellness policy;
- A description of the progress made in attaining the goals of the District's wellness policy.

The position/person responsible for managing the triennial assessment and contact information is the Superintendent of Wood County ESC @ 419-354-9010.

The DWC, in collaboration with individual schools, will monitor schools' compliance with this wellness policy.

The District will actively notify households/families of the availability of the triennial progress report.

### Revisions and Updating the Policy

The DWC will update or modify the wellness policy based on the results of the annual School Health Index and triennial assessments and/or as District priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.

### Community Involvement, Outreach and Communications

The District is committed to being responsive to community input, which begins with awareness of the wellness policy. The District will actively communicate ways in which representatives of DWC and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means appropriate for that district. The District will also inform parents of the improvements that have been made to school meals and compliance with school meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards. The District will use electronic mechanisms, such as email or displaying notices on the district's website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation of, and updates to the wellness policy, as well as how to get involved and support the policy. The District will ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that the district and individual schools are communicating important school information with parents.

The District will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The District will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

## NUTRITION

### School Meals

Our school district is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; that are moderate in sodium, low in saturated fat, and have zero grams trans-fat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

All schools within the District participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP). All schools within the District are committed to offering school meals through the NSLP and SBP programs, and other applicable Federal child nutrition programs, that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The District offers reimbursable school meals that meet [USDA nutrition standards](#).)
- Promote healthy food and beverage choices

1. Daily fruit options are displayed in a location in the line of sight and reach of students.
2. Daily vegetable options are bundled into all grab-and-go meals available to students.
3. All staff members, especially those serving, have been trained to politely prompt students to select and consume the daily vegetable options with their meal.
4. A reimbursable meal can be created in any service area available to students (e.g., salad bars, snack rooms, etc.).
5. Menus will be posted on the District website or individual school websites, and will include nutrient content and ingredients.
6. Menus will be created/reviewed by a Registered Dietitian or other certified nutrition professional.
7. The District child nutrition program will accommodate students with special dietary needs.
8. Students will be allowed at least 10 minutes to eat breakfast and at least 20 minutes to eat lunch, counting from the time they have received their meal and are seated (meets Healthy Schools Program Gold-level criteria).
9. Students are served lunch at a reasonable and appropriate time of day.
10. Participation in Federal child nutrition programs will be promoted among students and families to help ensure that families know what programs are available in their children's school.

#### Staff Qualifications and Professional Development

All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the [USDA professional standards for child nutrition professionals](#). These school nutrition personnel will refer to [USDA's Professional Standards for School Nutrition Standards website](#) to search for training that meets their learning needs.

#### Water

To promote hydration, students will be allowed to bring and carry (approved) water bottles filled with only water with them throughout the day.

#### Competitive Foods and Beverages

The District is committed to ensuring that all foods and beverages available to students on the school campus during the school day support healthy eating. The foods and beverages sold and served outside of the school meal programs (e.g., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information, as well as a Guide to Smart Snacks in Schools are available at: <http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks>.

The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at [www.foodplanner.healthiergeneration.org](http://www.foodplanner.healthiergeneration.org).

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day\* will meet or exceed the USDA Smart Snacks nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores and snack or food carts.

### Celebrations and Rewards

All foods offered on the school campus will meet or exceed the USDA Smart Snacks in School nutrition standards including through:

1. Celebrations and parties. Healthy party ideas are available from the [Alliance for a Healthier Generation](#) and from the [USDA](#).
2. Classroom snacks brought by parents. The District will provide to parents a [list of foods and beverages that meet Smart Snacks](#) nutrition standards.
3. Rewards and incentives. The District will provide teachers and other relevant school staff a [list of alternative ways to reward children](#). Foods and beverages will not be used as a reward, or withheld as punishment for any reason, such as for performance or behavior.  
[Meets Healthy Schools Program Silver-level criteria]

### Fundraising

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus during the school day. The District will make available to parents and teachers a list of healthy fundraising ideas [examples from the [Alliance for a Healthier Generation](#) and the [USDA](#)].

### Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout schools, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by school staff, teachers, parents, students and the community.

The District will promote healthy food and beverage choices for all students throughout the school campus, as well as encourage participation in school meal programs. This promotion will occur by:

### Nutrition Education

The District will teach, model, encourage and support healthy eating by all students. Schools will provide nutrition education and engage in nutrition promotion that:

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Is part of not only health education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences and elective subjects;
- Promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products and healthy food preparation methods;
- Emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
- Links with school meal programs, cafeteria nutrition promotion activities
- Teaches media literacy with an emphasis on food and beverage marketing; and
- Includes nutrition education training for teachers and other staff

### Essential Healthy Eating Topics in Health Education

The District will include in the health education curriculum a minimum of 12 of the following essential topics on healthy eating:

- Relationship between healthy eating and personal health and disease prevention
- Reading and using FDA's nutrition fact labels
- Eating a variety of foods every day
- Balancing food intake and physical activity
- Eating more fruits, vegetables and whole grain products
- Choosing foods that are low in fat, saturated fat, and cholesterol and do not contain trans fat
- Choosing foods and beverages with little added sugars
- Eating more calcium-rich foods
- Preparing healthy meals and snacks
- Risks of unhealthy weight control practices
- Accepting body size differences
- Food safety
- Importance of water consumption
- Importance of eating breakfast
- Making healthy choices when eating at restaurants
- Eating disorders
- Reducing sodium intake
- Social influences on healthy eating, including media, family, peers and culture
- How to find valid information or services related to nutrition and dietary behavior
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully
- Resisting peer pressure related to unhealthy dietary behavior
- Influencing, supporting, or advocating for others' healthy dietary behavior

### Food and Beverage Marketing in Schools

The District is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The District strives to teach students how to make informed choices about nutrition, health and physical activity. These efforts will be weakened if students are subjected to advertising on District property that contains messages inconsistent with the health information the District is imparting through nutrition education and health promotion efforts. It is the intent of the District to protect and promote student's health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the school campus, consistent with the District's wellness policy.

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards.

### Physical Activity

Children and adolescents should participate in at least 60 minutes of physical activity every day. A substantial percentage of students' physical activity can be provided through a comprehensive school physical activity program (CSPAP). A CSPAP reflects strong coordination and synergy across all of the components: quality physical education as the foundation; physical activity before, during and after school; staff involvement and family and community engagement and the district is committed to providing these opportunities. Schools will ensure that these varied physical activity opportunities are in addition to, and not as a substitute for, physical education (addressed in "Physical Education" subsection). All schools in the district will be encouraged to participate in Let's Move! Active Schools ([www.letsmoveschools.org](http://www.letsmoveschools.org)) in order to successfully address all CSPAP areas.

### OTHER ACTIVITIES THAT PROMOTE STUDENT WELLNESS

The District will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. The District will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

Schools in the District are encouraged to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the school or the District's curriculum experts.

All efforts related to obtaining federal, state or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of the DWC/SWC.

All school-sponsored events will adhere to the wellness policy guidelines. All school-sponsored wellness events will include physical activity and healthy eating opportunities when appropriate.

#### Community Health Promotion and Family Engagement

The District will promote to parents/caregivers, families, and the general community the benefits of and approaches for healthy eating and physical activity throughout the school year. Families will be informed and invited to participate in school-sponsored activities and will receive information about health promotion efforts.

As described in the "Community Involvement, Outreach, and Communications" subsection, the District will use electronic mechanisms (e.g., email or displaying notices on the district's website), as well as non-electronic mechanisms, (e.g., newsletters, presentations to parents or sending information home to parents), to ensure that all families are actively notified of opportunities to participate in school-sponsored activities and receive information about health promotion efforts.

#### Professional Learning

When feasible, the District will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help District staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing district reform or academic improvement plans/efforts.

[Adoption Date: 7/25/17]

[Amended Date: 12/22/2020]

## FOOD ALLERGIES

The purpose of this policy is to establish a safe environment for students with food allergies and to support parents regarding food allergy management. In accordance with State law, it is the policy of the Board to provide all students, through necessary accommodations where required, the opportunity to participate fully in all school programs and activities.

The Board takes food allergies seriously and understands that food allergies can be life threatening. Recognizing that the risk of accidental exposure to foods can be reduced in the school setting, the ESC administration is committed to minimizing risks and providing a safe educational environment for food-allergic students. Students with dietary needs that qualify as disabilities under State and Federal law are provided reasonable accommodation.

Substitutions to regular school meals provided by the ESC are made for students who are unable to eat regular school meals due to a qualifying dietary need when that need is certified in writing by the student's physician. Substitute meals are provided in the most integrated setting appropriate to the special needs of the student.

The nature of the student's qualifying dietary need, the reason this need prevents the student from eating regular school meals (including foods to be omitted from the student's diet), the specific diet prescription along with the needed substitution must be specifically stated in the physician's statement. The ESC, in compliance with the USDA Child Nutrition Division guidelines, provides substitute meals to food-allergic students based upon the physician's signed statement.

The administration consults with parents, school nurses and other school employees, school volunteers, students and community members to gather information for the development and implementation of a food allergy plan. The plan includes, but is not limited to, schoolwide training programs, regarding food allergy education, staff development regarding food allergy identification and management, allergy emergency drills, strategies for the identification of students with life-threatening food allergies and management skills including avoidance measures, designation of typical symptoms and dosing instructions for medications.

[Adoption Date: 4/27/2021]

**LEGAL REFS.:** Child Nutrition and WIC Reauthorization Act; Pub. L. No. 108-265  
(Title I, Section 204), 118 Stat. 729 National School Lunch Act;  
42 USC 1751 et seq.  
Child Nutrition Act of 1966; 42 USC 1771 et. seq.  
Americans with Disabilities Act Amendments Act of 2008; 42 USC 12101 et  
seq.  
Rehabilitation Act of 1973, 29 USC 794  
ORC 3313.719; 3313.81; 3313.812; 3313.813  
3314.03  
3326.11  
OAC 3301-91-01 through 3301-91-08

**CROSS REFS.:** ACB, Nondiscrimination on the Basis of Disability  
EF, Food Services Management  
EFB, Free and Reduced-Price Food Services  
EFG, Student Wellness Program  
IGBA, Programs for Students with Disabilities

## COPYRIGHT

It is the policy of the Educational Service Center to conform to existing United States copyright laws and to maintain the highest ethical standards in the use of copyrighted materials for instructional purposes.

The Educational Service Center encourages its staff to enrich the learning programs by making proper use of supplementary materials; it is the responsibility of the staff to abide by the Educational Service Center's copying procedures and obey the requirements of the law. Under no circumstances shall it be necessary for employees of the Educational Service Center to violate copyright requirements in order to perform their duties properly; therefore, the Educational Service Center cannot be responsible for any violations of the Copyright Law by its employees.

Public Law 94-533 - The Copyright Law - affects all Educational Service Center employees because it sets guidelines regarding the duplication and use of all copyrighted materials - print, nonprint, music, computer software and others. The Superintendent is responsible for maintaining the guidelines for duplication and use of copyrighted materials to all employees.

Any employee of the District who is uncertain as to whether the reproducing or use of copyrighted materials complies with the Educational Service Center's procedures or is permissible under law should contact the Superintendent or his designee.

[Adoption Date: 5/28/96]

LEGAL REF.: PL94-553, Copyright Act of 1976



## COPYRIGHT

Educational Use of Copyrighted Print Materials

## 1. Fair Use

The fair use of copyrighted work for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship or research is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use, the factors to be considered include the:

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

## 2. Single copying for teachers

A single copy may be made of any of the following by or for a teacher at his/her individual request for his/her scholarly research or use in teaching or preparation to teach a class:

- A. a chapter from a book;
- B. an article from a periodical or newspaper;
- C. a short story, short essay or short poem, whether or not from a collective work or
- D. a chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

## 3. Multiple copies for classroom use

Multiple copies (not to exceed more than one copy per student in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:

- A. the copying meets the tests of brevity, spontaneity and cumulative effect as defined below and
- B. each copy includes a notice of copyright.

## 1) Brevity

Poetry: (a) a complete poem if fewer than 250 words and if printed on not more than two pages or (b) from a longer poem, an excerpt of not more than 250 words.

Prose: (a) a complete article, story or essay of fewer than 2,500 words or (b) an excerpt of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words.

Each of the numerical limits stated in "poetry" and "prose" above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.

Illustration: one chart, graph, diagram, drawing, cartoon or picture per book or periodical issue.

Special work: certain work in poetry, prose or "poetic prose", which often combines language with illustrations, of fewer than 2,500 words.

A "special work" may not be reproduced in its entirety. However, an excerpt comprising not more than two of the published pages of a special work, and containing not more than 10% of the words found in the text thereof, may be reproduced.

## 2) Spontaneity

The copying is at the instance and inspiration of the individual teacher. The inspiration and decision to use the work, and the moment of its use for maximum teaching effectiveness, are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

## 3) Cumulative effect

The copying of the material is for only one course in the school in which copies are made. Not more than one short poem, article, story or essay, or two excerpts, may be copied from the same author, nor more than three from the same collective work or periodical volume, during one class term.

The limitations stated in the preceding two paragraphs shall not apply to current news periodicals and newspapers and current news sections of other periodicals.

The limitations as to single copying for teachers and multiple copies for classroom use are applicable.

## 4. Prohibitions

- A. Copying shall not be used to create, replace or substitute for anthologies, compilations or collective works. Such replacements or substitutions may occur whether copies of various works or excerpts there from are accumulated or reproduced and used separately.
- B. There shall be no copying of or from works intended to be “consumable” in the course of study or teaching. These include workbooks, exercises, standardized tests, test booklets, answer sheets and similar consumable material.
- C. Copying shall not:
  - 1) substitute for the purchase of books, publishers’ reprints or periodicals;
  - 2) be directed by higher authority or
  - 3) be repeated with respect to the same item by the same teacher from term to term.
- D. No charge shall be made to the student beyond the actual cost of the photocopying.

Educational Use of Copyrighted Music

## 1. Permissible uses

- A. Emergency copying may be done to replace purchased copies which for any reason are not available for an imminent performance, provided purchased replacement copies shall be substituted in due course.
- B. For academic purposes other than performance, single or multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement or aria, but in no case more than 10% of the whole work. The number of copies shall not exceed one copy per student.
- C. Printed copies, which have been purchased, may be edited or simplified, provided that the fundamental character of the work is not distorted or that lyrics, if any, are not altered or added.
- D. A single copy of recordings of performances by students may be retained by the educational institution or individual teacher.
- E. A single copy of a sound recording (such as a tape, disc or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright which may exist in the sound recording.)

## 2. Prohibitions

- a. Copying shall not be used to create, replace or substitute for anthologies, compilations or collective works.
- b. Copying of or from works intended to be “consumable” in the course of study or of teaching such as workbooks, exercises, standardized tests, answer sheets and similar material is prohibited.
- c. Copying shall not be used for the purpose of performance except as previously stated.
- d. Copying shall not be used for the purpose of substituting for the purchase of music except as previously stated.
- e. Copying without inclusion of the copyright notice, which appears on the printed copy, is prohibited.

### Educational Use of Copyrighted Audiovisual Material

1. Before reproducing small portions of sound recordings, filmstrips, slide sets, transparencies or motion pictures, or videotaping commercial television broadcasts, employees shall consult with the principal to determine whether the proposed action complies with the “fair use” principles of the Copyright Act.

### Educational Use of Copyrighted Library Material

1. A library may make a single copy of unpublished work to replace a damaged, deteriorated, lost or stolen copy, provided that an unused replacement cannot be obtained at a fair price.
2. A library may provide a single copy of copyrighted material at a cost to a student or staff member.
  - a. The copy must be limited to one article of a periodical issue or a small part of other material, unless the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. Under the latter circumstances, the entire work may be copied.
  - b. The copy shall contain the notice of copyright, and the student or staff member shall be notified that the copy is to be used only for private study, scholarship or research. Any other use subjects the person to liability for copyright infringement.
3. At the request of the teacher, copies may be made for reserve use. The same limits apply as for single or multiple copies as previously stated.

### Copying Limitations

1. Circumstances arise when employees are uncertain whether or not copying is prohibited. In those circumstances, the Superintendent shall be contacted. If the Superintendent is uncertain, he/she shall consult with the Educational Service Center’s legal counsel.
2. The following prohibitions have been expressly stated in federal guidelines.
  - a. Reproduction of copyrighted material shall not be used to create or substitute for anthologies, compilations or collective works.
  - b. Unless expressly permitted by agreement with the publisher and authorized by Educational Service Center action, there shall be no copying from copyrighted consumable materials such as workbooks, exercises, test booklets, answer sheets or similar materials.

C. Employees shall not:

- 1) use copies to substitute for the purchase of books, periodicals, music recordings or other copyrighted materials, except as permitted by Educational Service Center procedure;
- 2) copy or use the same items from term to term without the copyright owner's permission;
- 3) copy or use more than nine instances of multiple copying of protected material in any one term;
- 4) copy or use more than one short work or two excerpts from works of the same author in any one term or
- 5) copy or use protected materials without including a notice of copyright. The following shall constitute a satisfactory notice:

NOTICE: THIS MATERIAL MAY BE PROTECTED BY COPYRIGHT LAW

3. Employees shall not reproduce or use copyrighted material at the direction of an Educational Service Center administrator without permission of the copyright owner.

Computer Software Copyright

The Governing Board recognizes that computer software piracy is a major problem for the industry, and that violations of copyright laws contribute to higher costs and lessen incentives for publishers to develop effective educational software. Therefore, in an effort to discourage software piracy and to prevent such illegal activity, the Educational Service Center takes the following steps.

1. The ethical and practical implications of software copyright violations are provided to all employees and students using Educational Service Center computer facilities and software.
2. Employees and students are informed that they are expected to adhere to the Copyright Act and all subsequent amendments thereto governing the use of software.
3. Wherever possible, efforts will be made to prevent software from being duplicated from compact disks, hard drives or networked systems.
4. Illegal copies of copyrighted software shall not be made or used on Educational Service Center equipment.
5. Educational Service Center administrators are designated as the only individuals who may sign license agreements for educational software used on Educational Service Center computers.
6. Documentation of licenses for software used on Educational Service Center computers is located at the site where the software is being used.

Unsupervised Copy Equipment

The following notice, in large type, shall be affixed to all Educational Service Center copying equipment (Xerox, Thermofax, audio recorder, video recorder and copy camera):

NOTICE: THE COPYRIGHT LAW OF THE UNITED STATE GOVERNS THE  
MAKING OF COPIES OF COPYRIGHTED MATERIAL. THE PERSON USING  
THIS EQUIPMENT IS LIABLE FOR ANY INFRINGEMENT.

Library Copying for Students or Staff

1. The following notice, in large type, shall be posted prominently where copies are made available to students or staff:

NOTICE: THE COPYRIGHT LAW OF THE UNITED STATE GOVERNS THE MAKING OF COPIES OF COPYRIGHTED MATERIAL.

2. The following notice, in large type, shall be posted prominently where print copies are made available to students and/or staff:

WARNING CONCERNING COPYRIGHT RESTRICTIONS

THE COPYRIGHT LAW OF THE UNITED STATES GOVERNS THE MAKING OF COPIES OR OTHER REPRODUCTION OF COPYRIGHTED MATERIAL.

UNDER CERTAIN CONDITIONS SPECIFIED IN THE LAW, LIBRARIES AND ARCHIVES ARE AUTHORIZED TO FURNISH A PHOTOCOPY OR OTHER REPRODUCTION. ONE OF THESE SPECIFIED CONDITRIONS IS THAT THE PHOTOCOPY OR REPRODUCTION IS NOT TO BE "USED FOR ANY PURPOSE OTHER THAN PRIVATE STUDY, SCHOLARSHIP OR RESEARCH." IF A USER MAKES A REQUEST FOR, OR LATER USES, A PHOTOCOPY OR REPRODUCTION FOR PURPOSES IN EXCESS OF "FAIR USE," THAT USER MAY BE LIABLE FOR COPYRIGHT INFRINGEMENT.

THIS INSTITUTION RESERVES THE RIGHT TO REFUSE TO ACCEPT A COPYING ORDER IF, IN ITS JUDGMENT, FULFILLMENT OF THE ORDER WOULD INVOLVE VIOLATION OF COPYRIGHT LAW.

Computer Software Copyright

The Board recognizes that computer software piracy is a major problem for the industry, and that violations of copyright laws contribute to higher costs and lessen incentives for publishers to develop effective educational software. Therefore, in an effort to discourage software piracy and to prevent such illegal activity, the District takes the following steps.

## TELEPHONE SERVICES

Educational Service Center telephones are provided for official use; however, in order to permit staff members to make necessary personal calls at a minimum inconvenience and loss of time, telephones may be used for personal calls. The staff members making such calls will be expected to pay any long distance or toll charges.

[Adoption Date: 5/28/96]

LEGAL REF.: OAC 3301-35-03

## CELLULAR PHONE SERVICES

The administration has established the following guidelines for the appropriate use of District-owned cellular telephones and other communication devices. It also defines guidelines for reimbursement of personal cellular calls and services by the employees of the District.

Cellular telephone services may be provided to employees who, because of job-related activities must have easy access to a telephone.

### Plans

The Treasurer facilitates the purchase of all cellular telephones or other communication devices in accordance with applicable State laws and District policies including selection of cellular carriers and identification of costs for equipment and rate plans.

### Damage, Loss, or Theft

Cellular equipment that is damaged in the course of business should be brought to the Treasurer's office. Lost or stolen cellular equipment must be immediately reported to the employee's supervisor and to the Treasurer's office so that service can be cancelled.

### Usage

Insignificant personal use of the cellular telephones is permitted by the Board only to the extent of the lease terms where there is no incremental cost to the District. Should the telephone contract minutes be overused, or if personal calls are made or received outside the telephone's lease terms, which generate additional charges, the employee shall reimburse the District for the cost of personal calls to the extent that the personal calls caused the over-usage of minutes or generated extra charges.

When using cellular telephones or communication devices, employees shall exercise appropriate measures to ensure their personal safety and the safety of those around them.

### Cellular Telephone Expense Reimbursement

The District encourages eligible employees to participate in the District cellular telephone plan. At the same time, the District recognizes circumstances that may make this difficult due to personal existing cellular phone contracts already in place. For those eligible staff members who do not participate in the District cellular telephone plan, and obtain their own cellular telephone, carry it with them while working, and use it to conduct necessary business while working may be reimbursed for their expenses. Eligible employees must submit a complete itemized copy of their wireless telephone bill monthly to the Treasurer and will be reimbursed \$40 per monthly billing cycle. Based on market research and history usage, this amount is deemed sufficient to pay for monthly access fees, business-related calls and taxes related to those charges. The District shall not reimburse any additional expenses for cellular telephone services, equipment or telephone calls.

All staff members who are required to carry a cellular telephone will be required to participate in the District cellular telephone plan effective July 1, 2005. After that time, no staff member will be eligible for reimbursement of personal cell phone bills in the name of the employee.

[Adoption Date: 12/21/04]



Wood County Educational Service Center  
Cell Phone Policy

Inventory Receipt

I, \_\_\_\_\_, received the following cellular phone equipment. Furthermore, I understand that the following equipment must be returned at the request of the Treasurer/CFO and/or on the date my employment ends with the Wood County Educational Service Center.

Phone Make/Model: \_\_\_\_\_

Wall Charger:                    \_\_\_ yes                    \_\_\_ no

Car Charger:                    \_\_\_ yes                    \_\_\_ no

Additional Equipment:        \_\_\_ yes (list)            \_\_\_ no

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

\_\_\_\_\_  
Employee Printed Name

\_\_\_\_\_  
Employee Signature

## DATA AND RECORDS RETENTION

All records<sup>1</sup> are the property of the Wood County Educational Service Center and shall not be removed, destroyed, mutilated, transferred, or otherwise damaged or disposed of, in whole or in part, except as provided by law or under the rules adopted by the Educational Service Center Records Commission. Such records shall be delivered by outgoing officials and employees to their successors and shall not be otherwise removed, transferred or destroyed unlawfully.

The Educational Service Center Records Commission is composed of the President of the Governing Board, the Treasurer of the Board and the Superintendent. The commission shall meet at least once every twelve months.

The function of the commission shall be to review applications for one-time disposal of obsolete records and schedules of records retention and disposition submitted by any employee of the Educational Service Center. Records may be disposed of by the commission pursuant to the procedure outlined below. The commission may at any time review any schedule it has previously approved and for good cause shown may revise that schedule, in accordance with State law.

The Superintendent shall designate a "Records Officer" in each department/building who shall be responsible for all aspects of records retention within that department/building.

When the Educational Service Center Records Commission has approved an application for one-time disposal of obsolete records, or any schedule of records retention and disposition, the applications, and/or schedules are sent to the Ohio History Connection (OHC) for review. The (OHC) will review the application or schedule within a period of 60 days. During this time, the (OHC) may select for its custody any records it considers to be of continuing historical value. The (OHC) will denote upon any schedule of records retention, and disposal, the records for which they will require a certificate of records disposal prior to their disposal. After the (OHC) has completed their review, OHS will forward the applications and/or schedules to the Auditor of State for their approval or disapproval. The Auditor of State must approve or disapprove the application and/or schedule within 60 days.

Before public records are disposed of, pursuant to an approved schedule, the Educational Service Center must inform (OHC) of the disposal of only the records that (OHC) has requested to see. (OHC) is given the opportunity for a period of 15 days to select for its custody such public records as it considers to be of continuing historical value<sup>2</sup>.

[Adoption Date: 5/28/96]

[Amended Date: 7/23/13]

[Amended Date: 8/23/16]

LEGAL REFS.: "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20  
ORC 9.01  
149.011; 149.35; 149.41;149.43  
3313.29  
3319.321  
3701.028  
Ohio History Connection Form RC-1  
Ohio History Connection Form RC-2  
Ohio History Connection Form RC-3

CROSS REFS.: DI, Fiscal Accounting and Reporting  
GBL, Personnel Records  
JO, Student Records  
KBA, Public's Right to Know

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<sup>1</sup>Records include any document, device, or item, regardless of physical form or characteristic, created or received by or coming under the jurisdiction of the school district which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the school district. §149.011 ORC.

<sup>2</sup>The Ohio History Connection may not review or select for its custody the records set forth in RC 149.381 (E).

## INSURANCE MANAGEMENT

The Governing Board has the responsibility to maintain an adequate and comprehensive insurance program, including liability insurance, covering its assets and individuals, including members of the governing board, professional staff, and support staff, discharging responsibilities for the District.

The Superintendent will have the responsibility of administering the total insurance program.

The Educational Service Center will make efforts to obtain insurance at the most economical cost, consistent with required coverage and service, through obtaining quotations or bids.

[Adoption Date: 5/28/96]

[Amended date: 10/23/07]

LEGAL REFS.: ORC      9.83  
                                 9.90  
                                 3313.201; 3313.202; 3313.203  
                                 3327.09  
                                 3917.01; 3917.04

CROSS REFS.: GCBC, Professional Staff Fringe Benefits  
                  GDDB, Support Staff Fringe Benefits