Jefferson County Public Schools Board Policy Review Cycle Set #3

Nutrition Services

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SUPPORT SERVICES

Meal Pricing

The Superintendent/designee shall submit, for Board approval, a fee schedule governing the price of all meals and, in keeping with state and federal requirements, implement a process to protect the confidentiality of information concerning students as required by law.

Only District employees designated by the Superintendent/designee and representatives of agencies directly connected with the administration or enforcement of the District's School Nutrition Program shall have access to individual student eligibility information without the written parental consent of a parent/guardian. A list of designated District employees authorized to receive this information shall be maintained.

School and Community Nutrition Services shall maintain an accurate and up-to-date file on each student within the District who is eligible for participation in this program.

Detailed collection procedures for student charges shall be established by the School and Community Nutrition Services Unit in accordance with federal guidelines. Food Service funds shall not be used to pay outstanding charges.

REFERENCES:

KRS 160.290 702 KAR 6:010; 702 KAR 6:050 7 C.F.R. §245.6; 7 C.F.R. 210.18(q) 20 U.S.C. 1232g, 34 C.F.R. 99.1 – 99.67 42 U.S.C. §1751 et seq. 42 U.S.C. Section 1771 et seq. P. L. 111-296

RELATED POLICY:

09.14

Adopted/Amended: 8/11/2014 Order #: 2014-125

School and Community Nutrition Procurement

FOOD PURCHASING

The School and Community Nutrition Services Unit shall purchase food products and recurring common use items in compliance with the regulations stated in the Kentucky Model Procurement Code and in a manner that provides full and open competition consistent with the standards in applicable federal regulations. Individual schools must submit requests for food according to the method approved by the School and Community Nutrition Services Unit.

CONFLICT OF INTEREST

The following conduct will be expected of all persons who are engaged in the award and administration of contracts supported by School Food Service Program Funds.

- 1. No employee, officer, or agent of the District shall participate in selection or in the award or administration of a contract supported by Program funds if a conflict of interest, real or apparent, would be involved. Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award:
 - a) District employee, officer, or agent;
 - b) Any member of the his/her immediate family of a District employee, officer, or agent;
 - c) The spouse or His/her partner of a District employee, officer, or agent;
 - d) An organization that employs or is about to employ one of the above.
- 2. A District employees, officers, or agents shall neither solicit nor accept a gratuitygratuities, favors, or anything of monetary value from a contractors, potential contractors, or a partyparties to a subagreements. In determining whether an item is an impermissible gratuity or of monetary value, "gratuity" means a payment, loan, subscription, advance, deposit of money, services, or anything of more than twenty-five dollars (\$25.00) in value, present or promised, unless a consideration of substantially equal or greater value is received.
- 3. The purchase during the school day of any food or service from a contractor for individual use is prohibited.
- 4. The removal of any food, supplies, equipment, or school property, including, but not limited to, such as records, and recipe books, and the like is prohibited.
- 5. The outside sale of surplussuch items, including, but not limited to, as-used oil, and empty cans, and the like will be sold by contract between the District and the outside agency. Individual sales by any school employeeperson to an outside agency or other school employeeperson is prohibited.

Failure of any employee to abide by the conflict of interest provisions of this policyabove stated code may result in disciplinary action, including but not limited to, a fine, suspension, or terminationdismissal.

School and Community Nutrition Procurement

USE OF DONATED COMMODITIES

The School and Community Nutrition Services Unit shall develop a program for the use of donated foods in compliance with the regulations of the USDA, and the Kentucky Department of Education, and Kentucky Department of Agriculture regulations. Commodity foods shall be used solely for the benefit of those eligible persons served by the School and Community Nutrition Services Unit.

DONATION OF PERISHABLES

Donation of leftovers, scraps, unused food, or commodities to organizations shall occur pursuant to procedures established by the Superintendent/designee and partnership agreements with the recipient organizations or agencies. Food items may be donated only if they are: Only food items deemed surplus after being served once as a leftover;, or perishable items deemed to go out of date before they can be used as intended in the Federal meal programs administered by SCNS;, or perishable food items deemed surplus as a result of an unscheduled school closings may be donated. Donated surplus perishable food itemsperishables shall be the sanitation and transportation responsibility of the recipient agency.

REFERENCES:

2 C.F.R. 200.318 2 C.F.R. 200.320 KRS 160.290 KRS 424.260 KRS 45A.345 – KRS 45A.460 702 KAR 6:010

> Adopted/Amended: 5/9/2017 Order #: 2017-138

Financial Reports - School and Community Nutrition Services

Financial records and reports for the School and Community Nutrition Services Unit shall be maintained in compliance with all federal and state regulations. Full cost accounting principles shall be applied to establish each school's expenditures and receipts.

School lunch program financial reports shall be made monthly, by the Executive Administrator, Director of School and Community Nutrition Services to the Superintendent through the Chief Financial Officer, and periodically as required by state and federal agencies. Complete financial and inventory records shall be available to the Board and Superintendent at all times.

REFERENCES:

KRS 160.290 702 KAR 6:010 702 KAR 6:020 702 KAR 6:075

07.16

Food Service/School Nutrition Employees

FOOD SERVICE/SCHOOL NUTRITION EMPLOYEES

All food service/school nutrition employees shall meet the qualifications of and be in compliance with the responsibilities noted in federal regulation. or 702 KAR 006:045, whichever is most stringent.⁴ In addition, the Executive Administrator, School and Community Nutrition Services food service/school nutrition program directors and school cafeteria managers shall meet training and credential requirements specified in state law.¹²

REFERENCES:

⁴702 KAR 6:045; 7 C.F.R. § 210.31 ¹²KRS 158.852 KRS 156.160 KRS 161.011 7 C.F.R. 235.11 (g); 42 U.S.C. 1776(g) 7 C.F.R. § 210.31

RELATED POLICIES:

See Section 03.2 07.1

Adopted/Amended: 1/10/2017 Order #: 2017-012

Staff Note: KSBA reports that 703 KAR 6:045 has been repealed, and the deletion shown above would have been included in the 2021 Annual KSBA Board Policy Update. We are making the change now to ensure that the change is not missed.

Competitive Foods

MINIMAL NUTRITIONAL VALUE

The sale of competitive foods and beverages to students during the school day shall be in compliance with current federal and state regulations.

DEFINITIONS

"Competitive Food" shall mean all food and beverages sold to students on the school campus during the school day, other than those meals reimbursable under the programs authorized by the National School Lunch Act and the Child Nutrition Act.

"School-day" means the period of time from midnight before to thirty (30) minutes after the end of the official school day.

"School Campus" shall mean all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

NUTRITIONAL STANDARDS

No school may sell competitive foods or beverages, whether from vending machines, school stores or canteens, classrooms, teacher or parent groups, from midnight before until thirty (30) minutes after the last school lunch period of the school day. From thirty (30) minutes after the last lunch period closes until thirty (30) minutes after the school day, food and beverages sold must conform with nutritional standards specified in state and federal regulations.

Fund-raising activities held off of the school campus or not during the school day are not subject to regulatory requirements of <u>702 KAR 006:090</u> or federal competitive food limitations.

REFERENCES:

7 C.F.R. 210.11b; 7 C.F.R. 220.12 <u>KRS 156.160</u>; <u>KRS 158.850</u>; <u>KRS 158.854</u>; <u>702 KAR 006:090</u> U. S. Dept. of Agriculture's *Dietary Guidelines for Americans*

RELATED POLICIES:

07.12 09.2

Service Notification

The Superintendent or the Superintendent's designee shall notify in writing each full-time food service employee of the hours, terms, and conditions of employment; lines of authority; general responsibilities; and a service termination policy.

Full-time food service employees shall be paid in accordance with a uniform pay scale.

REFERENCE:

<u>702 KAR 006:040</u> (2) (3)

RELATED POLICIES:

03.27 07.162

Service Termination for Food Service Employees

Full-time food service employees are employed annually for the period of time students are in school and for reasonable periods at the beginning and end of the school year, as determined by the Board.

TERMINATION FOR CAUSE

Employment of food service employees may be terminated for cause at any time by the Superintendent for the reasons specified in Board pPolicy 03.27 Discipline, Suspension, and Dismissal of Classified Employees.

PENALTIES UNDER FEDERAL LAW

Any employee who embezzles, willfully misapplies, steals, or obtains by fraud any funds, assets, or property whether received directly or indirectly from School and Community Nutrition Services, shall be subject to appropriate disciplinary action and/or penalties as set out in federal law. Any employee who receives, conceals, or retains for personal use or gain, funds, assets, or property provided by School and Community Nutrition Services, whether received directly or indirectly from Nutrition Services of the District, knowing such funds, assets, or property have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be subject to disciplinary action and/or penalties set out in federal law.

REFERENCES:

KRS 160.380 KRS 161.011 702 KAR 6:040 (2)

RELATED POLICIES:

03.27 04.41

Maintenance

DEVELOPMENT OF PROGRAM

The Superintendent/designee shall develop procedures for the maintenance and repair of all facilities owned by the Board. The Superintendent shall report periodically to the Board on the status of the maintenance program.

An optimal program of good housekeeping practices and procedures shall be provided for all District facilities.

REFERENCES:

<u>KRS 160.290</u> <u>KRS 198B.650</u> <u>815 KAR 008:010</u> <u>902 KAR 045:150</u> Kentucky Education Technology System (KETS)

Recycling

RESPONSIBILITY

If the District can locate a recycling vendor to serve the District without a negative fiscal impact, all Board-owned and operated facilities shall recycle white paper, cardboard and other recyclables as practicable. The Superintendent/designee shall establish a recycling plan for all school facilities and periodically review compliance with this requirement.

REFERENCE:

KRS 160.294

SCHOOL FACILITIES

Site Acquisition

The acquisition of sites for the District shall be in accordance with the District's long-range building program. Such sites shall be submitted to the Louisville Metro Planning Commission for information and discussion after completion of the public notification procedures below and shall meet the Kentucky Department of Education's requirements.

PUBLIC INFORMATION MEETING

When an acceptable site has been identified, the Superintendent/designee shall conduct a public information meeting to hear comments from the public regarding the proposed site, at a suitable facility in a place convenient to the affected community. Public notification shall be given not less than fourteen (14) days prior to the scheduled meeting via the news media and in accordance with the Kentucky Open Meetings Act. At least fourteen (14) days prior to the meeting, notice shall also be mailed to adjacent neighbors, neighborhood associations registered with the Louisville Metro Planning and Design Services and/or the JCPS Director Facility Planning Facilities/Transportation, and the Louisville Metro Council member representing the area. The meeting shall be open to the public.

All persons desiring to provide comments regarding a proposed sitebe heard shall be given an opportunity to present oral testimony. The Board may set reasonable time limits for testimony. An audio or video record of the meeting shall be producedfiled with the facilities plan and speakers may provide a written copy transcript of their testimony. Persons may also submit written comments and supporting materials. The audio and video record and any written transcripts of testimonydocuments submitted shall be filed with the facilities plan. An executive summary of the meeting shall be filed with the Louisville Metro Planning Commission, and a copy of the executive summary will be sent via e-mail or the US Postal Servicemailed to any commenters requesting a mailed copy.

Every effort shall be made to purchase sites by negotiation with a willing seller at a fair and reasonable price. If a real estate agent is retained for the purpose of negotiating with an owner for the purchase of a site and the negotiation is successful, payment for services rendered shall be at a previously agreed upon rate.

If negotiations for the purchase of a site are not successful and every effort has been exhausted to achieve acceptable purchase terms, the right of eminent domain may be utilized and condemnation proceedings authorized.

Payment for services rendered by a real estate agent and/or attorney, in the case of condemnation proceedings, shall be made on an hourly basis.

FACTORS TO BE CONSIDERED

When acquisition of a site for school purposes is being planned, and in accordance with requirements established in 702 KAR 4:050, T the following factors shall be considered when acquisition of a site for school purposes is being planned:

Accessibility and Safety

The site shall be readily accessible. Adequate public roads or streets shall be available to accommodate anticipated school traffic. The site shall be so located that a safe sight distance of at least 500 feet may be maintained at all vehicle exits and entrances to and from the site onto public roads, streets, or highways.

Site Acquisition

FACTORS TO BE CONSIDERED (CONTINUED)

Size

The site shall be of adequate size and proper shape to provide for the development of ample playground facilities and future expansion. In accordance with 702 KAR 4:050, Eelementary sites shall consist of at least five (5) acres plus an additional acre for each 100 or fraction of 100 students anticipated. High school and middle school sites shall consist of at least ten (10) acres plus an additional acre for each 100 or fraction of 100 students and additional acre for each 100 or fraction of 100 students anticipated. The District may request a deviation from the size requirement to the Commissioner of Education.

Site Location

The site shall be free from disturbing noises, distracting influences, and hazardous surroundings; and the location shall be in agreement with the District's comprehensive educational plan.

Facilities Planning

The Superintendent/designee shall develop procedures to ensure that all facilities services shall be available to the site, such as, water, sewer, and electric services.

Facilities Planning Advisers

An attorney shall be retained to verify that a fee simple title can be obtained in conformance with Kentucky Revised Statutes prior to the purchase of a school site.

Advisers shall be used, if needed, to verify the availability of facilities services to the site according to procedures developed by the Superintendent/designee.

Enrollment Projections

It shall be the responsibility of the Operations DivisionDemographics Unit to compile the data necessary to project enrollments several years in advance for each school in the District. On the basis of this information and funds available, the Operations Division of Facilities/Transportation shall carry out new building construction, additions, remodeling and improvements, and other means of fulfilling needs of housing the school children of the District.

REFERENCES:

KRS 162.030 702 KAR 4:050

RELATED POLICIES:

01.421
04.32
05.1

SCHOOL FACILITIES

Responsibility for School Property

BUILDINGS AND GROUNDS

The Principal/designee, under the direction of the Superintendent, shall have charge of and be responsible for the assigned school buildings, furniture, books, equipment, apparatus, and supplies belonging thereto. Inspection of playgrounds and equipment shall be performed by the Superintendent's designee.

PLAYGROUNDS AND EQUIPMENT

The Superintendent's designee shall monitor the condition of all playgrounds and play apparatus at the school, periodically inspect playgrounds and play apparatus, and report the results in writing to the Chief Operations Officer Executive Director of Facilities/Transportation.

School personnel shall work with the Chief Operations Officer/designeeExecutive Director of Facilities/Transportation to assure that playground equipment to be purchased by, or donated to the school meets District standards and is approved prior to installation. Only commercial grade equipment, suitable for use by children and accompanied by appropriate surface materials, shall be installed on school playgrounds.

MAINTENANCE

As the Principal/building administrator observes or is notified of physical hazards and/or needed maintenance of the building, equipment and grounds, he or shes/he shall report it, using the work order system established by the Operations Division., to the Department of Facilities/Transportation who, in turn, The Property Management and Maintenance Department shall make a prompt inspection and initiate steps to remedy the condition.

TRAFFIC AND PARKING CONTROLS

The Principal/-or-building administratorsupervisor shall develop procedures to enforce vehicle parking and traffic control for each building owned by the District.

REFERENCES:

KRS 160.290 KRS 160.340 702 KAR 1:160 Handbook for Public Playground Safety, U.S. Consumer Product Safety Commission

RELATED POLICIES:

05.4 09.23

Energy Management

In order to use energy resources in a safe and efficient manner with an on-going focus on identifying and implementing cost saving measures and developing staff and student commitment to identified energy management practices, the Board may participate in energy-saving measures to implement an effective energy management program.

Adopted/Amended: 8/6/2019 Order #: 2019-840

Fire Drills

MONTHLY DRILLS

There shall be at least two (2) fire exit drills the first month of a school term and one (1) additional fire drill each calendar month for the remainder of the school term. The route of exit is to be posted in all classrooms and other areas where students assemble.

In climates where the weather is severe the monthly fire exit drills shall be permitted to be deferred provided that the required number of fire exit drills is achieved and at least four (4) are conducted before the drills are deferred.

REQUIRED REPORT

On forms provided by the Superintendent/designee, a monthly fire drill report is to be completed and maintained at the school. The appropriate reporting form, detailing the date and time of each fire drill, weather conditions when the occupants were evacuated, the number of occupants evacuated, and the total time for evacuation shall be kept on the premises.

IMPLEMENTATION

The Principal is responsible for implementing this policy.

REFERENCES:

Life Safety Code Handbook, Chapters 14 & 15 KRS 158.162 KRS 227.220(3)(e)

RELATED POLICY:

05.4

SCHOOL FACILITIES

Severe Weather/Tornado Drills

PROCEDURE SYSTEM

To maintain the safety and care of students and employees, a severe weather/tornado emergency procedure system shall be established to include, but not be limited to, the following components:

- 1. A school building disaster plan that provides for a shelter procedure and safe area evacuation practices;
- Designation of the best available safe zones for each facility, to be posted in each room of the school building. Safe zones shall be determined as part of the school emergency planning process, in consultation with local and state safety officials and informed by guiding principles set forth by the nNational Weather Service and the Federal Emergency Management Agency as part of the school emergency planning process and posted in each room of the school;
- 3. Protective measures to be taken before, during, and following severe weather/ tornado; and
- 4. Training of staff and students in the tornado/severe weather emergency procedure system.

TIMES FOR DRILLS

Each school location shall conduct a minimum of two (2) severe weather/tornado and safe area evacuation drills per school year. A severe weather/tornado and safe area evacuation drill shall be held during the first thirty (30) instructional days of the school year and again in January. Designated school primary and secondary evacuation routes shall be posted by any doorway used for evacuation.

REQUIRED REPORT

The appropriate reporting form, detailing the date and time of each severe weather/tornado drill, shall be kept on the premises.

IMPLEMENTATION

The Principal is responsible for implementing this policy.

REFERENCES:

KRS 158.162 KRS 158.163

RELATED POLICY:

05.4

Draft 1/28/21

SCHOOL FACILITIES

Unmanned Aircraft Systems

PURPOSE

This policy is implemented to protect the health and safety of District students, employees, and visitors, and to comply with Federal Aviation Administration (FAA) requirements to prevent the disruption with active flight activities in the region.

DEFINITIONS

- 1. Unmanned Aircraft Systems (UAS): any unmanned aerial vehicle or drone operated from a distance of more than one foot via tether or remote control or autonomous control, including but not limited to fixed wing and rotorcraft platforms.
- 2. *Operator*: any staff, student, visitor, contractor, paraprofessional, agency, booster club, club organization, external support organization, or other individual using or piloting an UAS.

POLICY

- 1. This policy applies to Operators (users/pilots) of Unmanned Aircraft Systems (UAS) or drones for education, demonstrations, communications, recreation, and all other purposes while on District owned, operated or controlled property. Controlled property includes all sites not owned by the District but where the District is hosting events, activities, or athletic competitions for the duration of the event, activity, or athletic competition.
- 2. The District shall comply with FAA <u>requirements</u>, state law, and any other locally applicable laws or regulations regarding UAS.
- 3. Education institutions and other public entities may operate UAS upon receipt of a <u>Certificate of Waiver or Authorization ("COA"</u>) from the FAA.
- 4. UAS shall only be used for institutional purposes compliant with District Vision and Mission.
- 5. Hobbyist or recreational use of UAS is prohibited on all District owned, operated or controlled property.
- 6. UAS shall be operated in a manner that adheres to federal and state law and FAA requirements regarding the operation of said aircraft to include but not limited to:
 - a. Flying below 400 feet and remaining clear of surrounding obstacles.
 - b. Remaining well clear of and not interfering with manned aircraft operations.
 - c. Not flying within five (5) miles of any designated airport (or helipad) unless the operator contacts the airport (or helipad) and control tower before flying.
 - d. Refraining from being careless or reckless with the UAS which could result in a fine for endangering people or other aircraft.
- 7. UAS used in accordance with this policy shall be under the complete control and within visual line of sight of the Operator at all times.

Staff Note: Blue highlighted text above are embedded links from KSBA, not new language.

Unmanned Aircraft Systems

POLICY (CONTINUED)

- 8. Commercial use of UAS is not permitted unless there is approval from the District, the UAS has been registered with the FAA and the FAA has issued a 333 exemption and COA to the commercial operator. UAS shall not be used in such a way as to create a hazard to District owned, operated, or controlled property, the community or the public. UAS shall not be operated in a way that disrupts instruction or unduly affects the environment of people in or passing through a common space or residential space, working or studying within a building, or entering, exiting or otherwise making their way about a facility.
- 9. UAS shall not be operated directly above open air events, above thoroughfares, including but not limited to roadways, sidewalks, bike paths and pedestrian paths.
- 10. Use of UAS at athletic events is prohibited.
- 11. Failure to comply with this policy may result in referral to campus, local, state or federal law enforcement for citation and prosecution consistent with federal and state law.

APPROVAL PROCESS

To utilize UAS on any District owned, operated or controlled property, the Operator shall request permission through District Insurance Department at least fourteen (14) days prior to operation. Included in all permission requests, both internal and external, must include a description of the UAS to be used, the name and FAA pilot license number of the Operator, the date of operation, and the site where the UAS will be operated. Included in all external party usage requirements must be proof of general liability insurance with a \$1,000,000 per occurrence limit, \$2,000,000 aggregate limit, and the DistrictJefferson County Public Schools must be added as an additional insured.

RESPONSIBILITIES

- 1. Administration of this policy is coordinated through the Insurance Department with support of the Financial Services DivisionDepartment.
- 2. A list of those authorized to use UAS will be viewable by District administrative offices.

REFERENCES:

KRS 183.086 KRS 500.130 KRS 501.110 <u>Public Law 112-95, Title III, Subtitle B – Unmanned Aircraft Systems</u> (FAA Modernization and Reform Act of 2012) <u>Public Law 114-90, Title II, Subtitle B – UAS Safety (FAA Extension, Safety, and Security Act of 2016)</u> 14 CFR 1.1-1.3 14 CFR 21.1-21.700

> Adopted/Amended: 8/6/2019 Order #: 2019-839

Draft 1/28/21

SCHOOL FACILITIES

05.47

Earthquakes

The Superintendent shall develop written procedures to promote the safety of students and personnel in the event of an earthquake. Written procedures shall include a building disaster plan, a "drop procedure" for all staff and students, protective measures and a method of instructing staff and students of these procedures. As used in this policy, "drop procedure" means an activity by which each student and staff member takes cover under a table or desk, dropping to his or her knees, with the head protected by the arms, and the back to the windows.¹

Each school location shall conduct a minimum of two (2) earthquake drills per year.

REQUIRED REPORT

The appropriate reporting form, detailing the date and time of each earthquake drill shall be kept on the premises.

IMPLEMENTATION

The Principal is responsible for implementing this policy.

REFERENCE:

¹KRS 158.163

RELATED POLICY:

05.4

SCHOOL FACILITIES

05.411

Building Lockdowns

DEFINITION

Building lockdown means to restrict the mobility of building occupants to maintain their safety and care.

ANNUAL PRACTICES

A building lockdown practice shall be implemented at least twice during each school year. At a minimum, lockdown drills shall be held during the first thirty (30) instructional days of the school year and in January. As directed by the Superintendent/designee, the Principal or other building supervisor shall document that the practice has occurred.

PROCEDURE REQUIRED

The school council or, if none exists, the Principal shall establish procedures to perform a building lockdown, including protective measures to be taken during and immediately following the lockdown. Local law enforcement agencies shall be invited to assist in establishing lockdown procedures. Each school year, the school shall provide appropriate notice of building lockdown procedures to students, certified staff, and classified staff.

REQUIRED REPORT

The appropriate reporting form, detailing the date and time of each building lockdown drill shall be kept on the premises.

IMPLEMENTATION

The Principal is responsible for implementing this policy.

REFERENCES:

KRS 158.162 KRS 158.164

RELATED POLICY:

05.4